

Clean-Water Bill Is Law Despite President's Veto

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Special to The New York Times

WASHINGTON, Oct. 18—The Senate and House representatives overrode today President Nixon's veto of the Federal Water Pollution Control Act of 1972, which thus becomes law and authorizes \$24.6-billion over three years to clean up the nation's lakes and rivers.

The Senate vote to override, 52 to 12, came at 1:30 this morning, only about two hours after the President had sent up a veto message saying that the price tag on the bill was "unconscionable" and "budget-wrecking."

The President had delayed his message until 40 minutes before the bill would have become law without his signature, at midnight. His delay apparently was intended to give Congress time to accede to his request for a spending limit of \$250-billion for this fiscal year. The limit was rejected and the President vetoed the bill.

The House vote to override the veto was 247 to 23. It came at 1:20 P.M. today.

A Warning Ignored

In overriding by such decisive margins, members of both parties ignored the President's warning that those who did so were "charge-account Congressmen" who were voting for inflation and higher taxes.

Anticipating the rejection of his veto, Mr. Nixon said that "even if the Congress defaults its obligation to the taxpayers, I shall not default mine." Noting that the bill gave him discretion in spending the funds authorized, he said, "I mean to use those provisions to put the brakes on budget-wrecking expenditures as much as possible."

That was taken here as a warning that he would not spend all the sums authorized, and particularly not those to pay the Federal share of waste treatment plants.

Senator George McGovern, the Democratic Presidential candidate, said that Congress had acted "with great wisdom and courage" in refusing to sustain the veto.

"The Presidential veto," Mr. McGovern said, "reveals the Nixon Administration's record on behalf of the environment for what it is — hypocritical platitudes coupled with spineless inaction."

Cost Termed 'Staggering'

During nearly two years of Congressional deliberation on the bill, the White House had supported industry's opposition to many of its provisions, particularly the goal of no discharges of industrial pollutants by 1985 and the setting of limitations on effluents for classes of industry.

However, Mr. Nixon based his veto solely on what he called its "staggering" cost of \$24.6-billion. Of that amount, \$18-billion would be for the Federal share—75 per cent—of the cost of waste treatment works. The states and municipalities would pay the remainder.

In addition, \$2.75-billion would be earmarked to reimburse states and cities for the Federal share on projects already completed or under construction that the states and cities have paid themselves in expectation of Federal reimbursement.

Of that amount, \$2-billion would be for reimbursement for projects between 1967 and 1972—an amount that the Environmental Protection Agency agrees the Government owes and should pay. The remaining \$750-million is for projects from 1957 to 1966, which E.P.A. insists the Government does not owe since "no significant Federal assistance program existed during this period and there was thus a lack of federal commitments."

\$6-Billion 'Enough'

A year ago, Mr. Nixon had proposed a three-year program with \$6-billion as the Federal share for waste treatment plants, only one-third of the amount contained in the bill. Furthermore, the Federal share would have been 50 per cent, rather than 75 per cent. Finally, there was no provision in Mr. Nixon's proposal for reimbursing the states and cities for the unpaid Federal share on past projects. Presumably any reimbursement would have had to come out of the \$6-billion.

In his veto message, Mr. Nixon said that his proposed \$6-billion was "enough to continue and accelerate the momentum toward that high standard of cleanliness which all of us want in America's waters."

In saying that, the President took direct issue with William Ruckelshaus, in a 33-page letter of the Environmental Protection Agency. On Oct. 11, Mr. Ruckelshaus, in a 33-page letter to Caspar W. Weinberger, Director of the Office of Management and Budget, "strongly" recommended that the President sign the bill. On the question of financing, Mr. Ruckelshaus made the following points:

¶The \$18-billion for waste treatment plants provided by Congress was "the result of the Congress adopting a later E.P.A. needs survey than the one that provided the basis for the Administration's request" of \$6-billion. E.P.A.'s revised estimate of needed expenditures over three years, Mr. Ruckelshaus said, was \$18.1-billion. The 75 per cent Federal share of that figure would be \$13.6-billion — almost \$5-billion less than Con-

gress provided, but \$7-billion more than the President proposed.

¶Because actual expenditures for waste treatment projects would be spread over nine years, Mr. Ruckelshaus emphasized, the major outlays required by the Congressional bill "will not occur until the fiscal years 1976-1981," and "the total value of construction initiated in the near-term under the enrolled (Congressional) bill is expected to correspond closely to the total value of construction that would have been initiated under the Administration bill."

¶"The major fiscal impact during the fiscal years 1973-1975 will result not because of obligations incurred for new construction . . . but as a result of reimbursement for projects already constructed or under construction."

On the last point, Mr. Ruckelshaus said the \$2-billion owed "represents a commitment," and he recalled that in his 1971 environmental message, Mr. Nixon had said, "We must also assure that adequate Federal funds are available to reimburse states that advanced the Federal share of project costs."

Mr. Ruckelshaus also reminded the President that E.P.A.'s estimate of need provided to Congress (\$18.1-billion) "was constructed to support the commitment of the President in his State of the Union message of Jan. 22, 1970, to 'put modern municipal waste treatment plants in every place in America where they are needed to make our waters clean again, and to do it now.'"

'It Seems Reasonable'

In conclusion, Mr. Ruckelshaus said he was "aware of the fiscal magnitude" of the bill. But, he added:

"It seems reasonable to me to spend less than 1 per cent of the Federal budget and two-tenths of 1 per cent of the gross national product over the next several years to assure future generations the very survival of the gross national product."

Mr. Nixon rejected Mr. Ruckelshaus's recommendation and reasoning.

In urging that the veto be overridden today, Representative Robert E. Jones Jr., Democrat of Alabama, who was in charge of the bill, said that Congress knew the bill would be costly.

"But we also know," he said, "that the people are prepared to pay the price of this undertaking."