

EXHIBIT No. 5

MINNEAPOLIS, MINN., June 13, 1968.

Congressman JOHN YOUNG,
House of Representatives,
Washington, D.C.

DEAR MR. YOUNG: For your information, the Colorado River Yetty has the endorsement of the National Rivers and Harbors' Committee. If there is any further assistance I can give you to put this through, please let me know.

I would also appreciate your contacting Congressman Clark MacGregor, of Minnesota, as I feel that he will be glad to give you any help that you may need.

Sincerely,

AL HANSEN,
National Rivers and Harbors Congress.

Mr. BLATNIK. We will next hear from our distinguished colleague from Maryland, Congressman Machen.

POTOMAC RIVER, MALLOWS BAY-ABANDONED SHIP HULLS (H.R. 2402)

**STATEMENT OF HON. HERVEY G. MACHEN, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF MARYLAND**

Mr. MACHEN. Thank you, Mr. Chairman. I have a statement that I would like to submit for the record in connection with H.R. 2402, the authorization for the cleanup in the Potomac River.

The Corps of Engineers, the technical witnesses, will testify and I would like to just submit this for the record.

Mr. BLATNIK. Very well. Your statement will appear in the record at this point in its entirety.

(The full, prepared statement of Mr. Machen follows:)

STATEMENT OF REPRESENTATIVE HERVEY G. MACHEN, OF MARYLAND, ON H.R. 2402

Mr. Chairman and members of the Subcommittee, I am Hervey G. Machen and I represent Prince Georges and Charles Counties of the State of Maryland in the House of Representatives. I am appearing today on behalf of my bill, H.R. 2402, which I introduced on January 16, 1967, and which was referred to this Committee for consideration. I originally introduced this bill in the 89th Congress on July 22, 1965, as H.R. 10018.

The purpose of my legislation is to authorize and direct the Secretary of the Army to remove from the Potomac River and to destroy more than 100 abandoned World War I ship hulks now floating in Mallow's Bay in Charles County, Md. Each of these hulks is almost 300 feet long and they are made of wood. They were the remnants of a salvage operation and they are stripped clean of all metal. These hulks are in a semblance of a "corral" in Mallow's Bay and from time to time either a hull or a large piece of a hull will escape into the Potomac River posing a serious threat to the safety of water traffic.

Last year in the March 5, 1967, issue of the Sunday Star Magazine there was an article about these hulks. The writer, Mr. William Fuchs, said, "Today the hulks are not only unsightly, but they also have become a menace. The mud and gravel is spilling out of them; the pilings that once fenced them are deteriorating, leaving large gaps, and the ships themselves are decaying and breaking apart."

Mr. Chairman, these hulks have been held to be legally abandoned property in the Steinbraker v. Crouse decision of the Maryland Court of Appeals, January 15, 1936, a copy of which is attached to my testimony. This decision also includes a lengthy history of these hulks and I hope it will be included in the record. The court held that "actual abandonment" had occurred in that case. Thus we are faced with a situation where these hulks, although admittedly not in navigable waters nor in the channel of the river, are not owned by anybody and legally are not anyone's responsibility. If they were in the channel of the River the Corps of Engineers would act to remove them. If they were privately owned they probably would have been removed long ago. It has been my feeling for some time that there is a clear federal interest in the scenic quality of the Potomac