S. 2760 as passed by the Senate is a measure long needed as the problems to which it is addressed are pervasive and have not been ameliorated significantly by any activity to date. Take pollution, mine water damage, and the impact of oil upon all elements of the ecology are so obvious that the problems they present do not need to be documented.

OIL POLLUTION CONTROL

There has been a tendency in Federal regulation procedure to provide two obvious avenues of escape for polluters. While we support the efforts contained in S. 2760 for emergency cleean-up in order to minimize the pollutive effects of oil, the basic effort, it occurs to us, should be the prevention of these circumstances. While we are aware that no preventive policy can be 100% effective, certainly the number of occasions of oil spillage or oil escape can be minimized by vigorous enforcement action. To allow vessels or installations to pollute the waters either accidentally or on the basis of no proven malfeasance is to abrogate effective enforcement action. It would occur to us that this has not been the pattern of the past but on the contrary, if a violation occurs this may be one of the arguments offered by the defendant if the defendant chooses to appeal a regulatory ruling to the courts. To make the regulatory agencies solely responsible when a violation of the regulation takes place is improper and restrictive if the aim of such enforcement is to achieve widespread compliance.

We prefer H.R. 15906 since the enforcement provisions of this measure appear to us to be stronger and more capable of being implemented than those contained in S. 2760. The principal deficiency however, in our judgment, of H.R. 15906 is essentially the same.

ADDITIONAL METHOD OF FINANCING WASTE TREATMENT WORKS

We support the principles establised in H.R. 15907, which would amend the Federal Water Pollution Control Act. The basic purport of the legislation is to accelerate the waste treatment construction grant program by a new method of financing. This measure would authorize the Secretary of the Interior to commit the Federal Government to contracts with state, interstate, or local public bodies by which the Secretary would pay to these governmental bodies required amounts over a fixed period of time but not to exceed thirty years. The present provisions of the act permit federal payments from 30 to 50% of the cost of construction of waste treatment works. The proposed legislation would permit the local and state governmental bodies to issue bonds covering the entire cost of the treatment works and the federal payment would be available for such bodies to pay the principal and interest on the bonds issued. In short, this would permit the Federal Government to guarantee the entire bond, which would be inclusive of the Federal and non-Federal shares. While these bonds would not be tax-exempt, as issued by the local governmental bodies, the payment structure authorized the Secretary would have the effect of reducing the interest to the states to rates comparable to municipal tax-exempt bonds.

It appears to us that the bill provides the necessary safeguards in authorizing the waste treatment system and also contains in Section 8(c) of the present act an amendment which would provide the proper transition from the present method of financing to that proposed in the legislation.

The amendment of this legislation to Section 8(b) of the act would continue the present authorization of funds to be appropriated in 1969–71 and would also authorize appropriations for an indefinite period in order that the principal and interest payments, which become the obligation of the Federal Government, be liquidated under the new authority. A failure to do this would, in our judgment, make it impossible for us to make any progress with the present back-log of sewage treatment facility needs, as well as to keep up with the present pollution problems occurring on all fronts due to the population expansion and to the industrial and technological expansion. The present legislation would establish essentially a contract authority for the agency but the provisions of the legislation would not allow such authority until the Congress has passed an appropriations act for fiscal year 1969, and two succeeding fiscal years, which would establish the level of such contract authority.

Mr. Chairman, it appears obvious from the experience we have had to date that something bold and imaginative must be done if the sewage treatment