

construction of flood-control works upon any part of the Illinois River between its mouth and the mouth of the Des Plaines River and for levees upon any part of said river between its mouth and the Des Plaines River in such manner as in his opinion shall best improve navigation and promote the interest of commerce and protect said levees against the diversion of waters from the Lakes as authorized in this bill, at all stages of the river, including such changes and alterations in said levees as may be made necessary by the diversion of water from the Great Lakes authorized by this Act. All moneys so allotted to be expended under the supervision of the Chief of Engineers.

SEC. 8. To the Secretary of War and Chief of Engineers is reserved the right, and it is hereby made their duty to compel the Sanitary District of Chicago to so construct, and/or operate its controlling works, that should the Illinois River reach a flood stage which, in the opinion of the said Chief of Engineers will be imminently dangerous to life and/or property in the valley of the Illinois River, as to be able to promptly reduce the flow of water in the main canal of the sanitary district of Chicago to that amount which will not allow the waters of the said sanitary district of Chicago to be diverted into Lake Michigan.

In order that at all times the Sanitary District of Chicago shall be compelled to fully comply with the provisions of this bill in the matter of the amount of the diversion from Lake Michigan, the direction and control of the controlling works at Lockport, Illinois, or such other controlling works as may be erected in connection with the said diversion, shall at all times be under the direction and control of the Secretary of War and Chief of Engineers, in order that the diversion shall not at any time exceed the diversion provided for in this bill.

SEC. 9. That said Sanitary District of Chicago shall at all times keep available to the inspection of said Chief Engineer, and/or his representatives, and the officials of the State of Illinois, in its offices and stations in Cook County, Illinois, and/or elsewhere, all of its records, data, and reports of its officers and employees, showing the quantity and character of water by it carried through its canals and works, and upon request of said Chief Engineer, and/or his representatives, and/or the officials of the State of Illinois, shall forthwith furnish him and their representatives with such details and reports as may be requested, and also it shall from time to time, as directed by said Chief of Engineers, furnish him, and/or his representatives, and/or such State officials with samples of water running through such parts of its canals and works as shall be designated.

SEC. 10. The concessions herein made and the permission hereby granted unto the Sanitary District of Chicago relating to the withdrawal of water from Lake Michigan are each extended and granted upon the considerations herein fixed and designated being fully observed and complied with, and nothing herein contained limits or abrogates the power of the Federal Government, and/or its proper officer, and/or the officials of the State of Illinois in maintaining unimpaired the navigability of the Illinois River, and/or in preserving the purity of the water therein, and/or of controlling the same so as to prevent its contamination to the extent of its becoming a nuisance or menace to the health of any of the people.

SEC. 11. In the event that the Sanitary District of Chicago shall violate, fail or refuse to carry out any of the provisions of this Act on their part to be performed in the time and in accordance with the terms hereof, then the Secretary of War shall proceed to serve a written notice upon the Sanitary District of Chicago by delivering the same to the

directors of the Sanitary District requiring the said Sanitary District within sixty days from the date of the service of said notice, to carry out the provisions of said Act with reference to which said Sanitary District may be in default, and said notice shall provide that if within said sixty days, said provisions shall not be complied with, he the said Secretary of War, will declare immediately after the expiration of said sixty days, as forfeited and annulled all the rights, powers, and privileges by this Act granted the Sanitary District of Chicago. Upon the failure of the Sanitary District of Chicago within sixty days to so carry out said provisions in said notice mentioned, then the Secretary of War is authorized and directed to declare forfeited and annulled all of said rights, powers, and privileges, and the Secretary of War and the Chief of Engineers shall thereupon take charge of all or any portion of the locks and controlling works in existence at that time and connected in any way with the navigation and sanitation contemplated in this Act, and shall operate the same for such length of time as may be necessary to carry out the objects and purposes of this Act.

SEC. 12. This Act shall be formally accepted without reservations within sixty days after its passage by an ordinance of the board of trustees of the Sanitary District of Chicago, duly passed and promulgated.

ENCLOSURE 3 IN No. 107

68TH CONGRESS, 1ST SESSION—S. CON. RES. 2

IN THE SENATE OF THE UNITED STATES

December 10, 1923

Mr. McCORMICK submitted the following concurrent resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

December 19, 1923

Reported by Mr. KEYES, with amendments; considered, amended, and agreed to

CONCURRENT RESOLUTION

Resolved by the Senate (the House of Representatives concurring), That a joint committee to consist of five Senators, to be appointed by the President pro tempore of the Senate, and seven Members of the House of Representatives, to be appointed by the Speaker of the House, is hereby authorized to investigate the problem of a nine-foot channel in the waterway from the Great Lakes to the Gulf of Mexico, and the problem of the navigability of the Mississippi, Ohio, and Missouri Rivers.

For the purposes of this resolution the committee is authorized to hold hearings, to sit during the sessions or recesses of the Sixty-eighth Congress at such times and places, to employ such clerical and other assistants as it may deem advisable. The committee is further authorized to send for persons and papers; to require by subpoena or otherwise the attendance of witnesses, the production of books, papers, and documents; to administer oaths; and to take testimony, as it may deem advisable. The cost of stenographic service to report such hearings shall