

Mr. DULSKI. We are not aware of any statement from the GSA, Mr. Harsha.

Mr. HARSHA. I am reading from a letter dated April 18, 1968, to the chairman of the committee, where it points out that originally 5 acres were sold to you at 50 percent of the fair market value for recreation purposes.

Mr. DULSKI. I am advised by Mr. Baker that we did pay.

Mr. BAKER. Yes.

Mr. HARSHA. Also any further disposal of it would have to comply with the existing law unless we pick some special—

Mr. DULSKI. Right at the present time, Mr. Harsha, we did not know about this letter. The city of Buffalo is not aware. That is why they passed the resolution.

Mr. HARSHA. When your bill was introduced, it was referred to the various agencies involved with your comments, and I think that is how the committee happen to get their comment on it.

Mr. DULSKI. I appreciate the information.

Mr. HARSHA. They further suggest under existing law, if it were to be declared surplus, then the local government could purchase it, but it would have to make a payment of 50 percent of the fair market value.

Then I understand the Department of Army still has some interest in it from the standpoint of pollution control in Lake Erie that may be used for—

Mr. DULSKI. For sludge, that is right. I have that in the statement.

Mr. HARSHA. I just wanted to know if you were aware of those problems.

Mr. DULSKI. Maybe Mr. McCarthy has some comments to make.

Mr. HARSHA. I am sure he will have some in executive session.

Mr. DORN. Mr. McCarthy, we already have permission for you to extend your remarks; but we would be pleased to have any comments that you might make.

**STATEMENT OF HON. RICHARD D. MCCARTHY, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF NEW YORK**

Mr. MCCARTHY. Thank you, Mr. Chairman. You have the documents that I have relating to this, mainly from the Corps of Engineers that has posed no objections to this. This land, as you note from those documents, was assumed for many years that it belonged to the State of New York. And it was only discovered recently that the title still is vested with the U.S. Government. This is a very needed project in our distinguished colleague, Congressman Dulski's district, and the recreational facilities in the city of Buffalo are lacking.

Here we have this beautiful lake right at our doorstep, but there are no bathing facilities in the lake within the city limits. Now with the pollution effort that is now underway with a target date of 1972, we are looking forward to the day in about 5 years when swimming again will be permitted for the first time in my—when I was a little boy you could swim down here in this beach, and I swam there, and that was about 30 years, and there has not been swimming since then.