

The original documents are located in Box 36, folder “12/26/75 HR8122 Public Works Appropriation Act (1)” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.

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THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: December 26

December 24, 1975

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON

SUBJECT: H.R. 8122 - Public Works for Water and Power Development and Energy Research Appropriation Act, 1976

Attached for your consideration is H.R. 8122, sponsored by Representative Evins, which appropriates \$7,278,712,500 for FY 76 and \$2,077,533,000 for the transition quarter for activities of the Corps of Engineers-Civil, the Bureau of Reclamation, the power agencies of the Department of the Interior, ERDA and several related independent agencies and commissions. The enrolled bill provides \$172,550,500 more in 1976 budget authority than your request and \$94,903,000 more than your transition request.

A detailed discussion of the appropriations contained in the enrolled bill is provided in Jim Lynn's memorandum and enrolled bill report at Tab A.

CEQ Chairman Peterson recommends that you veto the enrolled bill on the grounds that increases for the Corps of Engineers and the Bureau of Reclamation are objectionable for both economic and environmental reasons. His memorandum to you is included in the OMB enrolled bill report.

OMB recommends that you sign H.R. 8122 and OMB will thoroughly review the increases and suggest appropriate rescissions and deferrals for your consideration. Max Friedersdorf, Counsel's Office (Lazarus) and I concur.

RECOMMENDATION

That you sign H.R. 8122 at Tab B.

Approve _____

Disapprove _____

Prepare Memorandum of Disapproval

APPROVED
DEC 26 1975

THE WHITE HOUSE
WASHINGTON

December 24, 1975

MEMORANDUM FOR:

DICK CHENEY

FROM:

JIM CONNOR

Attached is the enrolled bill report for H. R. 8122, the Public Works Appropriation Act.

The enrolled bill was carried with you to Vail. The last day for approval is December 26. If the President decides to veto the measure, the bill must be returned here so that it can be delivered to the Congress on December 26, along with a veto message.



Top Leader

THE WHITE HOUSE
WASHINGTON

Date December 31, 1975

TO: Jim Connor
FROM: John G. Carlson

The attached material was given to me by Dick Cheney out in Vail. As you can see, these are the originals initialed by the President and thought you might need them for some files.

Attachment

TR
PAID

IMMEDIATE
PRECEDENCE

UNCLAS
CLASSIFICATION

FOR COMMCENTER USE ONLY

FROM: JAMES CONNOR
TO: DICK CHENEY

INFO:

DEX _____

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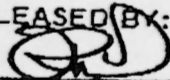
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THE WHITE HOUSE
WASHINGTON

December 24, 1975

MEMORANDUM FOR:

DICK CHENEY

FROM:

JIM CONNOR

Attached is the enrolled bill report for H.R. 8122, the Public Works Appropriation Act.

The enrolled bill was carried with you to Vail. The last day for approval is December 26. If the President decides to veto the measure, the bill must be returned here so that it can be delivered to the Congress on December 26, along with a veto message.

THE WHITE HOUSE

ACTION

WASHINGTON

Last Day: December 26

December 24, 1975

MEMORANDUM FOR THE PRESIDENT

FROM:

JIM CANNON *JC*

SUBJECT:

H.R. 8122 - Public Works for Water and Power Development and Energy Research Appropriation Act, 1976

Attached for your consideration is H.R. 8122, sponsored by Representative Evins, which appropriates \$7,278,712,500 for FY 76 and \$2,077,533,000 for the transition quarter for activities of the Corps of Engineers-Civil, the Bureau of Reclamation, the power agencies of the Department of the Interior, ERDA and several related independent agencies and commissions. The enrolled bill provides \$172,550,500 more in 1976 budget authority than your request and \$94,903,000 more than your transition request.

A detailed discussion of the appropriations contained in the enrolled bill is provided in Jim Lynn's memorandum and enrolled bill report at Tab A.

CEQ Chairman Peterson recommends that you veto the enrolled bill on the grounds that increases for the Corps of Engineers and the Bureau of Reclamation are objectionable for both economic and environmental reasons. His memorandum to you is included in the OMB enrolled bill report.

OMB recommends that you sign H.R. 8122 and OMB will thoroughly review the increases and suggest appropriate rescissions and deferrals for your consideration. Max Friedersdorf, Counsel's Office (Lazarus) and I concur.

RECOMMENDATION

That you sign H.R. 8122 at Tab B.

Approve *JC*

Disapprove _____

Prepare Memorandum of Disapproval

TAB A

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 8122 - Public Works for Water and Power
Development and Energy Research Appropriation Act, 1976

Last Day for Action: December 26, 1975 - Friday

<u>Appropriations</u> <u>(in millions):</u>	<u>Administration</u> <u>Request</u>	<u>Enrolled</u> <u>Bill</u>	<u>Congressional</u> <u>Change</u>
1976.....	7,106	7,279	+173
Transition Quarter.....	<u>1,983</u>	<u>2,078</u>	<u>+95</u>
Total.....	9,089	9,357	+268

Effect on Estimated Outlays: +\$180 million in 1976, +\$110 million in the transition quarter, and +\$12 million in 1977.

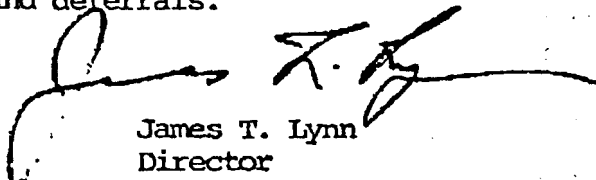
Highlights:

- Increases of \$269 million for water resources planning and construction projects are mainly for ongoing programs, but 44 new starts have also been added.
- A net \$47.2 million Congressional decrease for ERDA reflects cuts for the nuclear energy and national security programs that are partially offset by increases for development of solar and other advanced energy sources.

Recommendations

CEQ Chairman Peterson recommends veto on the grounds that increases for the Corps of Engineers and the Bureau of Reclamation are objectionable for both economic and environmental reasons. (His letter is at Tab A to the longer memorandum).

I recommend that you sign the enrolled bill because (1) many of the increases are needed to avoid costly temporary suspensions of work on approved projects, (2) these same increases will simply shift costs from 1977 into 1976, and (3) the new starts added by the Congress are less in amount and number than those of previous years. Later, we will submit our recommendations to you on appropriate rescissions and deferrals.


James T. Lynn
Director

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 1 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 8122 - Public Works for Water
and Power Development and Energy Research
Appropriation Act, 1976
Sponsor - Rep. Evins (D), Tennessee

Last Day for Action

December 26, 1975 - Friday

Purpose

Appropriates \$7,278,712,500 for fiscal year 1976 and \$2,077,533,000 for the transition quarter for activities of the Corps of Engineers-Civil, the Bureau of Reclamation, the power agencies of the Department of the Interior, the Energy Research and Development Administration, and several related independent agencies and commissions.

Agency Recommendations

Office of Management and Budget	Approval
Council on Environmental Quality	Veto (Chairman Peterson's letter is at Tab A)
Affected agencies	Approval (informally)

Discussion

Comparison with your 1976 and
Transition Quarter Budget Requests

The enrolled bill provides \$172,550,500 more in 1976 budget authority than your request of \$7,106,162,000 and \$94,903,000 more than your transition quarter request of \$1,992,630,000. The effect of these and other budget authority changes is to increase estimated outlays in 1976 by \$179.6 million, in the transition quarter by \$110 million, and in 1977 by \$11.5 million.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

DEC 26 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 8122 - Public Works for Water and Power Development and Energy Research Appropriation Act, 1976
Sponsor - Rep. Evins (D), Tennessee

Last Day for Action

December 26, 1975 - Friday

Purpose

Appropriates \$7,278,712,500 for fiscal year 1976 and \$2,077,533,000 for the transition quarter for activities of the Corps of Engineers-Civil, the Bureau of Reclamation, the power agencies of the Department of the Interior, the Energy Research and Development Administration, and several related independent agencies and commissions.

Agency Recommendations

Office of Management and Budget	Approval
Council on Environmental Quality	Veto (Chairman Peterson's letter is at Tab A)
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Discussion

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The following table shows the effect of Congressional action on your 1976 and transition quarter budget requests for major agencies in the enrolled bill:

	Budget Authority 1976 and TQ		Effect on Budget Authority Change on Outlays	
	Request Considered	Congressional Change	1976 & TQ	1977
Energy Research and Development Administration..	5,213	-47	+4	-27
Corps of Engi- neers-Civil.....	2,521	+259	+219	+40
Department of the Interior:				
Bureau of Re- clamation.....	750	+52	+50	+3
Power Adminis- trations.....	12	---	---	---
Appalachian re- gional commis- sion, develop- ment programs...	148	-8	+4*	-1
Nuclear Regula- tory Commission.	272	-5	-3	-2
Tennessee Valley Authority.....	115	+15	+15	---
Other agencies...	58	+1	+1	-1
Total.....	9,089	+267	+290	+12

* Includes effect of liquidating cash changes made by the Congress.

Comparison to 1975 Funding Levels

You requested 1976 appropriations for this bill totaling \$1,072 million more than the 1975 funding level. The Congress has concurred in an overall increase from the 1975 level but by a greater amount--\$1,224 million. Tab B to this memorandum presents a more detailed comparison of your recommendations for level-of-funding changes from 1975 to 1976 and the Congressional response to them.

Major Changes to Requested Amounts

The remainder of this analysis discusses the major changes made in the bill to your requests. The discussion, unless otherwise noted, is in terms of budget authority changes for both 1976 and the transition quarter.

Energy Research and Development Administration

The Congress considered your requests for the Energy Research and Development Administration (ERDA) in two 1976 appropriation bills: \$5,213 million was considered for this enrolled bill and \$617 million for the Interior enrolled appropriation bill now awaiting your action. Your requests have been reduced in both. In this bill, the reductions net to \$47.2 million. However, this includes both increases and decreases from your requests, distributed as follows:

- +\$23.1 million for the operating expenses of solar energy development. The Congress has provided additional funds for the development of several technologies and added funds for a solar storage project and a solar institute. With the increased funds, the priorities you proposed will be changed: for example, the conversion of light to electric power (photovoltaics) will receive greater funding than solar energy conversion to electric and thermal power.
- +\$10.2 million for the development of other advanced energy systems.
- +\$13.5 million for environmental and safety research. This increases funding to assess the safety and environmental impact of various energy programs and for remedial work on uranium mill sites in the western states, development of an artificial heart, and applications of nuclear research to medicine.
- -\$42.7 million from your request for nuclear energy development. This includes decreased funding for upgrading safeguard and security measures for nuclear materials, no funding of new uranium enrichment facilities, and decreased funding for the Tokamak fusion test reactor in Plainsboro, New Jersey.
- -\$33.2 million from your request for energy-related national security. This decrease was broadly applied to weapons program activities. As a result the production of certain low priority weapon systems will be delayed. A reduction in funding of safeguard and security upgrading was also effected.
- Further changes to your requests resulted in a net decrease of \$18.1 million, most of which relates to certain financial adjustments made by the Congress.

Water Resources Development

The Congress added \$269 million to your requests for planning and construction of water resources projects. All Congressional increases in the enrolled bill for the Bureau of Reclamation and the Tennessee Valley Authority (TVA) were for these projects, as well as a major portion (\$202 million) of the \$259 million Congressional increase to the Corps of Engineers. The Congress provided increases both for new planning and construction starts and for ongoing projects, though more than three-quarters of the increase is for ongoing projects.

Your budget requests proposed a policy of no new starts in fiscal year 1976 and the transition quarter. The Congress, however, provided for 44 specific new planning and construction starts that would cost an estimated \$1,015 million to complete. These new starts--for the Corps of Engineers, the Bureau of Reclamation, and TVA--are shown at Tab C. Undesirable as the costs of these new starts are, they are considerably less than in previous years. Last year, for example, the Congress added 65 unbudgeted new starts whose eventual cost of completion was estimated at \$3.6 billion.

Because contractors who carry out the ongoing projects have recently had fewer concurrent jobs, they have progressed faster than anticipated on many projects. Thus, much of the Congressional increase for ongoing projects is not objectionable in that it (1) will avoid costly suspensions of work that can follow the "out-of-funds" notices that would have to be given in many projects without the additional funds, (2) will move some 1977 costs into 1976 and (3) will allow for somewhat earlier completion of approved projects. A listing of the ongoing projects affected by the enrolled bill is at Tab D.

Chairman Peterson of the Council on Environmental Quality is recommending veto of the enrolled bill because he finds the Congressional increases for water resources projects objectionable on environmental and economic grounds. His letter is at Tab A. While I agree that the increases for water resources projects are the most objectionable feature of the enrolled bill, I recommend the first of the two alternatives he gives in his letter--sign the enrolled bill and recommend deferrals (and, perhaps, rescissions). My recommendation has these bases:

- ° Much of the Congressional increase for ongoing programs is needed and can be used.
- ° The new starts added by the Congress are lesser in number and amounts than in previous years.
- ° Your recent decisions on the 1977 budget imply funding the increases in the enrolled bill in 1977.

If you agree, we will thoroughly review the increases in the enrolled bill and suggest appropriate rescissions and deferrals for your consideration.

Corps of Engineers

In addition to the increases for planning and construction of water resources projects, the Congress also provided additional funds to the Corps of Engineers for:

- Operation and maintenance (\$51 million) of existing projects, primarily because costs of carrying out the program you proposed have increased sharply.
- General investigations (\$6 million) for 41 new surveys.
- Hopper dredge design and construction (\$1.6 million). In this case, the principle involved--that these dredges should be provided by private industry--may lead to a recommendation that you defer the funds provided.

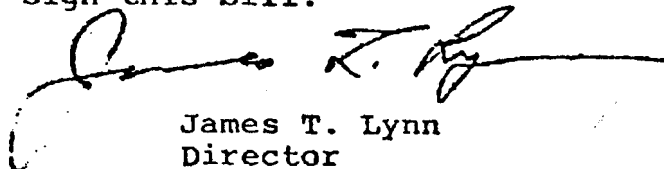
Some minor reductions for general expenses and for special recreation use fees were made by the Congress.

Other Agencies

The Congress made no changes to your requests for the Interior power agencies or the regional river basin commissions. Changes for the Nuclear Regulatory Commission, the Federal Power Commission, the Water Resources Council, and Appalachian regional development programs are minor in amount and program impact.

Recommendation

I recommend that you sign this bill.



James T. Lynn
Director

Attachments

Use H.C. 81

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

December 19, 1975

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Public Works Appropriations for FY '76 and
Transition Quarter -- H.R. 8122

The Council on Environmental Quality has major objections to this bill that I wish to bring directly to your attention, since the bill is now enrolled.

RL

This bill combines appropriations for operating expenses and construction activities of 14 different federal agencies and offices. Overall it provides more than a quarter of a billion dollars in excess of your budget request at a time when the Administration is attempting to contain federal spending and to restrict commitments to new programs.

Our primary objections are with the proposed appropriations for public works projects of the Corps of Engineers and the Bureau of Reclamation (Titles II and III) on both environmental and economic grounds. This bill contains unbudgeted increases of approximately \$260 million for the Corps and \$13 million for the Bureau for fiscal 1976 and the transition quarter. Nearly \$50 million of this \$273 million will go to accelerate construction of a number of projects which both CEQ and OMB have previously opposed as being both environmentally destructive and economically unsound. Other funds are for approximately 40 unbudgeted new planning and construction starts.

In signing last year's public works appropriations bill, you stated in part, "This public works bill is troublesome because it would increase the 1975 outlays by \$80 million above the budget and would commit us to major outlay increases in future years. I am strongly opposed to such increases because they would intensify our number one problem -- inflation."

This bill is no improvement in that regard -- it is worse. Two basic options exist:

1. Sign and recommend deferrals

This course was followed last year; it allows funding to proceed for programs and projects not in dispute, but it is essentially a postponement of action on disputed items. To be effective, deferrals this year would have to be large, and would stand a very good chance of being overturned by Congress in an election year.

2. Veto and request a revised bill

A veto, on both environmental and economic grounds, would be consistent with stated Administration goals and policies. It would require a greater Congressional effort to override, and would, if overridden, put the responsibility for inflationary federal spending where it belongs. Reformulation of an acceptable bill could be time-consuming and would require interim funding measures. It would, however, avoid the postponement into 1977 of funding decisions and would, if successful, reduce the commitment of unbudgeted funds to a number of environmentally destructive and economically unsound projects.

I recommend that you veto this bill and call for prompt reformulation of an acceptable one.



Russell W. Peterson
Chairman

cc: Honorable James T. Lynn

TAB B

H.R. 8122, PUBLIC WORKS-ERDA
 APPROPRIATION ACT

Change in Level of Funding, 1975 to 1976
 (Budget Authority in thousands of dollars)

<u>Agency and item</u>	<u>Presidential Proposal</u>	<u>Congressional Action</u>	<u>Congressional Action on Proposal</u>
Energy Research and Development Adminis- tration:			
Operating expenses....	+714,350	+684,278	-30,072
Plant and capital equipment.....	+139,090	+119,190	-19,900
Subtotal.....	+853,440	+803,468	-49,972
Corps of Engineers:			
General investiga- tions.....	-3,084	+1,552	+4,636
Construction, general.	+117,859	+253,807	+135,948
Flood Control, Mississippi River and tributaries	-8,348	+1,302	+9,650
Operation and Mainte- nance, general.....	+53,123	+87,496	+34,373
Flood control and coastal emergencies..	+25,400	+25,400	---
Other.....	+3,800	+3,600	-200
Subtotal.....	+188,750	+373,157	+184,407
Bureau of Reclamation:			
Construction and rehabilitation.....	+54,558	+83,185	+28,627
Upper Colorado River storage.....	+15,539	+16,531	+992
Colorado River Basin..	+6,240	+6,205	-35
Colorado River Basin salinity control.....	-7,980	-7,980	---
Operation and mainte- nance.....	+31,010	+31,362	+352
Loan programs.....	+1,690	+8,840	+7,150
Other.....	+1,958	+2,235	+277
Subtotal.....	+103,015	+140,378	+37,363

<u>Agency and item</u>	<u>Presidential Proposal</u>	<u>Congressional Action</u>	<u>Congressional Action on Proposal</u>
Funds Appropriated to the President:			
Appalachian regional development.....	---	-7,500	-7,500
Other agencies:			
Nuclear Regulatory Commission.....	+84,770	+80,258	-4,512
Tennessee Valley Authority.....	+10,400	+22,625	+12,225
Bonneville Power Administration fund.....	-172,000	-172,000	---
Other.....	+3,492	+4,031	+539
Subtotal.....	<u>-73,338</u>	<u>-65,086</u>	<u>+8,252</u>
TOTAL.....	+1,071,867	+1,244,417	+172,550*

* Consisting of:

Increases denied by the Congress	-54,719
Decreases denied by the Congress.....	+11,432
Congressional initiatives.....	+215,837
	<u>+172,550</u>

TAB C

CORPS OF ENGINEERS
Unbudgeted Planning Starts
(\$ Millions)

<u>Project</u>	<u>TEFC*</u>	<u>1976</u>	<u>1976T</u>	<u>Congressional Interest</u>
<u>Arkansas</u>				
Posten Bayou (FC)	3.0	.075	.015	Sen. Bumpers (D) McClalla Rep. Thornton (D-4)
<u>California</u>				
San Diego (Sunset) (BE)	1.495	.03	.005	Sen. Tunney (D) Cranston Rep. Andrews (R)
San Luis Rey River (FC)	13.8	.1	.035	Rep. Leggett (D-4)
<u>Florida</u>				
St. Lucie Inlet (N)	3.8	.175	.03	Sen. Stone (D) Chiles (D) Rep. Rogers (D-11) Bafalis (R-10)
<u>Illinois</u>				
Wood River Drainage (FC)	1.06	.07	.025	Sen. Percy (R) Stevenson (R) Rep. Price (D-23)
<u>Kentucky</u>				
Boone County (FC)	.8	.05	.015	Sen. Huddleston (D) Ford (R) Rep. Snyder (R-4)
<u>Missouri</u>				
Pine Ford Lake (FC)	75.2	.5	.15	Sen. Symington (D) Eagleton Rep. Ichord (D-8) Hungate Burlison (D-10)

*Total Estimated Federal Cost.

CORPS OF ENGINEERS
Unbudgeted Planning Starts
(\$ Millions)

<u>Project</u>	<u>TEFC</u>	<u>1976</u>	<u>1976T</u>	<u>Congressional Interest</u>
<u>Montana</u> Miles City (FC)	2.11	.04	.015	Sen. Mansfield (D) Metcalf (D) Rep. Melcher (D-2)
<u>New York</u> Port Ontario (N)	4.51	.05	.04	Sen. Javits (R) Buckley (CR) Rep. McEwen (R-30)
<u>North Dakota</u> Kindred Lake (FC)	40.3	.1	.04	Sen. Young (R) Burdick (D) Rep. Minshaw (R-40)
<u>Texas</u> Cloptin Crossing Lake (FC)	67.7	.3	.1	Sen. Bentsen (D) Tower (R) Rep. Pickle (D-10) Krueger (D-21)
GIWW Seadrift (N)	.85	.03	.012	Sen. Bentsen (D) Tower (R) Rep. Young (D-14)

CORPS OF ENGINEERS
Unbudgeted New Construction Starts
(\$ Millions)

<u>Project</u>	<u>TEFC</u>	<u>1976</u>	<u>1976T</u>	<u>Congressional Interest</u>
<u>Alabama</u>				
Mobile Harbor (N)	40.133	.18	.5	Sen. Allen (D) Sparkman (D) Rep. Edwards (R-1)
<u>Connecticut</u>				
Park River (FC)	75.8	1.5	2.0	Sen. Weicker (R) Ribicoff (D) Rep. Cotter (D-1)
<u>Illinois</u>				
Little Calumet River (FC)	.372	.15	.14	Sen. Stevenson (D) Percy (R) Rep. Russo (D-3)
<hr/>				
Mississippi River (Chain of Rocks) (N)	58.7	.905	--	Sen. Percy (R) Stevenson (D) Rep. Price (D-23) Sen. Eagleton (D) Symington (D) Rep. Hungate (D-9)
<u>Indiana</u>				
Big Walnut Lake (Land Acq) (FC)	45.1	.83	.4	Sen. Bayh (D) Hartke (D) Rep. Myers (R-7)
<u>Iowa</u>				
Big Sioux River at Sioux City & S.D. (FC)	6.35	.2	.5	Sen. Clark (D) Culver (D) Rep. Bedell (D-6) Sen. Albourezk (D) McGovern (D) Rep. Pressler (R-1)
<hr/>				
Ottumwa (FC)	.221	.11	--	Sen. Culver (D) Clark (D) Rep. Smith (D4)

CORPS OF ENGINEERS
 Unbudgeted New Construction Starts
 (\$ Millions)

<u>Project</u>	<u>TEFC</u>	<u>1976</u>	<u>1976T</u>	<u>Congressional Interest</u>
<u>Kentucky</u>				
Big Sandy River Dam #3 (FC)	.33	.305	--	Sen. Huddleston (D) Ford (D) Rep. Perkins (D-7)
Kehoe Lake (FC)	34.9	.75	.7	Sen. Huddleston (D) Ford (D) Rep. Perkins (D-7)
<u>Louisiana</u>				
Monroe Floodwall (FC)	2.42	.87	.46	Sen. Johnston (D) Long (D) Rep. Passman (2-5)
Teche Vermillion (FC)	4.23	.1	.6	Sen. Long (D) Johnston (D) Rep. Long (D-8) Treen (R-3) Rep. Breaux (D-7)
<u>Massachusetts</u>				
Saxonville (FC)	4.23	.1	.6	Sen. Brooke (R) Kennedy (D) Rep. Early (D-3)
<u>Michigan</u>				
Tawas Bay Harbor (N)	1.5	.05	--	Sen. Griffin (R) Sen. Hart (D) Rep. Ruppe (R-11)
<u>Oklahoma</u>				
Arkansas-Red Chloride Control #8 (FC)	53.7	.2	.1	Sen. Bentsen (D) Tower (R) Rep. Hightower (D-13) Sen. Bellmon (R) Bartlett (R) Rep. Albert (D-3)

CORPS OF ENGINEERS
 Unbudgeted New Construction Starts
 (\$ Millions)

<u>Project</u>	<u>TEFC</u>	<u>1976</u>	<u>1976T</u>	<u>Congressional Interest</u>
<u>Oklahoma (Cont'd)</u>				
Candy Lake (FC)	21.0	.3	.45	Sen. Bellmon (R) Bartlett (R) Rep. Risenhoover (D-2)
<u>Oregon</u>				
Coos Bay (N)	19.1	2.0	3.5	Sen Packwood (R) Hatfield (D) Rep. Weaver (D-4)
<u>Texas</u>				
Acquilla Lake (FC)	47.8	1.5	.7	Sen. Bentsen (D) Towers (R) Rep. Teague (D-6) Poage (D-11) Wright (D-12)
Corpus Christi Beach Erosion (BE)	1.56	.1	.2	Sen. Bentsen (D) Tower (R) Rep. Young (D-14)

Bureau of Reclamation
 Unbudgeted New Construction and
 Planning Starts
 (\$ in millions)

<u>1. Construction Starts</u>	<u>TEFC</u>	<u>1976</u>	<u>1976T</u>	<u>Congressional Interest</u>
<u>Nebraska</u>				
North Loup	\$111.720	.475	.050	Smith (R-3)
O'Neill	\$159.090	.945	.150	Smith (R-3)
<u>Loan Program (Various States)</u>				
Buttonwillow, Calif.	\$3.000	.500	.500	Ketchum (R-18)
Nevada Irrigation, Calif.	\$1.600	1.600	--	Johnson (D-2)
Redwood Valley, Calif.	\$4.800	2.000	.700	Clausen (R-2)
Valley Center, Calif.	\$3.500	1.500	.500	Burgener (R-43)
San Luis, Supplemental, Calif.	\$5.417	--	.500	Sisk (D-15)
Buffalo Rapids, Mont.	\$.816	.400	.200	Nelcher (D-2)
Farmington, Utah	\$2.970	.900	3.000	McKay (D-1)
Wenatchee, Washington	\$.920	.250	.450	McCormack (D-4)
..				
<u>2. Planning Starts</u>				
<u>Colorado</u>				
San Luis, Closed Basin	\$25.370	\$.075	.050	Evans (D-3)
<u>Utah</u>				
Upalco Unit	\$32.375	\$.100	.025	McKay (D-1)

TENNESSEE VALLEY AUTHORITY
 Unbudgeted New Construction Starts
 (\$ Millions)

<u>Project</u>	<u>TEFC</u>	<u>1976</u>	<u>1976T</u>	<u>Congressional Interest</u>
<u>Alabama</u>				
Lower Elk Town (New Town)	4.700	1.000	1.000	Tenn. Sen. Baker (R) Sen. Brock (R) Ala. Sen. Sparkman (D) Sen. Allen (D) Tenn. Rep. Evins (D-5) Rep. Beard (R-6) Ala. Rep. Jones (D-5)
<u>Tennessee</u>				
South Chickamauga Creek Project (FC)	12.000	.750	.250	Senators Baker (R) Brock (R) Rep. Lloyd (D-3)- Tenn.

TAB D

CORPS OF ENGINEERS
 Changes by Congressional Action-Ongoing Construction
 (\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Alabama</u>				
John Hollis Bankhead (L&D Rehab)(N)	1.580	.350	+1.760	--
Jones Bluff L&D (MP)	2.100	1.100	+3.400	+ .700
Tennessee Tombigbee (N)	52.000	21.900	+20.000	+7.100
<u>Alaska</u>				
Snettisham (MP)	4.000	2.000	+3.500	--
<u>Arkansas</u>				
McClellan-Kerr (N)	3.000	.700	+2.350	+ .900
Ouachita & Black (N)	2.000	2.300	+2.400	+ .600
Pine Mountain Lake (FC)*	.146	.050	+.040	+ .020
Red River Levees & Bank below Denison (FC)	3.150	2.100	+.850	+ .300
<u>California</u>				
Bodega Bay (N)*	.050	.010	-.050	--
Corte Madera Creek (FC)	.250	1.000	--	-1.000

* = Planning
 ** = Resumption

MP = Multipurpose
 N = Navigation
 FC = Flood Control

CORPS OF ENGINEERS
 Changes by Congressional Action-Ongoing Construction
 (\$ Millions)

<u>Project & Type</u>	<u>Fudget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>California (Cont'd)</u>				
Hidden Dam-Hensley Lake (FC)	2.380	.600	+.720	+.200
New Melones Lake (MP)	40.100	13.500	+2.900	+1.500
Sacramento River Bank Protection (FC)	2.800	1.500	+.200	+.100
San Diego Harbor (N)	3.200	.900	+4.800	+.600
<u>Colorado</u>				
Trinidad Lake (FC)	4.400	.300	+.060	+.200
<u>Florida</u>				
Central & Southern (FC)	8.500	2.150	+1.500	+1.500
Four River Basins (FC)	3.700	1.770	+.500	+1.230
Jacksonville Hbr. (N)	3.500	.550	+1.500	+.950
Tampa Hbr. (N)	5.500	1.575	+.850	+.737
<u>Hawaii</u>				
Barbers Point (N)*	.100	.025	+.100	+.025
Lahaina (N)	.700	.200	-.700	-.100

CORPS OF ENGINEERS
Changes by Congressional Action-Ongoing Construction
(\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Illinois</u>				
Freeport (FC)**	--	--	+.050	+.025
Harrisonville & Ivy Landing (FC)	1.300	.550	+.475	--
Illinois Waterway Duplicate Locks (N)*	.400	.100	-.400	-.100
Milan * (FC)	.091	--	+.030	+.020
Smithland Locks (N)	34.000	14.885	+8.000	--
<u>Indiana</u>				
Big Pine Lake (FC)	.700	1.300	-.150	--
Lafayette Lake (FC)**	--	--	+.300	+.100
Mason J. Niblack (FC)	1.019	.573	+.254	--
Patoka (FC)	5.000	1.865	-4.500	--
<u>Iowa</u>				
Missouri R. Levee System (FC)	.300	.200	+.200	+.400
Saylorville Lake (FC)	4.730	.550	+1.500	--
<u>Kansas</u>				
Clinton Lake (FC)	6.900	2.500	+.600	+.100

** Resumption

CORPS OF ENGINEERS
 Changes by Congressional Action-Ongoing Construction
 (\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Kansas (Cont'd)</u>				
Hillsdale Lake (FC)	1.550	.800	+1.450	+1.100
Indian Lake (FC)*	.200	.075	-.200	-.075
Marion (FC)	1.200	.429	+.300	+.011
Tomahawk Lake (FC)*	.200	.075	-.200	-.075
Wolf-Coffee Lake (FC)*	.400	.100	-.400	-.100
<u>Kentucky</u>				
Big South Fork (FC)*	.350	--	+.150	+.200
Cave Run Lake (FC)	3.900	.750	+.500	+.250
Laurel River Lake (MP)	4.700	.644	+.500	+.500
Martins Fork Lake (FC)	2.900	1.240	+1.550	--
Red River Lake (FC)	1.000	.527	-1.000	-.527
Taylorsville Lake (FC)	4.574	2.465	+.526	--
Wolf Creek Dam (MP)	6.050	3.800	+3.950	--
<u>Louisiana</u>				
Lake Pontchartrain (FC)	22.000	7.350	-6.000	-2.000
Miss. R. Gulf Outlets (N)	1.000	.475	+.600	+.875

CORPS OF ENGINEERS
Changes by Congressional Action-Ongoing Construction
(\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1975T</u>	<u>1976</u>	<u>1975T</u>
<u>Louisiana (Cont'd)</u>				
Overton-Red River (N)	1.200	.050	+.400	--
Red R. Emerg. Bank (N)	4.000	1.475	+1.000	+.225
Red R. Waterway (N)	17.200	4.070	+7.700	+5.930
<u>Maine</u>				
Dickey-Lincoln (MP)*	1.060	.395	+1.050	+.040
<u>Maryland</u>				
Bloomington Lake (FC)	6.200	3.300	+2.020	--
<u>Massachusetts</u>				
North Nashua (FC)*	.070	.020	-.010	--
<u>Michigan</u>				
River Rouge (FC)	2.200	.300	+.600	--
<u>Minnesota</u>				
Roseau River (FC)**	--	--	+.100	+.500
<u>Missouri</u>				
Long Branch Lake (FC)	3.500	2.000	+.800	+.400

* Planning

** Resumption

6

CORPS OF ENGINEERS
Changes by Congressional Action-Ongoing Construction
(\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Montana</u>				
Libby Rereg. (MP)*	.200	.075	+0.050	--
<u>Nebraska</u>				
Gavins Point (MP) (Relocation)	3.700	1.276	+2.000	--
Papillion Creek (FC)	8.900	3.100	-2.000	--
<u>New Mexico</u>				
Los Esteros Lake (FC)	3.400	.944	+1.400	--
<u>New Jersey</u>				
Newark Bay, Hackensack & Passaic (N)**	--	--	+1.500	+0.700
<u>New York</u>				
Ellicott Creek (FC)* **	--	--	+0.150	+0.070
East Rockaway Bay (N)**	1.630	.100	+1.350	-0.100
Irondequoit Bay (N)**	--	--	+0.050	+0.030
New York Hrb. Anch. (N)	1.600	1.100	+1.000	--
<u>Ohio</u>				
Caesar Creek (FC)	11.200	3.310	+0.600	+0.790
Willow Island L&D (N)	4.100	.600	+1.200	--

CORPS OF ENGINEERS
 Changes by Congressional Action-Ongoing Construction
 (\$ Millions)

<u>Project & Type</u>	<u>Fudget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Oklahoma</u>				
Ark-Red Chloride (FC)*	1.260	.446	+.940	+.320
Copan Lake (FC)	1.300	2.270	+7.700	+2.130
Kaw Lake (FC)	7.500	1.408	+.700	+.092
Lukfata Lake (FC)**	--	--	+.050	+.100
Skiatook Lake (FC)	2.000	1.700	+2.000	+1.070
<u>Oregon</u>				
Applegate Lake (FC)	.300	.100	+.800	+.700
Bonneville L&D (MP)	17.500	13.000	+7.000	+.600
Catherine Creek (FC)	.400	.250	-.250	-.250
Days Creek Lake (FC)*	.100	.025	+.400	-.025
Cascadia Lake (FC)*	.200	.200	-.200	-.200
Elk Creek Lake (FC)	6.600	3.000	-6.600	-3.000
John Day L&D (MP)	5.065	1.300	+.460	--
<u>Pennsylvania</u>				
Bluemarsh Lake (FC)	10.500	2.900	--	+.431
Tioga-Hammond (FC)	31.000	9.314	+3.250	--

8

CORPS OF ENGINEERS
Changes by Congressional Action-Ongoing Construction
(\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Pennsylvania</u>				
Tocks Island (Road) Relocation (MP)	--	--	+2.500	+2.100
<u>Puerto Rico</u>				
Portugues & Bucana (FC)	5.000	1.225	+1.400	+.525
<u>South Carolina</u>				
Cooper River (N)	3.000	1.273	+.500	+.500
<u>Tennessee</u>				
Cordell Hull (MP)	1.000	.420	+.300	+.100
<u>Texas</u>				
Corpus Christi (N)	1.900	.650	+1.000	--
Lavon Lake (FC)	3.680	.581	+.200	+.150
Lower Rio Grande (FC)*	.200	.050	+.150	--
Peyton Creek (FC)*	.200	.050	-.200	-.050
San Gabriel (FC)	6.850	2.607	+.150	+.393
<u>Virginia</u>				
Gathright Lake (FC)	8.600	2.200	+1.400	--

CORPS OF ENGINEERS
 Changes by Congressional Action-Ongoing Construction
 (\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1975T</u>	<u>1976</u>	<u>1975T</u>
<u>Washington</u>				
Chief Joseph (MP)	52.600	14.500	+14.000	+6.000
Little Goose (MP) Addl.	16.000	2.800	+2.000	--
Lower Granite (MP) Addl.	14.900	2.800	+3.000	--
Lower Monumental (MP) Addl.	4.800	2.500	+1.000	+1.000
<u>West Virginia</u>				
Beech Fork Lake (FC)	6.800	1.500	+1.200	+ .100
R.D. Bailey (FC)	16.800	4.750	+5.500	+ .550
<u>Wisconsin</u>				
Lafarge Lake (FC)	3.000	1.400	-3.000	-1.400



Bureau of Reclamation
 Changes by Congressional Action-Ongoing Construction
 (\$ in millions)

<u>Bureau of Reclamation</u>	1976	TQ	Conference	
	<u>Budget Authority</u>	<u>Budget Authority</u>	1976	TQ
<u>California</u>				
Auburn Folsom South Unit	27.475	9.114	+9.175	+2.065
Auburn Dam	(26.735)	(8.985)	(8.975)	(2.065)
Other	(.240)	(.129)	(.200)	(-)
San Luis Unit	30.000	7.350	+3.893	+545
San Felipe Division	9.000	3.260	-3.000	-
Miscellaneous Projects	10.360	3.100	+.400	+.250
<u>Colorado</u>				
Fryingpan Arkansas	32.326	8.890	+.674	+2.010
Narrows Unit	3.140	.400	-1.000	--
<u>Montana</u>				
Canyon Ferry	1.800	.400	+.500	--
<u>North Dakota</u>				
Garrison Diversion Unit	10.900	2.700	+1.000	--
<u>Oregon</u>				
Tualatin Project	7.550	2.800	+.600	+1.400

Bureau of Reclamation
 Changes by Congressional Action-Ongoing Construction
 (\$ in millions)

<u>Bureau of Reclamation</u>	<u>1976</u> <u>Budget Authority</u>	<u>TQ</u> <u>Budget Authority</u>	<u>Conference</u>	
			<u>1976</u>	<u>TQ</u>
<u>Washington</u>				
Columbia Basin Project				
Irrigation Facilities	15.428	4.876	+3.272	.474
Third Powerplant	57.000	13.500	+14.000	--

TENNESSEE VALLEY AUTHORITY
 Changes by Congressional Action-Ongoing Construction
 (\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Alabama</u>				
Bear Creek Multipurpose water control system	10.590	5.338	+0.055	+0.362
Railway bridge alterations at Decatur (N)	2.000	3.296	--	+0.304
<u>Tennessee</u>				
Normandy Dam (MP)	8.493	.767	-0.076	-0.556
Columbia Dam (MP)	2.835	1.138	+7.565	+1.412
Tellico Dam (MP)	23.600	5.530	+0.142	-0.130

MP = Multipurpose



EXECUTIVE OFFICE OF THE PRESIDENT
 OFFICE OF MANAGEMENT AND BUDGET
 WASHINGTON, D.C. 20503

DEC 23 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 8122 - Public Works for Water and Power
 Development and Energy Research Appropriation Act, 1976

Last Day for Action: December 26, 1975 - Friday

Appropriations (in millions):	Administration Request	Enrolled Bill	Congressional Change
1976.....	7,106	7,279	+173
Transition Quarter.....	<u>1,983</u>	<u>2,078</u>	<u>+95</u>
Total.....	9,089	9,357	+268

Effect on Estimated Outlays: +\$180 million in 1976, +\$110 million in the transition quarter, and +\$12 million in 1977.

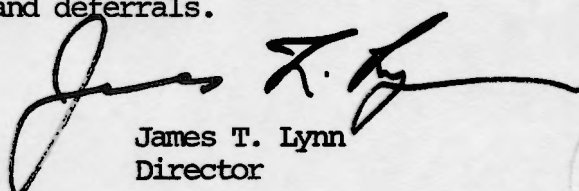
Highlights:

- Increases of \$269 million for water resources planning and construction projects are mainly for ongoing programs, but 44 new starts have also been added.
- A net \$47.2 million Congressional decrease for ERDA reflects cuts for the nuclear energy and national security programs that are partially offset by increases for development of solar and other advanced energy sources.

Recommendations

CEQ Chairman Peterson recommends veto on the grounds that increases for the Corps of Engineers and the Bureau of Reclamation are objectionable for both economic and environmental reasons. (His letter is at Tab A to the longer memorandum).

I recommend that you sign the enrolled bill because (1) many of the increases are needed to avoid costly temporary suspensions of work on approved projects, (2) these same increases will simply shift costs from 1977 into 1976, and (3) the new starts added by the Congress are less in amount and number than those of previous years. Later, we will submit our recommendations to you on appropriate rescissions and deferrals.


 James T. Lynn
 Director





EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

DEC 23 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 8122 - Public Works for Water
and Power Development and Energy Research
Appropriation Act, 1976
Sponsor - Rep. Evins (D), Tennessee

Last Day for Action

December 26, 1975 - Friday

Purpose

Appropriates \$7,278,712,500 for fiscal year 1976 and \$2,077,533,000 for the transition quarter for activities of the Corps of Engineers-Civil, the Bureau of Reclamation, the power agencies of the Department of the Interior, the Energy Research and Development Administration, and several related independent agencies and commissions.

Agency Recommendations

Office of Management and Budget	Approval
Council on Environmental Quality	Veto (Chairman Peterson's letter is at Tab A)
Affected agencies	Approval (informally)

Discussion

Comparison with your 1976 and
Transition Quarter Budget Requests

The enrolled bill provides \$172,550,500 more in 1976 budget authority than your request of \$7,106,162,000 and \$94,903,000 more than your transition quarter request of \$1,982,630,000. The effect of these and other budget authority changes is to increase estimated outlays in 1976 by \$179.6 million, in the transition quarter by \$110 million, and in 1977 by \$11.5 million.

The following table shows the effect of Congressional action on your 1976 and transition quarter budget requests for major agencies in the enrolled bill:

	Budget Authority 1976 and TQ		Effect on Budget Authority Change on Outlays	
	<u>Request Considered</u>	<u>Congressional Change</u>	<u>1976 & TQ</u>	<u>1977</u>
Energy Research and Development Administration..	5,213	-47	+4	-27
Corps of Engi- neers-Civil.....	2,521	+259	+219	+40
Department of the Interior:				
Bureau of Re- clamation.....	750	+52	+50	+3
Power Adminis- trations.....	12	---	---	---
Appalachian re- gional commis- sion, develop- ment programs...	148	-8	+4*	-1
Nuclear Regula- tory Commission.	272	-5	-3	-2
Tennessee Valley Authority.....	115	+15	+15	---
Other agencies...	<u>58</u>	<u>+1</u>	<u>+1</u>	<u>-1</u>
Total.....	9,089	+267	+290	+12

* Includes effect of liquidating cash changes made by the Congress.

Comparison to 1975 Funding Levels

You requested 1976 appropriations for this bill totaling \$1,072 million more than the 1975 funding level. The Congress has concurred in an overall increase from the 1975 level but by a greater amount--\$1,224 million. Tab B to this memorandum presents a more detailed comparison of your recommendations for level-of-funding changes from 1975 to 1976 and the Congressional response to them.

Major Changes to Requested Amounts

The remainder of this analysis discusses the major changes made in the bill to your requests. The discussion, unless otherwise noted, is in terms of budget authority changes for both 1976 and the transition quarter.

Energy Research and Development Administration

The Congress considered your requests for the Energy Research and Development Administration (ERDA) in two 1976 appropriation bills: \$5,213 million was considered for this enrolled bill and \$617 million for the Interior enrolled appropriation bill now awaiting your action. Your requests have been reduced in both. In this bill, the reductions net to \$47.2 million. However, this includes both increases and decreases from your requests, distributed as follows:

- +\$23.1 million for the operating expenses of solar energy development. The Congress has provided additional funds for the development of several technologies and added funds for a solar storage project and a solar institute. With the increased funds, the priorities you proposed will be changed: for example, the conversion of light to electric power (photovoltaics) will receive greater funding than solar energy conversion to electric and thermal power.
- +\$10.2 million for the development of other advanced energy systems.
- +\$13.5 million for environmental and safety research. This increases funding to assess the safety and environmental impact of various energy programs and for remedial work on uranium mill sites in the western states, development of an artificial heart, and applications of nuclear research to medicine.
- -\$42.7 million from your request for nuclear energy development. This includes decreased funding for upgrading safeguard and security measures for nuclear materials, no funding of new uranium enrichment facilities, and decreased funding for the Tokamak fusion test reactor in Plainsboro, New Jersey.
- -\$33.2 million from your request for energy-related national security. This decrease was broadly applied to weapons program activities. As a result the production of certain low priority weapon systems will be delayed. A reduction in funding of safeguard and security upgrading was also effected.
- Further changes to your requests resulted in a net decrease of \$18.1 million, most of which relates to certain financial adjustments made by the Congress.

Water Resources Development

The Congress added \$269 million to your requests for planning and construction of water resources projects. All Congressional increases in the enrolled bill for the Bureau of Reclamation and the Tennessee Valley Authority (TVA) were for these projects, as well as a major portion (\$202 million) of the \$259 million Congressional increase to the Corps of Engineers. The Congress provided increases both for new planning and construction starts and for ongoing projects, though more than three-quarters of the increase is for ongoing projects.

Your budget requests proposed a policy of no new starts in fiscal year 1976 and the transition quarter. The Congress, however, provided for 44 specific new planning and construction starts that would cost an estimated \$1,015 million to complete. These new starts--for the Corps of Engineers, the Bureau of Reclamation, and TVA--are shown at Tab C. Undesirable as the costs of these new starts are, they are considerably less than in previous years. Last year, for example, the Congress added 65 unbudgeted new starts whose eventual cost of completion was estimated at \$3.6 billion.

Because contractors who carry out the ongoing projects have recently had fewer concurrent jobs, they have progressed faster than anticipated on many projects. Thus, much of the Congressional increase for ongoing projects is not objectionable in that it (1) will avoid costly suspensions of work that can follow the "out-of-funds" notices that would have to be given in many projects without the additional funds, (2) will move some 1977 costs into 1976 and (3) will allow for somewhat earlier completion of approved projects. A listing of the ongoing projects affected by the enrolled bill is at Tab D.

Chairman Peterson of the Council on Environmental Quality is recommending veto of the enrolled bill because he finds the Congressional increases for water resources projects objectionable on environmental and economic grounds. His letter is at Tab A. While I agree that the increases for water resources projects are the most objectionable feature of the enrolled bill, I recommend the first of the two alternatives he gives in his letter--sign the enrolled bill and recommend deferrals (and, perhaps, rescissions). My recommendation has these bases:

- ° Much of the Congressional increase for ongoing programs is needed and can be used.
- ° The new starts added by the Congress are lesser in number and amounts than in previous years.
- ° Your recent decisions on the 1977 budget imply funding the increases in the enrolled bill in 1977.

If you agree, we will thoroughly review the increases in the enrolled bill and suggest appropriate rescissions and deferrals for your consideration.

Corps of Engineers

In addition to the increases for planning and construction of water resources projects, the Congress also provided additional funds to the Corps of Engineers for:

- Operation and maintenance (\$51 million) of existing projects, primarily because costs of carrying out the program you proposed have increased sharply.
- General investigations (\$6 million) for 41 new surveys.
- Hopper dredge design and construction (\$1.6 million). In this case, the principle involved--that these dredges should be provided by private industry--may lead to a recommendation that you defer the funds provided.

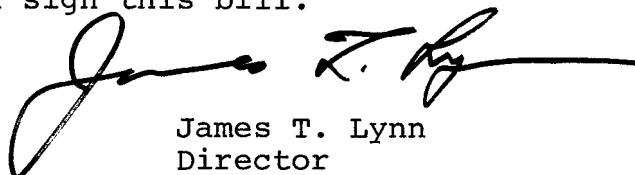
Some minor reductions for general expenses and for special recreation use fees were made by the Congress.

Other Agencies

The Congress made no changes to your requests for the Interior power agencies or the regional river basin commissions. Changes for the Nuclear Regulatory Commission, the Federal Power Commission, the Water Resources Council, and Appalachian regional development programs are minor in amount and program impact.

Recommendation

I recommend that you sign this bill.



James T. Lynn
Director

Attachments

14
Vote HR 8122

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

December 19, 1975

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Public Works Appropriations for FY '76 and
Transition Quarter -- H.R. 8122

The Council on Environmental Quality has major objections to this bill that I wish to bring directly to your attention, since the bill is now enrolled.

RL

This bill combines appropriations for operating expenses and construction activities of 14 different federal agencies and offices. Overall it provides more than a quarter of a billion dollars in excess of your budget request at a time when the Administration is attempting to contain federal spending and to restrict commitments to new programs.

Our primary objections are with the proposed appropriations for public works projects of the Corps of Engineers and the Bureau of Reclamation (Titles II and III) on both environmental and economic grounds. This bill contains unbudgeted increases of approximately \$260 million for the Corps and \$13 million for the Bureau for fiscal 1976 and the transition quarter. Nearly \$50 million of this \$273 million will go to accelerate construction of a number of projects which both CEQ and OMB have previously opposed as being both environmentally destructive and economically unsound. Other funds are for approximately 40 unbudgeted new planning and construction starts.



In signing last year's public works appropriations bill, you stated in part, "This public works bill is troublesome because it would increase the 1975 outlays by \$80 million above the budget and would commit us to major outlay increases in future years. I am strongly opposed to such increases because they would intensify our number one problem -- inflation."

This bill is no improvement in that regard -- it is worse. Two basic options exist:

1. Sign and recommend deferrals

This course was followed last year; it allows funding to proceed for programs and projects not in dispute, but it is essentially a postponement of action on disputed items. To be effective, deferrals this year would have to be large, and would stand a very good chance of being overturned by Congress in an election year.

2. Veto and request a revised bill

A veto, on both environmental and economic grounds, would be consistent with stated Administration goals and policies. It would require a greater Congressional effort to override, and would, if overridden, put the responsibility for inflationary federal spending where it belongs. Reformulation of an acceptable bill could be time-consuming and would require interim funding measures. It would, however, avoid the postponement into 1977 of funding decisions and would, if successful, reduce the commitment of unbudgeted funds to a number of environmentally destructive and economically unsound projects.

I recommend that you veto this bill and call for prompt reformulation of an acceptable one.



Russell W. Peterson
Chairman

cc: Honorable James T. Lynn

TAB B

H.R. 8122, PUBLIC WORKS-ERDA
APPROPRIATION ACT

Change in Level of Funding, 1975 to 1976
(Budget Authority in thousands of dollars)

<u>Agency and item</u>	<u>Presidential Proposal</u>	<u>Congressional Action</u>	<u>Congressional Action on Proposal</u>
Energy Research and Development Adminis- tration:			
Operating expenses....	+714,350	+684,278	-30,072
Plant and capital equipment.....	<u>+139,090</u>	<u>+119,190</u>	<u>-19,900</u>
Subtotal.....	+853,440	+803,468	-49,972
Corps of Engineers:			
General investiga- tions.....	-3,084	+1,552	+4,636
Construction, general.	+117,859	+253,807	+135,948
Flood Control, Mississippi River and tributaries	-8,348	+1,302	+9,650
Operation and Mainte- nance, general.....	+53,123	+87,496	+34,373
Flood control and coastal emergencies..	+25,400	+25,400	---
Other.....	<u>+3,800</u>	<u>+3,600</u>	<u>-200</u>
Subtotal.....	+188,750	+373,157	+184,407
Bureau of Reclamation:			
Construction and rehabilitation.....	+54,558	+83,185	+28,627
Upper Colorado River storage.....	+15,539	+16,531	+992
Colorado River Basin..	+6,240	+6,205	-35
Colorado River Basin salinity control.....	-7,980	-7,980	---
Operation and mainte- nance.....	+31,010	+31,362	+352
Loan programs.....	+1,690	+8,840	+7,150
Other.....	<u>+1,958</u>	<u>+2,235</u>	<u>+277</u>
Subtotal.....	+103,015	+140,378	+37,363

<u>Agency and item</u>	<u>Presidential Proposal</u>	<u>Congressional Action</u>	<u>Congressional Action on Proposal</u>
Funds Appropriated to the President:			
Appalachian regional development.....	---	-7,500	-7,500
Other agencies:			
Nuclear Regulatory Commission.....	+84,770	+80,258	-4,512
Tennessee Valley Authority.....	+10,400	+22,625	+12,225
Bonneville Power Administration fund.....	-172,000	-172,000	---
Other.....	+3,492	+4,031	+539
Subtotal.....	<u>-73,338</u>	<u>-65,086</u>	<u>+8,252</u>
TOTAL.....	+1,071,867	+1,244,417	+172,550*

* Consisting of:

Increases denied by the Congress	-54,719
Decreases denied by the Congress.....	+11,432
Congressional initiatives.....	+215,837
	<u>+172,550</u>

TAB C

CORPS OF ENGINEERS
Unbudgeted Planning Starts
(\$ Millions)

<u>Project</u>	<u>TEFC*</u>	<u>1976</u>	<u>1976T</u>	<u>Congressional Interest</u>
<u>Arkansas</u>				
Posten Bayou (FC)	3.0	.075	.015	Sen. Bumpers (D) McClellan(D) Rep. Thornton (D-4)
<u>California</u>				
San Diego (Sunset) (BE)	1.495	.03	.005	Sen. Tunney (D) Cranston (D) Rep. Andrews (R)
San Luis Rey River (FC)	13.8	.1	.035	Rep. Leggett (D-4)
<u>Florida</u>				
St. Lucie Inlet (N)	3.8	.175	.03	Sen. Stone (D) Chiles (D) Rep. Rogers (D-11) Bafalis (R-10)
<u>Illinois</u>				
Wood River Drainage (FC)	1.06	.07	.025	Sen. Percy (R) Stevenson (D) Rep. Price (D-23)
<u>Kentucky</u>				
Boone County (FC)	.8	.05	.015	Sen. Huddleston (D) Ford (D) Rep. Snyder (R-4)
<u>Missouri</u>				
Pine Ford Lake (FC)	75.2	.5	.15	Sen. Symington (D) Eagleton (D) Rep. Ichord (D-8) Hungate(D-9) Burlison (D-10)

*Total Estimated Federal Cost.



CORPS OF ENGINEERS
Unbudgeted Planning Starts
(\$ Millions)

<u>Project</u>	<u>TEFC</u>	<u>1976</u>	<u>1976T</u>	<u>Congressional Interest</u>
<u>Montana</u>				
Miles City (FC)	2.11	.04	.015	Sen. Mansfield (D) Metcalf(D) Rep. Melcher (D-2)
<u>New York</u>				
Port Ontario (N)	4.51	.05	.04	Sen. Javits (R) Buckley (CR) Rep. McEwen (R-30)
<u>North Dakota</u>				
Kindred Lake (FC)	40.3	.1	.04	Sen. Young (R) Burdick (D) Rep. Hinshaw (R-40)
<u>Texas</u>				
Cloptin Crossing Lake (FC)	67.7	.3	.1	Sen. Bentsen (D) Tower (R) Rep. Pickle (D-10) Krueger (D-21)
GIWW Seadrift (N)	.85	.03	.012	Sen. Bentsen (D) Tower (R) Rep. Young (D-14)

CORPS OF ENGINEERS
 Unbudgeted New Construction Starts
 (\$ Millions)

<u>Project</u>	<u>TEFC</u>	<u>1976</u>	<u>1976T</u>	<u>Congressional Interest</u>
<u>Alabama</u>				
Mobile Harbor (N)	40.133	.18	.5	Sen. Allen (D) Sparkman (D) Rep. Edwards (R-1)
<u>Connecticut</u>				
Park River (FC)	75.8	1.5	2.0	Sen. Weicker (R) Ribicoff (D) Rep. Cotter (D-1)
<u>Illinois</u>				
Little Calumet River (FC)	.372	.15	.14	Sen. Stevenson (D) Percy (R) Rep. Russo (D-3)
Mississippi River (Chain of Rocks) (N)	58.7	.905	--	Sen. Percy (R) Stevenson (D) Rep. Price (D-23) Sen. Eagleton (D) Symington (D) Rep. Hungate (D-9)
<u>Indiana</u>				
Big Walnut Lake (Land Acq) (FC)	45.1	.83	.4	Sen. Bayh (D) Hartke (D) Rep. Myers (R-7)
<u>Iowa</u>				
Big Sioux River at Sioux City & S.D. (FC)	6.35	.2	.5	Sen. Clark (D) Culver (D) Rep. Bedell (D-6) Sen. Albourezk (D) McGovern (D) Rep. Pressler (R-1)
Ottumwa (FC)	.221	.11	--	Sen. Culver (D) Clark (D) Rep. Smith (D4)

CORPS OF ENGINEERS
Unbudgeted New Construction Starts
(\$ Millions)

<u>Project</u>	<u>TEFC</u>	<u>1976</u>	<u>1976T</u>	<u>Congressional Interest</u>
<u>Kentucky</u>				
Big Sandy River Dam #3 (FC)	.33	.305	--	Sen. Huddleston (D) Ford (D) Rep. Perkins (D-7)
Kehoe Lake (FC)	34.9	.75	.7	Sen. Huddleston (D) Ford (D) Rep. Perkins (D-7)
<u>Louisiana</u>				
Monroe Floodwall (FC)	2.42	.87	.46	Sen. Johnston (D) Long (D) Rep. Passman (2-5)
Teche Vermillion (FC)	4.23	.1	.6	Sen. Long (D) Johnston (D) Rep. Long (D-8) Treen (R-3) Rep. Breaux (D-7)
<u>Massachusetts</u>				
Saxonville (FC)	4.23	.1	.6	Sen. Brooke (R) Kennedy (D) Rep. Early (D-3)
<u>Michigan</u>				
Tawas Bay Harbor (N)	1.5	.05	--	Sen. Griffin (R) Sen. Hart (D) Rep. Ruppe (R-11)
<u>Oklahoma</u>				
Arkansas-Red Chloride Control #8 (FC)	53.7	.2	.1	Sen. Bentsen (D) Tower (R) Rep. Hightower (D-13) Sen. Bellmon (R) Bartlett (R) Rep. Albert (D-3)

CORPS OF ENGINEERS
Unbudgeted New Construction Starts
(\$ Millions)

<u>Project</u>	<u>TEFC</u>	<u>1976</u>	<u>1976T</u>	<u>Congressional Interest</u>
<u>Oklahoma (Cont'd)</u>				
Candy Lake (FC)	21.0	.3	.45	Sen. Bellmon (R) Bartlett (R) Rep. Risenhoover (D-2)
<u>Oregon</u>				
Coos Bay (N)	19.1	2.0	3.5	Sen Packwood (R) Hatfield (D) Rep. Weaver (D-4)
<u>Texas</u>				
Acquilla Lake (FC)	47.8	1.5	.7	Sen. Bentsen (D) Towers (R) Rep. Teague (D-6) Poage (D-11) Wright (D-12)
Corpus Christi Beach Erosion (BE)	1.56	.1	.2	Sen. Bentsen (D) Tower (R) Rep. Young (D-14)

Bureau of Reclamation
 Unbudgeted New Construction and
 Planning Starts
 (\$ in millions)

<u>1. Construction Starts</u>	<u>TEFC</u>	<u>1976</u>	<u>1976T</u>	<u>Congressional Interest</u>
<u>Nebraska</u>				
North Loup	\$111.720	.475	.050	Smith (R-3)
O'Neill	\$159.090	.945	.150	Smith (R-3)
<u>Loan Program (Various States)</u>				
Buttonwillow, Calif.	\$3.000	.500	.500	Ketchum (R-18)
Nevada Irrigation, Calif.	\$1.600	1.600	--	Johnson (D-2)
Redwood Valley, Calif.	\$4.800	2.000	.700	Clausen (R-2)
Valley Center, Calif.	\$3.500	1.500	.500	Burgener (R-43)
San Luis, Supplemental, Calif.	\$5.417	--	.500	Sisk (D-15)
Buffalo Rapids, Mont.	\$.816	.400	.200	Melcher (D-2)
Farmington, Utah	\$2.970	.900	3.000	McKay (D-1)
Wenatchee, Washington	\$.920	.250	.450	McCormack (D-4)
<u>2. Planning Starts</u>				
<u>Colorado</u>				
San Luis, Closed Basin	\$25.370	\$.075	.050	Evans (D-3)
<u>Utah</u>				
Upalco Unit	\$32.375	\$.100	.025	McKay (D-1)

TENNESSEE VALLEY AUTHORITY
 Unbudgeted New Construction Starts
 (\$ Millions)

<u>Project</u>	<u>TEFC</u>	<u>1976</u>	<u>1976T</u>	<u>Congressional Interest</u>
<u>Alabama</u>				
Lower Elk Town (New Town)	4.700	1.000	1.000	Tenn. Sen. Baker (R) Sen. Brock (R) Ala. Sen. Sparkman (D) Sen. Allen (D) Tenn. Rep. Evins (D-5) Rep. Beard (R-6) Ala. Rep. Jones (D-5)
<u>Tennessee</u>				
South Chickamauga Creek Project (FC)	12.000	.750	.250	Senators Baker (R) Brock (R) Rep. Lloyd (D-3)- Tenn.



TAB D

CORPS OF ENGINEERS
 Changes by Congressional Action-Ongoing Construction
 (\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Alabama</u>				
John Hollis Bankhead (L&D Rehab) (N)	1.580	.350	+1.760	--
Jones Bluff L&D (MP)	2.100	1.100	+3.400	+ .700
Tennessee Tombigbee (N)	52.000	21.900	+20.000	+7.100
<u>Alaska</u>				
Snettisham (MP)	4.000	2.000	+3.500	--
<u>Arkansas</u>				
McClellan-Kerr (N)	3.000	.700	+2.350	+ .900
Ouachita & Black (N)	2.000	2.300	+2.400	+ .600
Pine Mountain Lake (FC)*	.146	.050	+.040	+ .020
Red River Levees & Bank below Denison (FC)	3.150	2.100	+.850	+ .300
<u>California</u>				
Bodega Bay (N)*	.050	.010	-.050	--
Corte Madera Creek (FC)	.250	1.000	--	-1.000

* = Planning
 ** = Resumption

MP = Multipurpose
 N = Navigation
 FC = Flood Control

CORPS OF ENGINEERS
Changes by Congressional Action-Ongoing Construction
(\$ Millions)

<u>Project & Type</u>	<u>Fudget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>California (Cont'd)</u>				
Hidden Dam-Hensley Lake (FC)	2.380	.600	+.720	+.200
New Melones Lake (MP)	40.100	13.500	+2.900	+1.500
Sacramento River Bank Protection (FC)	2.800	1.500	+.200	+.100
San Diego Harbor (N)	3.200	.900	+4.800	+.600
<u>Colorado</u>				
Trinidad Lake (FC)	4.400	.300	+.060	+.200
<u>Florida</u>				
Central & Southern (FC)	8.500	2.150	+1.500	+1.500
Four River Basins (FC)	3.700	1.770	+.500	+1.230
Jacksonville Hbr. (N)	3.500	.550	+1.500	+.950
Tampa Hbr. (N)	5.500	1.575	+.850	+.737
<u>Hawaii</u>				
Barbers Point (N)*	.100	.025	+.100	+.025
Lahaina (N)	.700	.200	-.700	-.100

CORPS OF ENGINEERS
Changes by Congressional Action-Ongoing Construction
(\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Illinois</u>				
Freeport (FC)**	--	--	+ .050	+ .025
Harrisonville & Ivy Landing (FC)	1.300	.550	+ .475	--
Illinois Waterway Duplicate Locks (N)*	.400	.100	- .400	- .100
Milan * (FC)	.091	--	+ .030	+ .020
Smithland Locks (N)	34.000	14.885	+8.000	--
<u>Indiana</u>				
Big Pine Lake (FC)	.700	1.300	- .150	--
Lafayette Lake (FC)**	--	--	+ .300	+ .100
Mason J. Niblack (FC)	1.019	.573	+ .254	--
Patoka (FC)	5.000	1.865	-4.500	--
<u>Iowa</u>				
Missouri R. Levee System (FC)	.300	.200	+ .200	+ .400
Saylorville Lake (FC)	4.730	.550	+1.500	--
<u>Kansas</u>				
Clinton Lake (FC)	6.900	2.500	+ .600	+ .100

** Resumption

CORPS OF ENGINEERS
Changes by Congressional Action-Ongoing Construction
(\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Kansas (Cont'd)</u>				
Hillsdale Lake (FC)	1.550	.800	+1.450	+1.100
Indian Lake (FC)*	.200	.075	-.200	-.075
Marion (FC)	1.200	.429	+.300	+.011
Tomahawk Lake (FC)*	.200	.075	-.200	-.075
Wolf-Coffee Lake (FC)*	.400	.100	-.400	-.100
<u>Kentucky</u>				
Big South Fork (FC)*	.350	--	+.150	+.200
Cave Run Lake (FC)	3.900	.750	+.500	+.250
Laurel River Lake (MP)	4.700	.644	+.500	+.500
Martins Fork Lake (FC)	2.900	1.240	+1.550	--
Red River Lake (FC)	1.000	.527	-1.000	-.527
Taylorsville Lake (FC)	4.574	2.465	+.526	--
Wolf Creek Dam (MP)	6.050	3.800	+3.950	--
<u>Louisiana</u>				
Lake Pontchartrain (FC)	22.000	7.350	-6.000	-2.000
Miss. R. Gulf Outlets (N)	1.000	.475	+.600	+.875

CORPS OF ENGINEERS
Changes by Congressional Action-Ongoing Construction
(\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Louisiana (Cont'd)</u>				
Overton-Red River (N)	1.100	.050	+.400	--
Red R. Emerg. Bank (N)	4.000	1.475	+1.000	+.225
Red R. Waterway (N)	17.500	4.070	+7.700	+5.930
<u>Maine</u>				
Dickey-Lincoln (MP)*	1.060	.395	+1.050	+.040
<u>Maryland</u>				
Bloomington Lake (FC)	6.200	3.300	+2.020	--
<u>Massachusetts</u>				
North Nashua (FC)*	.070	.020	-.010	--
<u>Michigan</u>				
River Rouge (FC)	2.200	.300	+.600	--
<u>Minnesota</u>				
Roseau River (FC)**	--	--	+.100	+.500
<u>Missouri</u>				
Long Branch Lake (FC)	3.500	2.000	+.800	+.400

* Planning

** Resumption

CORPS OF ENGINEERS
Changes by Congressional Action-Ongoing Construction
(\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Montana</u>				
Libby Rereg. (MP)*	.200	.075	+.050	--
<u>Nebraska</u>				
Gavins Point (MP) (Relocation)	3.700	1.276	+2.000	--
Papillion Creek (FC)	8.900	3.100	-2.000	--
<u>New Mexico</u>				
Los Esteros Lake (FC)	3.400	.944	+1.400	--
<u>New Jersey</u>				
Newark Bay, Hackensack & Passaic (N)**	--	--	+1.500	+.700
<u>New York</u>				
Ellicott Creek (FC)* **	--	--	+.150	+.070
East Rockaway Bay (N)**	1.630	.4100	+1.350	-.100
Irondequoit Bay (N)**	--	--	+.050	+.030
New York Hrb. Anch. (N)	1.600	1.100	+1.000	--
<u>Ohio</u>				
Caesar Creek (FC)	11.200	3.310	+.600	+.790
Willow Island L&D (N)	4.100	.600	+1.200	--

CORPS OF ENGINEERS
Changes by Congressional Action-Ongoing Construction
(\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Oklahoma</u>				
Ark-Red Chloride (FC)*	1.260	.446	+.940	+.300
Copan Lake (FC)	1.300	2.270	+7.700	+2.130
Kaw Lake (FC)	7.500	1.408	+.700	+.092
Lukfata Lake (FC)**	--	--	+.050	+.100
Skiatook Lake (FC)	2.000	1.700	+2.000	+1.070
<u>Oregon</u>				
Applegate Lake (FC)	.300	.100	+.800	+.700
Bonneville L&D (MP)	17.500	13.000	+7.000	+.600
Catherine Creek (FC)	.400	.250	-.250	-.250
Days Creek Lake (FC)*	.100	.025	+.400	-.025
Cascadia Lake (FC)*	.200	.200	-.200	-.200
Elk Creek Lake (FC)	6.600	3.000	-6.600	-3.000
John Day L&D (MP)	5.065	1.300	+.460	--
<u>Pennsylvania</u>				
Bluemarsh Lake (FC)	10.500	2.900	--	+.431
Tioga-Hammond (FC)	31.000	9.314	+3.250	--

CORPS OF ENGINEERS
Changes by Congressional Action-Ongoing Construction
(\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Pennsylvania</u>				
Tocks Island (Road) Relocation (MP)	--	--	+2.500	+2.100
<u>Puerto Rico</u>				
Portugues & Bucana (FC)	5.000	1.225	+1.400	+.525
<u>South Carolina</u>				
Cooper River (N)	3.000	1.273	+.500	+.500
<u>Tennessee</u>				
Cordell Hull (MP)	1.000	.420	+.300	+.100
<u>Texas</u>				
Corpus Christi (N)	1.900	.650	+1.000	--
Lavon Lake (FC)	3.680	.581	+.200	+.150
Lower Rio Grande (FC)*	.200	.050	+.150	--
Peyton Creek (FC)*	.200	.050	-.200	-.050
San Gabriel (FC)	6.850	2.607	+.150	+.393
<u>Virginia</u>				
Gathright Lake (FC)	8.600	2.200	+1.400	--

CORPS OF ENGINEERS
Changes by Congressional Action-Ongoing Construction
(\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Washington</u>				
Chief Joseph (MP)	52.600	14.500	+14.000	+6.000
Little Goose (MP) Addl.	16.000	2.800	+2.000	--
Lower Granite (MP) Addl.	14.900	2.800	+3.000	--
Lower Monumental (MP) Addl.	4.800	2.500	+1.000	+1.000
<u>West Virginia</u>				
Beech Fork Lake (FC)	6.800	1.500	+1.200	+ .100
R.D. Bailey (FC)	16.800	4.750	+5.500	+ .550
<u>Wisconsin</u>				
Lafarge Lake (FC)	3.000	1.400	-3.000	-1.400

Bureau of Reclamation
 Changes by Congressional Action-Ongoing Construction
 (\$ in millions)

<u>Bureau of Reclamation</u>	1976 <u>Budget Authority</u>	TQ <u>Budget Authority</u>	<u>Conference</u>	
			<u>1976</u>	<u>TQ</u>
<u>California</u>				
Auburn Folsom South Unit	27.475	9.114	+9.175	+2.065
Auburn Dam	(26.735)	(8.985)	(8.975)	(2.065)
Other	(.240)	(.129)	(.200)	(-)
San Luis Unit	30.000	7.350	+3.893	+545
San Felipe Division	9.000	3.260	-3.000	-
Miscellaneous Projects	10.360	3.100	+.400	+.250
<u>Colorado</u>				
Fryingpan Arkansas	32.326	8.890	+.674	+2.010
Narrows Unit	3.140	.400	-1.000	--
<u>Montana</u>				
Canyon Ferry	1.800	.400	+.500	--
<u>North Dakota</u>				
Garrison Diversion Unit	10.900	2.700	+1.000	--
<u>Oregon</u>				
Tualatin Project	7.550	2.800	+.600	+1.400

Bureau of Reclamation
 Changes by Congressional Action-Ongoing Construction
 (\$ in millions)

<u>Bureau of Reclamation</u>	<u>1976</u>	<u>TQ</u>	<u>Conference</u>	
	<u>Budget Authority</u>	<u>Budget Authority</u>	<u>1976</u>	<u>TQ</u>
<u>Washington</u>				
Columbia Basin Project				
Irrigation Facilities	15.428	4.876	+3.272	.474
Third Powerplant	57.000	13.500	+14.000	--

TENNESSEE VALLEY AUTHORITY
 Changes by Congressional Action-Ongoing Construction
 (\$ Millions)

<u>Project & Type</u>	<u>Budget</u>		<u>Conference (+-)</u>	
	<u>1976</u>	<u>1976T</u>	<u>1976</u>	<u>1976T</u>
<u>Alabama</u>				
Bear Creek Multipurpose water control system	10.590	5.338	+ .055	+ .362
Railway bridge alterations at Decatur (N)	2.000	3.296	--	+ .304
<u>Tennessee</u>				
Normandy Dam (MP)	8.493	.767	-0.076	-.556
Columbia Dam (MP)	2.835	1.138	+7.565	+1.412
Tellico Dam (MP)	23.600	5.530	+ .142	-.130



MP = Multipurpose

THE WHITE HOUSE
WASHINGTON

Date 12/24/75

TO: SITUATION ROOM
FROM: JAMES E. CONNOR

Please dex to Dick Cheney and
return all papers to me. Thanks.

Jack - ms

Memorandum for Dick Cheney
From Jim Connor

Attached is the enrolled bill report for H.R. 8122, the Public Works Appropriation Act.

The enrolled bill was carried with you to Vail. The last day for approval is December 26. If the President decides to veto the measure, the bill must be returned ^{here}, so that it can be delivered to the Congress on ~~the~~ December 26, along with a veto message.



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: December 23

Time: 230pm

FOR ACTION: George Humphreys
Max Friederichoff
Ken Lazarus *KL*
Glenn Schleede *GS*

cc (for information): Jack Marsh
Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: December 24

Time: 1000am

SUBJECT:

H.R. 8122 - Public Works for Water and Power
Development and Energy Research
Appropriation Act, 1976

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing



PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

THE WHITE HOUSE
WASHINGTON

December 23

Judy, Mr. Humphreys is
out of the City and unable
to respond to the attached.

Perhaps Schleede's comments
will be sufficient.

Phyllis

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: December 23

Time: 230pm

FOR ACTION: George Humphreys
Max Friedersdorf
Ken Lazarus
Glenn Schleede

cc (for information): Jack Marsh
Jim Cavanaugh
Warren Hendriks

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DUE: Date: December 24

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- | | |
|---|---|
| <input type="checkbox"/> For Necessary Action | <input type="checkbox"/> For Your Recommendations |
| <input type="checkbox"/> Prepare Agenda and Brief | <input type="checkbox"/> Draft Reply |
| <input checked="" type="checkbox"/> For Your Comments | <input type="checkbox"/> Draft Remarks |

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection.

Ken Lazarus



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President

THE WHITE HOUSE

WASHINGTON

December 24, 1975

MEMORANDUM FOR:

JIM CAVANAUGH

FROM:

MAX FRIEDERSDORF *M.F.*

SUBJECT:

H.R. 8122 - Public Works for Water and
Power Development and Energy Research
Appropriation Act of 1976

The Office of Legislative Affairs has reviewed subject bill
and recommends it be signed.

IMMEDIATE
PRECEDENCE

UNCLAS
CLASSIFICATION

FOR COMMCENTER USE ONLY

FROM: BOB LINDER
TO: JOHN CARLSON
-VAIL-

INFO:

RELEASED BY:


DEX _____

DAC 007

LDX _____

TTY _____

GPS _____

PAGES 6

CITE _____

DTG: 2319022 DEC 23 1975

TOR: 232036 DEC 23 1975

SPECIAL INSTRUCTIONS:

1975 DEC 23 19 02



EXECUTIVE OFFICE OF THE PRESIDENT
 OFFICE OF MANAGEMENT AND BUDGET
 WASHINGTON, D.C. 20503

DEC 23 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 8122 - Public Works for Water and Power
 Development and Energy Research Appropriation Act, 1976

Last Day for Action: December 26, 1975 - Friday

<u>Appropriations (in millions):</u>	<u>Administration Request</u>	<u>Enrolled Bill</u>	<u>Congressional Change</u>
1976.....	7,106	7,279	+173
Transition Quarter.....	<u>1,983</u>	<u>2,078</u>	<u>+95</u>
Total.....	9,089	9,357	+268

Effect on Estimated Outlays: +\$180 million in 1976, +\$110 million in the transition quarter, and +\$12 million in 1977.

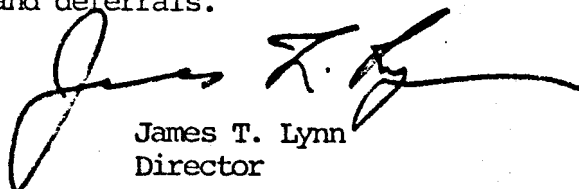
Highlights:

- Increases of \$269 million for water resources planning and construction projects are mainly for ongoing programs, but 44 new starts have also been added.
- A net \$47.2 million Congressional decrease for ERDA reflects cuts for the nuclear energy and national security programs that are partially offset by increases for development of solar and other advanced energy sources.

Recommendations

CEQ Chairman Peterson recommends veto on the grounds that increases for the Corps of Engineers and the Bureau of Reclamation are objectionable for both economic and environmental reasons. (His letter is at Tab A to the longer memorandum).

I recommend that you sign the enrolled bill because (1) many of the increases are needed to avoid costly temporary suspensions of work on approved projects, (2) these same increases will simply shift costs from 1977 into 1976, and (3) the new starts added by the Congress are less in amount and number than those of previous years. Later, we will submit our recommendations to you on appropriate rescissions and deferrals.


 James T. Lynn
 Director



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

DEC 23 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 8122 - Public Works for Water
and Power Development and Energy Research
Appropriation Act, 1976
Sponsor - Rep. Evins (D), Tennessee

Last Day for Action

December 26, 1975 - Friday

Purpose

Appropriates \$7,278,712,500 for fiscal year 1976 and \$2,077,533,000 for the transition quarter for activities of the Corps of Engineers-Civil, the Bureau of Reclamation, the power agencies of the Department of the Interior, the Energy Research and Development Administration, and several related independent agencies and commissions.

Agency Recommendations

Office of Management and Budget	Approval
Council on Environmental Quality	Veto (Chairman Peterson's letter is at Tab A)
Affected agencies	Approval (informally)

Discussion

Comparison with your 1976 and
Transition Quarter Budget Requests

The enrolled bill provides \$172,550,500 more in 1976 budget authority than your request of \$7,106,162,000 and \$94,903,000 more than your transition quarter request of \$1,982,630,000. The effect of these and other budget authority changes is to increase estimated outlays in 1976 by \$179.6 million, in the transition quarter by \$110 million, and in 1977 by \$11.5 million.

The following table shows the effect of Congressional action on your 1976 and transition quarter budget requests for major agencies in the enrolled bill:

	Budget Authority 1976 and TQ		Effect on Budget Authority Change on Outlays	
	Request Considered	Congressional Change	1976 & TQ	1977
Energy Research and Development Administration..	5,213	-47	+4	-27
Corps of Engi- neers-Civil.....	2,521	+259	+219	+40
Department of the Interior:				
Bureau of Re- clamation.....	750	+52	+50	+3
Power Adminis- trations.....	12	---	---	---
Appalachian re- gional commis- sion, develop- ment programs...	148	-8	+4*	-1
Nuclear Regula- tory Commission.	272	-5	-3	-2
Tennessee Valley Authority.....	115	+15	+15	---
Other agencies...	58	+1	+1	-1
Total.....	9,089	+267	+290	+12

* Includes effect of liquidating cash changes made by the Congress.

Comparison to 1975 Funding Levels

You requested 1976 appropriations for this bill totaling \$1,072 million more than the 1975 funding level. The Congress has concurred in an overall increase from the 1975 level but by a greater amount--\$1,224 million. Tab B to this memorandum presents a more detailed comparison of your recommendations for level-of-funding changes from 1975 to 1976 and the Congressional response to them.

Major Changes to Requested Amounts

The remainder of this analysis discusses the major changes made in the bill to your requests. The discussion, unless otherwise noted, is in terms of budget authority changes for both 1976 and the transition quarter.

Energy Research and Development Administration

The Congress considered your requests for the Energy Research and Development Administration (ERDA) in two 1976 appropriation bills: \$5,213 million was considered for this enrolled bill and \$617 million for the Interior enrolled appropriation bill now awaiting your action. Your requests have been reduced in both. In this bill, the reductions net to \$47.2 million. However, this includes both increases and decreases from your requests, distributed as follows:

- +\$23.1 million for the operating expenses of solar energy development. The Congress has provided additional funds for the development of several technologies and added funds for a solar storage project and a solar institute. With the increased funds, the priorities you proposed will be changed: for example, the conversion of light to electric power (photovoltaics) will receive greater funding than solar energy conversion to electric and thermal power.
- +\$10.2 million for the development of other advanced energy systems.
- +\$13.5 million for environmental and safety research. This increases funding to assess the safety and environmental impact of various energy programs and for remedial work on uranium mill sites in the western states, development of an artificial heart, and applications of nuclear research to medicine.
- -\$42.7 million from your request for nuclear energy development. This includes decreased funding for upgrading safeguard and security measures for nuclear materials, no funding of new uranium enrichment facilities, and decreased funding for the Tokamak fusion test reactor in Plainsboro, New Jersey.
- -\$33.2 million from your request for energy-related national security. This decrease was broadly applied to weapons program activities. As a result the production of certain low priority weapon systems will be delayed. A reduction in funding of safeguard and security upgrading was also effected.
- Further changes to your requests resulted in a net decrease of \$18.1 million, most of which relates to certain financial adjustments made by the Congress.

Water Resources Development

The Congress added \$269 million to your requests for planning and construction of water resources projects. All Congressional increases in the enrolled bill for the Bureau of Reclamation and the Tennessee Valley Authority (TVA) were for these projects, as well as a major portion (\$202 million) of the \$259 million Congressional increase to the Corps of Engineers. The Congress provided increases both for new planning and construction starts and for ongoing projects, though more than three-quarters of the increase is for ongoing projects.

Your budget requests proposed a policy of no new starts in fiscal year 1976 and the transition quarter. The Congress, however, provided for 44 specific new planning and construction starts that would cost an estimated \$1,015 million to complete. These new starts--for the Corps of Engineers, the Bureau of Reclamation, and TVA--are shown at Tab C. Undesirable as the costs of these new starts are, they are considerably less than in previous years. Last year, for example, the Congress added 65 unbudgeted new starts whose eventual cost of completion was estimated at \$3.6 billion.

Because contractors who carry out the ongoing projects have recently had fewer concurrent jobs, they have progressed faster than anticipated on many projects. Thus, much of the Congressional increase for ongoing projects is not objectionable in that it (1) will avoid costly suspensions of work that can follow the "out-of-funds" notices that would have to be given in many projects without the additional funds, (2) will move some 1977 costs into 1976 and (3) will allow for somewhat earlier completion of approved projects. A listing of the ongoing projects affected by the enrolled bill is at Tab D.

Chairman Peterson of the Council on Environmental Quality is recommending veto of the enrolled bill because he finds the Congressional increases for water resources projects objectionable on environmental and economic grounds. His letter is at Tab A. While I agree that the increases for water resources projects are the most objectionable feature of the enrolled bill, I recommend the first of the two alternatives he gives in his letter--sign the enrolled bill and recommend deferrals (and, perhaps, rescissions). My recommendation has these bases:

- Much of the Congressional increase for ongoing programs is needed and can be used.
- The new starts added by the Congress are lesser in number and amounts than in previous years.
- Your recent decisions on the 1977 budget imply funding the increases in the enrolled bill in 1977.

If you agree, we will thoroughly review the increases in the enrolled bill and suggest appropriate rescissions and deferrals for your consideration.

Corps of Engineers

In addition to the increases for planning and construction of water resources projects, the Congress also provided additional funds to the Corps of Engineers for:

- Operation and maintenance (\$51 million) of existing projects, primarily because costs of carrying out the program you proposed have increased sharply.
- General investigations (\$6 million) for 41 new surveys.
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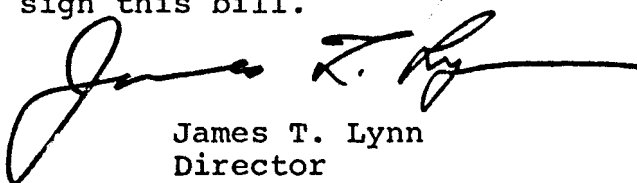
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Other Agencies

The Congress made no changes to your requests for the Interior power agencies or the regional river basin commissions. Changes for the Nuclear Regulatory Commission, the Federal Power Commission, the Water Resources Council, and Appalachian regional development programs are minor in amount and program impact.

Recommendation

I recommend that you sign this bill.



James T. Lynn
Director

Attachments

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

To: J. Cunningham
12-23-75
11:30 A.M.



DEC 23 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 8122 - Public Works for Water and Power Development and Energy Research Appropriation Act, 1976

Last Day for Action: December 26, 1975 - Friday

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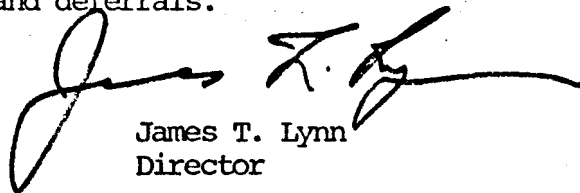
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OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

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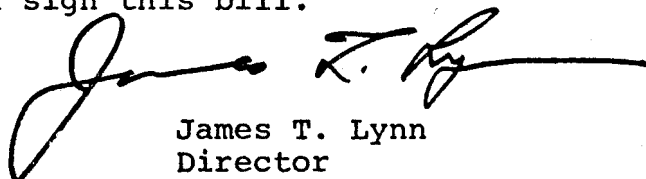
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Recommendation

I recommend that you sign this bill.



James T. Lynn
Director

Attachments

DECEMBER 26, 1975

Office of the White House Press Secretary

NOTICE TO THE PRESS

The following information was made available by the White House Press Office, Vail, Colorado, on December 26, 1975:

1. The President has signed H.R. 8122, the Public Works Appropriations Bill which includes \$7 billion 278 million dollars for fiscal year 1976, and \$2 billion 77 million dollars for the transition period before the start of fiscal year 1977.
2. The President has issued a statement on drug abuse. Copies of the statement are available in the Press Office in Washington.
3. The President has signed an Executive Order designating John Robson as Chairman of the Civil Aeronautics Board for 1976 - a re-designation required by law.
4. The President has appointed Assistant Press Secretary John Carlson as Deputy Press Secretary to the President succeeding William Greener, who has been nominated to be Assistant Secretary of Defense for Public Affairs.

#

Signed
12/26

14
Under HR 8122

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

December 19, 1975

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Public Works Appropriations for FY '76 and
Transition Quarter -- H.R. 8122

The Council on Environmental Quality has major objections to this bill that I wish to bring directly to your attention, since the bill is now enrolled.

RL

This bill combines appropriations for operating expenses and construction activities of 14 different federal agencies and offices. Overall it provides more than a quarter of a billion dollars in excess of your budget request at a time when the Administration is attempting to contain federal spending and to restrict commitments to new programs.

Our primary objections are with the proposed appropriations for public works projects of the Corps of Engineers and the Bureau of Reclamation (Titles II and III) on both environmental and economic grounds. This bill contains unbudgeted increases of approximately \$260 million for the Corps and \$13 million for the Bureau for fiscal 1976 and the transition quarter. Nearly \$50 million of this \$273 million will go to accelerate construction of a number of projects which both CEQ and OMB have previously opposed as being both environmentally destructive and economically unsound. Other funds are for approximately 40 unbudgeted new planning and construction starts.

R.D.L. to Jim Cowanough
Date 12.22.75
Follow Up _____

Copy of this memo sent to Central Files

In signing last year's public works appropriations bill, you stated in part, "This public works bill is troublesome because it would increase the 1975 outlays by \$80 million above the budget and would commit us to major outlay increases in future years. I am strongly opposed to such increases because they would intensify our number one problem -- inflation."

This bill is no improvement in that regard -- it is worse. Two basic options exist:

1. Sign and recommend deferrals

This course was followed last year; it allows funding to proceed for programs and projects not in dispute, but it is essentially a postponement of action on disputed items. To be effective, deferrals this year would have to be large, and would stand a very good chance of being overturned by Congress in an election year.

2. Veto and request a revised bill

A veto, on both environmental and economic grounds, would be consistent with stated Administration goals and policies. It would require a greater Congressional effort to override, and would, if overridden, put the responsibility for inflationary federal spending where it belongs. Reformulation of an acceptable bill could be time-consuming and would require interim funding measures. It would, however, avoid the postponement into 1977 of funding decisions and would, if successful, reduce the commitment of unbudgeted funds to a number of environmentally destructive and economically unsound projects.

I recommend that you veto this bill and call for prompt reformulation of an acceptable one.



Russell W. Peterson
Chairman

cc: Honorable James T. Lynn

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: December 23

Time: 230pm

FOR ACTION: George Humphreys
Max Friedersdorf
Ken Lazarus
Glenn Schleede

cc (for information): Jack Marsh
Jim Cavanaugh
Warren Hendriks

FROM THE STAFF SECRETARY

DUE: Date: December 24

Time: 1100am

SUBJECT:

H.R. 8122 - Public Works for Water and Power
Development and Energy Research
Appropriation Act, 1976

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

*Revised
Approved
Schleede*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

for the President