

[H.R. 14953, 90th Cong., second sess.]

A BILL To amend title 23, United States Code, in regard to the obligation of Federal-aid highway funds apportioned to the States

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 104 of title 23, United States Code, is amended by adding at the end thereof the following new subsection :

"(f) No part of any sums authorized to be appropriated for expenditure upon any Federal-aid system which has been apportioned pursuant to the provisions of this section shall be impounded or withheld from obligation, for purposes and projects as provided in this title, by any officer or employee of any department, agency, or instrumentality of the executive branch of the Federal Government, except such specific sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, are necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the highway trust fund to defray the expenditures which will be required to be made from such fund."

Mr. BLACKBURN. Let me make a general oral statement as to the main thrust of my position.

Very briefly, Mr. Chairman, I have two major arguments I would like to present in favor of discontinuing the proposed freeze on expenditures on the Interstate Highway System.

The first argument that I feel very strongly about is that expenditures from this fund are not contributing to the inflationary trend in this country.

The justification for the freeze, as I understand it, is in cutting back on Federal spending, and, thereby, help to counteract inflationary trends we are experiencing.

Inasmuch as the funds being expended have been previously collected, this does not represent a form of deficit spending. Insofar as we are utilizing funds which have been previously collected, we are not contributing to the inflationary trend.

Now, relating themselves to delay in construction we must consider the inflationary trend of building costs, roughly 4 to 5 percent per year.

To the extent we delay construction, the increased costs of building are going to more than offset any so-called advantage that might result.

In fact, quite to the contrary, it is going to increase the ultimate cost of these highways, the longer we delay it.

The second point that I feel even more strongly about is the position that I take, that the withholding of these funds, and I do not like to use the term "illegal," because that would imply I am saying the President is doing something illegal, and I do not want to use that term; but I do feel very strongly that what he is doing is not authorized by the law, in fact, quite to the contrary.

The Congress made its desires known for early completion when it established this fund in 1956. This act contains this language :

It is hereby declared to be essential to the national interest to provide for the early completion of the Interstate Highway System as authorized and designated. It is the intent of Congress that the Interstate System be completed as nearly as applicable over a 13-year period.

Of course, that has been extended an additional 2 years, but Congress has made clear its intent.

Let's go further. When the Congress established the fund in section 108(b), and I am quoting now from my prepared statement, which states: