

MAKING APPROPRIATIONS FOR THE DEPARTMENT OF
THE INTERIOR AND RELATED AGENCIES

NOVEMBER 8, 1979.—Ordered to be printed

Mr. YATES, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 4930]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4930) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1980, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 18, 21, 26, 46, 60, 83, 88, 96, 98, 99, 101, 102, 103, 104, and 105.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 7, 10, 12, 13, 19, 23, 27, 28, 33, 35, 36, 39, 42, 44, 55, 57, 68, 69, 70, 71, 72, 81, 85, 92, 93, and 106, and agree to the same.

Amendment numbered 4:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert \$30,781,000; and the Senate agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert \$15,351,000; and the Senate agree to the same.

Amendment numbered 8:

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$509,194,000*; and the Senate agree to the same.

Amendment numbered 9:

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$300,000,000*; and the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$22,373,000*; and the Senate agree to the same.

Amendment numbered 14:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$152,928,000*; and the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$9,000,000*; and the Senate agree to the same.

Amendment numbered 20:

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$55,000,000*; and the Senate agree to the same.

Amendment numbered 22:

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$206,641,000*; and the Senate agree to the same.

Amendment numbered 29:

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$382,775,000*; and the Senate agree to the same.

Amendment numbered 32:

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$112,154,000*; and the Senate agree to the same.

Amendment numbered 41 :

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows :

In lieu of the sum proposed by said amendment insert *\$132,753,000*; and the Senate agree to the same.

Amendment numbered 43 :

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows :

In lieu of the sum proposed by said amendment insert *\$84,687,000*; and the Senate agree to the same.

Amendment numbered 45 :

That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows :

In lieu of the sum proposed by said amendment insert *\$789,051,000*; and the Senate agree to the same.

Amendment numbered 61 :

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows :

In lieu of the sum proposed by said amendment insert *\$108,795,000*; and the Senate agree to the same.

Amendment numbered 62 :

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows :

In lieu of the sum proposed by said amendment insert *\$72,879,000*; and the Senate agree to the same.

Amendment numbered 63 :

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows :

In lieu of the sum proposed by said amendment insert *\$825,532,000*; and the Senate agree to the same.

Amendment numbered 64 :

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows :

In lieu of the sum proposed by said amendment insert *\$186,725,000*; and the Senate agree to the same.

Amendment numbered 65 :

That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows :

In lieu of the sum proposed by said amendment insert, *\$423,412,000*; and the Senate agree to the same.

Amendment numbered 66:

That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$28,835,000*; and the Senate agree to the same.

Amendment numbered 75:

That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$746,627,000*; and the Senate agree to the same.

Amendment numbered 76:

That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$103,250,000*; and the Senate agree to the same.

Amendment numbered 77:

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$111,221,000*; and the Senate agree to the same.

Amendment numbered 78:

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$88,750,000*; and the Senate agree to the same.

Amendment numbered 79:

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$628,702,000*; and the Senate agree to the same.

Amendment numbered 80:

That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert *\$141,250,000*; and the Senate agree to the same.

Amendment numbered 84:

That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert \$152,879,000; and the Senate agree to the same.

Amendment numbered 86:

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert \$538,874,000; and the Senate agree to the same.

Amendment numbered 95:

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert \$4,200,000; and the Senate agree to the same.

Amendment numbered 97:

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert \$6,250,000; and the Senate agree to the same.

Amendment numbered 100:

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert \$22,241,000; and the Senate agree to the same.

Amendment numbered 112:

That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment as follows:

In lieu of the sum named by said amendment insert \$240,000; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 3, 15, 17, 24, 25, 30, 31, 34, 37, 38, 40, 47, 48, 49, 50, 51, 52, 53, 54, 56, 58, 59, 67, 73, 74, 82, 87, 89, 90, 91, 94, 107, 108, 109, 110, and 111.

SIDNEY R. YATES,
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CLARENCE D. LONG,
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J. P. MURTHA,
NORM D. DICKS,
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Managers on the Part of the House.

ROBERT C. BYRD,
 ERNEST F. HOLLINGS,
 BIRCH BAYH,
 J. BENNETT JOHNSTON,
 WALTER D. HUDDLESTON,
 PAT J. LEAHY,
 QUENTIN BURDICK,
 JOHN A. DURKIN,
 TED STEVENS,
 MILTON R. YOUNG,
 MARK O. HATFIELD,
 HENRY BELLMON,
 JAMES A. McCLURE,
 PAUL LAXALT,

Managers on the Part of the Senate.

Managers on the Part of the House:
 CLAYTON O. COVETT,
 EARL W. BURNETT,
 RALPH HENNING,
 JAMES M. HODGINS,
 JOHN L. WINTERROWD,
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 JOHN D. FISHER,
 A. P. BISHOP,
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 GUY M. RAY,
 SUGAR V. YATES

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4930), making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending September 30, 1980, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Amendment No. 1: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment appropriating \$301,896,000 for management of lands and resources instead of \$295,361,000 as proposed by the House and \$295,836,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net increase over the amount proposed by the Senate consists of the following: \$250,000 for natural and cultural resource management; \$920,000 of off-road vehicle management; \$200,000 for management and protection of ancient sites at Escalante, Colorado; \$500,000 for interim management and protection of the California Desert; \$390,000 for supervision of special recreation area permits; \$1,000,000 for wilderness management; and \$2,800,000 for cadastral survey.

The managers are in agreement on the following: that the Spanaway Distribution Center in the State of Washington shall continue operations; that the Secretary of the Interior is urged to designate the Forest Service as competent to conduct cadastral surveys on Federal lands and develop an inventory of the highest priority survey needs of all land management agencies; that funds be committed to carry out an adequate controlled burning program in the Cow Mountain area of Mendocino and Lake Counties in California; and that, within available funds, \$150,000 be made available to plan, survey, and design a trail for use by handicapped persons located along the Old Excelsior Mining Ditch in Nevada County, California.

Amendment No. 2: Provides that not less than \$62,700,000 available from receipts shall be obligated in fiscal year 1980 for Oregon and California grant lands as proposed by the House instead of \$55,400,000 as proposed by the Senate.

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

: Provided further, That the Secretary of the Interior and Secretary of Agriculture shall (a) review Federal agricultural financial assistance programs to determine to what extent such programs provide opportunities to assist livestock operators adversely affected by reductions in grazing allotments on public rangelands, as defined in the section 3 of the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1902); and (b) submit the results of this review to the Committees on Appropriations of the House of Representatives and the Senate within ninety days of the effective date of this Act, together with details on available programs, opportunities for more effective use of such programs, additional budget requirements needed to augment such programs, and any legislation needed to improve opportunities for assistance: Provided further, That the Secretary of the Interior shall develop criteria for extending, on a case-by-case basis, the period allowed for phased livestock reductions on public rangelands administered through the Bureau of Land Management up to five years. Such criteria shall take into account available agricultural assistance programs, the magnitude of projected livestock reductions, alternative pasturage available, and ability of such public rangelands to sustain such phasing in of livestock reductions without damage to rangeland productivity: Provided further, That an appeal of any reductions in grazing allotments on public rangelands must be taken within 30 days after receipt of a final grazing allotment decision or 90 days after the effective date of this Act in the case of reductions ordered during 1979, whichever occurs later. Reductions of up to 10 percent in grazing allotments shall become effective when so designated by the Secretary of the Interior. Upon appeal any proposed reduction in excess of 10 percent shall be suspended pending final action on the appeal, which shall be completed within 2 years after the appeal is filed

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers are in support of BLM efforts to improve range conditions through required reductions in grazing but are concerned over the economic impact of sizeable cutbacks without adequate reviews. The language adopted is designed to minimize livestock production losses and to assure full and fair review of management decisions through administrative appeals before large reductions are implemented.

OFFICE OF WATER RESEARCH AND TECHNOLOGY

Amendment No. 4: Appropriates \$30,781,000 for salaries and expenses instead of \$30,977,000 as proposed by the House and \$30,522,000

as proposed by the Senate. The net decrease under the amount proposed by the House consists of increases of \$150,000 for new processes research and \$50,000 for identification of a third desalting demonstration site and a decrease of \$396,000 for desalting demonstration plant design.

Amendment No. 5: Provides that \$11,464,000 for salaries and expenses shall remain available for obligation until September 30, 1981, as proposed by the Senate instead of \$11,660,000 as proposed by the House.

HERITAGE CONSERVATION AND RECREATION SERVICE

Amendment No. 6: Appropriates \$15,351,000 for salaries and expenses instead of \$15,656,000 as proposed by the House and \$15,289,000 as proposed by the Senate. The decrease under the amount proposed by the House consists of \$105,000 in the rural recreation needs study and \$200,000 for demonstration assistance, evaluation, and Federal surplus real property. The total amount available includes \$65,000 for phase III of the Walpi archeological project on the Hopi reservation in Arizona. The managers recommend that the Secretary reexamine the delegation of authorities for river and trail studies between HCRS and the NPS to determine (1) whether the Department's responsibility should be divided and (2) if so, that any vestige of overlap or duplication be eliminated.

For the Urban Park and Recreation Fund, the managers agree to the distribution as recommended by the Senate with the understanding that contracting for State administrative support does not include the authority for the State to recommend approval or disapproval of projects proposed by the applicants. The managers also agree that priority should be given to innovative grant projects which benefit the handicapped and the elderly and to adaptive reuse projects.

The managers further agree that HCRS and the State of Mississippi should accelerate action on determining the eligibility of the Lyric Theatre in Oxford, Mississippi, to be placed on the National Register of Historic Places.

Amendment No. 7: Provides \$7,393,000 for Land and Water Conservation Fund administrative expenses as proposed by the Senate instead of \$7,693,000 as proposed by the House. The reduction of \$300,000 is in Federal administrative expenses.

Amendment No. 8: Appropriates \$509,194,000 for the Land and Water Conservation Fund instead of \$447,059,000 as proposed by the House and \$554,547,000 as proposed by the Senate.

Amendment No. 9: Provides \$300,000,000 for payments to the States instead of \$200,000,000 as proposed by the House and \$359,307,000 as proposed by the Senate. The amount recommended, along with \$6,693,000 to administer the State programs, totals \$306,693,000, or 61.7 per cent of the total appropriation.

Amendment No. 10: Provides \$2,750,000 for the Bureau of Land Management as proposed by the Senate instead of \$3,690,000 as proposed by the House. The managers have no objection to the acquisition of the Sleeping Giant site within available funds following normal reprogramming guidelines.

Amendment No. 11: Provides \$22,373,000 for the Forest Service instead of \$41,573,000 as proposed by the House and \$21,953,000 as proposed by the Senate. The net decrease below the amount proposed by the House consists of reductions for Alpine Lakes (\$7,000,000), wild and scenic river slippage (\$3,500,000), large unobligated balances (\$10,000,000); and an increase of \$1,300,000 for the Crescent Moon Ranch properties in the Red Rock Composite in Arizona. The managers urge the Forest Service to utilize approved reprogramming procedures to take funds for specified areas where acquisition problems develop and apply them to areas where unbudgeted acquisition opportunities arise.

Amendment No. 12: Provides \$11,750,000 for the Fish and Wildlife Service as proposed by the Senate instead of \$20,600,000 as proposed by the House. The managers recommend the Service acquire any specific areas denied with available unobligated balances following normal reprogramming procedures. The managers encourage the efforts of the authorizing committees in their review of Fish and Wildlife Service land acquisition and refuge establishment procedures and policies.

Amendment No. 13: Deletes the word "and" as proposed by the Senate.

Amendment No. 14: Provides \$152,928,000 for the National Park Service instead of \$173,503,000 as proposed by the House and \$149,394,000 as proposed by the Senate. The net decrease under the amount proposed by the House consists of the following: an increase of \$225,000 for Frederick Law Olmstead NHS and decreases of \$200,000 for preauthorization, \$600,000 for Point Reyes NS, \$4,000,000 for Virgin Islands NP, \$1,000,000 for War in the Pacific NP and \$15,000,000 because of slippage in proposed acquisitions.

Amendment No. 15: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides \$12,000,000 (including \$800,000 for planning) for Pinelands National Reserve from the Land and Water Conservation Fund.

Amendment No. 16: Provides that \$9,000,000 of the state assistance funds may be available as a contingency reserve to be administered by the Secretary instead of \$12,000,000 as proposed by the House and \$6,000,000 as proposed by the Senate.

Amendment No. 17: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows: Restore the matter stricken by said amendment, amended to read as follows:

: Provided further, That the \$12,500,000 available to the Forest Service in fiscal year 1979 for acquisition of the Kahle and Jennings properties may be used to acquire the Jennings property and other properties in the Tahoe Basin of California and Nevada without regard to the matching requirements and zoning restrictions included in the 1979 appropriations act

The managers understand that private interests and Douglas County, Nevada, intend to purchase the Kahle site. This meets the intent

of the managers in having the Federal contribution matched. Managers were informed that the Nevada legislature, by legislative action effective May 4, 1979, has precluded issuing any additional unrestricted gaming permits in the Tahoe Basin.

Amendment No. 18: Deletes language proposed by the Senate regarding a general \$10,000,000 reduction.

Amendment No. 19: Deletes House language appropriating \$12,000,000 for Pinelands National Reserve land acquisition from the general fund.

Amendment No. 20: Appropriates \$55,000,000 for the Historic Preservation Fund instead of \$50,000,000 as proposed by the House and \$67,500,000 as proposed by the Senate. The amount recommended by the managers includes \$5,200,000 for the National Trust for Historic Preservation, \$48,022,000 for grants to states, and \$1,778,000 for administrative expenses.

Amendment No. 21: Restores House language stricken by the Senate which prohibits industrial facilities from being added to the list of National Historic Landmarks without the consent of the owner.

U.S. FISH AND WILDLIFE SERVICE

Amendment No. 22: Appropriates \$206,641,000 for resource management instead of \$207,055,000 as proposed by the House and \$205,421,000 as proposed by the Senate. The net decrease under the amount proposed by the House consists of the following: Increases of \$2,000,000 for grants for state cooperative endangered species program and \$28,000 for legislative liaison; and decreases of \$570,000 for resource development planning, \$696,000 for migratory bird refuge operation House general increase -\$525,000; Grasslands NWR, Ca. -\$50,000; Butte Sink NWR, Ca. -\$46,000; Elkhorn Slough NWR, Ca. -\$50,000; and Oyster Bayou NWR, Tx. -\$25,000), \$269,000 for mammal and non-migratory bird refuge operation (Minnesota Prairie NWR, Mn. -\$37,000; Bogue Chitto NWR, La. & Ms. -\$118,000; and Atlantic Coast areas, N.C. -\$114,000), \$21,000 for blackbird research and control (providing a total of \$300,000 over the budget to be divided equally between Arkansas and Louisiana), and \$886,000 in travel. The managers share the concern expressed in the Senate report about Service practices in establishing or expanding refuges with minimal Congressional review. The managers note that the House legislative committee has agreed to review the Service practices and procedures in this area. The managers agree that up to \$38,000 in available funds may be used to manage Conboy Lake NWR and that \$6,000 is within available funds for additional feed at Bowden NFH. The Service must assure itself that hatchery managers acquire such basic materials as fish food.

The support level of the western energy land use team at Fort Collins, Colorado, provided in the FY 1979 bill should be maintained, but this does not extend to providing funds for budgeted increases specifically denied. The managers also agree that significant changes should not be made in current fish stocking allocations for state-owned or managed waters.

Amendment No. 23: Provides that \$5,000,000 for state cooperative endangered species grants will remain available until expended as

proposed by the Senate instead of \$3,000,000 as proposed by the House.

Amendment No. 24: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing \$58,757,000 for construction and anadromous fish instead of \$56,327,000 as proposed by the House and \$56,945,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net increase over the amount proposed by the House consists of the following: Decreases of \$225,000 for the Suquamish Indian Hatchery and a \$212,000 pay cost reduction; and increases of \$970,000 for the White River NFH, \$105,000 for the White Sulphur Springs NFH, \$43,000 for the Bowden NFH, \$318,000 for the Wolf Creek NFH, \$431,000 for the Frankfort NFH, and \$1,000,000 for a striped bass recovery research program.

Amendment No. 25: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that \$4,712,000 for anadromous fish grants to states and the striped bass recovery research program shall become available only upon enactment of S. 838 or similar legislation.

Amendment No. 26: Appropriates \$15,000,000 to the Migratory Bird Conservation Account as proposed by the House instead of \$8,400,000 as proposed by the Senate. The managers agree that the Service should acquire the McFaddin Marsh area in the Texas Gulf Coast area.

Amendments Nos. 27 and 28: Provide for the purchase of two aircraft by the Fish and Wildlife Service as proposed by the Senate instead of three as proposed by the House.

NATIONAL PARK SERVICE

Amendment No. 29: Appropriates \$382,775,000 for operation of the national park system instead of \$383,512,000 as proposed by the House and \$380,244,000 as proposed by the Senate.

The net decrease under the amount proposed by the House consists of the following: Increases of \$105,000 for the Harpers Ferry, W. Va. police force, \$600,000 for cooperative agreements with the Folger Theatre and the Corcoran Gallery, and \$30,000 for the Congressional Affairs Office; and decreases of \$125,000 for the Park Police helicopter third shift, \$207,000 for land cost studies, \$100,000 for water resource studies with no reduction in the \$295,000 budgeted for specific park studies, \$400,000 for the Alaska Native Claims Settlement Act with no reduction in the \$800,000 budgeted to validate native selections, and \$640,000 in budgeted travel.

Should it be designated as an historic site, a portion of the \$600,000 shall be made available for maintenance funding of the Arena Stage.

The managers agree that no funds will be provided for the Folger Theatre and Corcoran Gallery cooperative agreements in the future without specific legislative authority. The managers also agree that, within available funds, \$85,000 may be used to augment Park Police patrols along the C&O Canal and that the Service should submit

detailed quarterly reports on expenditures from the "Director's Reserve Fund."

Amendment No. 30: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows: In lieu of the matter proposed to be stricken by said amendment, insert the following:

: Provided further, That the Park Service shall not enter into future concessionaire contracts, including renewals, that do not include a termination for cause clause that provides for possible extinguishment of possessory interests excluding depreciated book value of concessionaire investments without compensation.

This replaces language supporting a Park Police third shift helicopter operation as proposed by the House and deleted by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment precludes the Service from entering into future concessions contracts unless termination for cause with possible extinguishment of possessory interest is provided.

Amendment No. 31: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provide \$105,000 to the Town of Harpers Ferry, West Virginia, for police force use. The managers agree that this grant shall be subject to the same criteria, restrictions, and overview requirements as other Federal grants administered by the National Park Service. The grantee shall be required to seek overview and coordination with the NPS law enforcement officials and/or any other State or Federal law enforcement specialists whom NPS deems appropriate in areas of law enforcement operations and concomitant community relations activities.

Amendment No. 32: Appropriates \$112,154,000 for construction instead of \$97,144,000 as proposed by the House and \$119,938,000 as proposed by the Senate. The net increase over the amount proposed by the House consists of the following: Increases of \$15,000,000 for the Yellowstone NP concessions purchase; \$2,360,000 for structural repairs to the National Visitor's Center; \$200,000 for Piscataway development; \$1,300,000 for Harpers Ferry NHP townhouse restoration; \$185,000 for furnishings for Andrew Johnson NHS; \$150,000 to complete restoration of Sewall-Belmont House NHS; and \$1,090,000 for Cowpens NB; and decreases of \$275,000 in travel and \$5,000,000 related to anticipated slippage and savings.

The managers agree to consider reprogramming proposals for any costs above the \$15,000,000 provided for the Yellowstone concession buyout and that \$50,000 is provided for fencing at Indiana Dunes within available funds. The managers also agree that, within available funds, the following project planning is approved: Glen Canyon NRA, Lone Rock Marina, \$200,000; Sleeping Bear Dunes NL, \$291,000; Fort Smith NHS Commissary, \$44,000; Harpers Ferry NHS footbridge, \$70,000; and Harpers Ferry NHS townhouse restoration, \$50,000. The managers are concerned that the Service planning estimates appear ex-

cessive. The Service must take every action to ensure that planning for the above projects and all projects be accomplished at the lowest possible cost.

The managers are distressed that the Park Service has little or no recourse when a Park concessionaire provides inadequate service. Although termination is possible, the concessionaire must still be compensated for any possessory interest. The managers have therefore included language in the Operation of the National Park System account which provides for the inclusion of a clause that gives the Service the capability of extinguishing some or all of any possessory interest if there is a termination for cause. The managers request that the appropriate legislative committees review the present concessions legislation to eliminate this and other problems that have become apparent.

Amendment No. 33: Appropriates \$15,500,000 to liquidate contract authority as proposed by the Senate. The contract authority, provided by section 105(a) (8) of Public Law 94-280, is for work associated with a tunnel to bypass Cumberland Gap NHS as authorized by section 160 of Public Law 93-87.

Amendment No. 34: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides for rescission of \$5,552,000 in unexpended appropriations to liquidate road construction contract authority.

Amendment No. 35: Appropriates \$16,217,000 for planning, development, and operation of recreation facilities as proposed by the Senate instead of \$15,781,000 as proposed by the House. The \$436,000 increase over the House is for initiation of visitor transportation systems. The managers agree that, within available funds, up to \$80,000 is for an authorized study of historic Camden, South Carolina.

Amendment No. 36: Appropriates \$4,030,000 for the John F. Kennedy Center for the Performing Arts as proposed by the Senate instead of \$3,875,000 as proposed by the House. The increase of \$155,000 over the House provides for repairs to the sea wall.

GEOLOGICAL SURVEY

Amendment No. 37: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing \$452,055,000 for surveys, investigations, and research instead of \$448,290,000 as proposed by the House and \$450,805,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net increase over the amount proposed by the Senate consists of the following increases and decrease: Increases of \$1,200,000 for regulation of Outer Continental Shelf (OCS) operations, and \$550,000 for the Earth Resources Observation System; and a decrease of \$500,000 for the OCS information program.

The managers agree that \$2,000,000 from within available funds should be used to begin the use of side-looking airborne radar imagery for topographic and geological mapping, and geological resource surveys in promising areas, particularly Alaska.

The managers agree further that up to \$300,000, within the allowance for the Federal-State cooperative water program, should be available for a cooperative Arizona flood mapping program.

The managers also agree that \$100,000 within funds for water resources investigations should be available for a baseline uranium hydrology study in the Powder River Basin of Wyoming.

Amendment No. 38: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing that \$39,027,000 shall be available only for cooperation with states or municipalities for water resources investigations instead of \$39,227,000 as proposed by the House and \$39,814,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The decrease under the amount proposed by the House is a \$200,000 general reduction in the Federal-State cooperative water program.

Amendment No. 39: Appropriates \$175,627,000 for exploration of the National Petroleum Reserve in Alaska as proposed by the Senate instead of \$145,927,000 as proposed by the House. The increase of \$29,700,000 is for development of the Barrow area gas fields.

The managers agree that, within the \$141.5 million for exploration of the Reserve, reprogramming requests will be considered, if necessary, to adjust the amount specified in both House and Senate reports for the various elements of the exploration program, based on actual program needs as exploration proceeds.

Amendment No. 40: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following:

: Provided, That the Secretary of the Interior shall review the rates being charged to the residents of Barrow for natural gas to determine if a proceeding should be instituted to revise such rates.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

BUREAU OF MINES

Amendment No. 41: Appropriates \$132,753,000 for mines and minerals instead of \$134,883,000 as proposed by the House and \$131,603,000 as proposed by the Senate. The increase over the amount proposed by the Senate consists of \$700,000 for wilderness and public land assessments, and \$450,000 for common program services.

Amendment No. 42: Provides that \$106,151,000 for mines and minerals shall remain available until expended as proposed by the Senate instead of \$107,501,000 as proposed by the House.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Amendment No. 43: Appropriates \$84,687,000 for regulation and technology instead of \$85,520,000 as proposed by the House and \$82,625,000 as proposed by the Senate. The net decrease under the amount proposed by the House consists of the following increase and

decreases: An increase of \$2,500,000 for Federal inspection and enforcement; and decreases of \$1,000,000 for State regulatory program grants, and \$2,333,000 for development of permanent Federal programs.

With regard to grants to states under section 705 of Public Law 95-87, the Surface Mining Control and Reclamation Act of 1977, the managers note that eligibility for grants under that section is not conditioned upon prior submission or approval of a state program for the grantee state. Such grants should be fully available to the states for the development of state programs.

The managers agree that \$270,000 for a Mining and Mineral Research Institute in the state of Indiana should be made available within funds in this account, provided that the state applies for funds by March 15, 1980, for a school that is eligible under current criteria.

Amendment No. 44: Appropriates \$94,916,000 for the Abandoned Mine Reclamation Fund as proposed by the Senate instead of \$111,416,000 as proposed by the House.

The managers agree that up to \$300,000 should be made available for a study of mine subsidence in the Tri-state Mining District which includes parts of Kansas, Missouri, and Oklahoma, within the amount provided.

BUREAU OF INDIAN AFFAIRS

Amendment No. 45: Appropriates \$789,051,000 for operation of Indian programs instead of \$792,753,000 as proposed by the House and \$770,835,000 as proposed by the Senate. The net decrease under the amount proposed by the House consists of the following increases and decreases: Increases of \$1,000,000 for tribally controlled community colleges; \$2,500,000 for implementation of the Indian Child Welfare Act (total fiscal year 1980 program of \$5,500,000); \$300,000 to operate four new detention facilities on the Pine Ridge Reservation, South Dakota; \$1,000,000 for the Papago farms agriculture project, Arizona; \$375,000 for operation of the Lummi salmon culture facilities, Washington; and \$500,000 for natural resources development for fishery restoration at Pyramid Lake, Nevada; and decreases of \$565,000 for central office comprehensive planning; \$1,051,000 for law enforcement; \$401,000 for self-determination grants; \$871,000 for the Indian Action program; \$393,000 for natural resources, general; \$1,000,000 for lease compliance; \$268,000 for executive direction and equal employment opportunity functions; \$400,000 for Indian intake and development program; \$3,328,000 for facilities operation and maintenance; \$500,000 for trust responsibility for the Pyramid Lake fishery; and \$600,000 for travel.

The managers are in agreement on the following: that the amount provided for tribally controlled community colleges includes \$400,000 for feasibility studies, \$600,000 for technical assistance, and \$4,000,000 for direct grants; that the Bureau pay more attention to the law enforcement needs of the Papago Reservation, Arizona; that the amount provided for the Indian Action program shall include assistance to the Coushatta Tribe of Louisiana and the Miccosukee Tribe of Florida; that an appraisal be performed by the BIA and the Department of Interior of Indian preference regulations and policies to develop reme-

dies, if necessary; that development of early childhood programs should be a part of a total comprehensive plan in cooperation with tribes; that the BIA report by February 1, 1980, on the progress the Bureau has made on the development of accurate enrollment statistics and establishments of a system for tracking educational expenditures under the new education formula; that, within the business enterprise allowance, no more than \$70,000 be available for support of the jojoba agriculture project on the San Carlos Indian Reservation; that, within available funds, \$60,000 be provided to enable the Ute Mountain Tribe to meet its commitments under the recent hunting agreement and consent decree with the State of Colorado; that \$30,000 shall be available to determine the true north boundary of the Quinault Indian Reservation; that none of the funds appropriated under the Johnson-O'Malley education assistance program shall be used for other than supplemental support of public school districts; and that no relocation of the Juneau area office is to occur without prior approval of the House and Senate Appropriations Committees.

The managers are also in agreement that before a contract secondary school is begun on the Pyramid Lake Paiute Tribe Reservation, a feasibility study be performed to determine, among other items, the responsibility and commitment of the State of Nevada to provide for the education of those students, the costs, both current and future, to the BIA to assume this responsibility, and the ability of the tribe to operate a school. If, based on the feasibility study, and with approval of the House and Senate Appropriations Committees, it is determined to begin a contract school, funds are to be provided from within the total amount available for school operations and facility operations and management.

The managers agree that transfer of the Albuquerque Indian School (AIS) to the Santa Fe campus of the Institute of American Indian Art (IAIA) is not a permanent solution. The BIA must be prepared to return AIS to the Albuquerque campus and improve facilities there if an agreement cannot be reached which guarantees the integrity of the programs and facilities of the IAIA national program.

Amendment No. 46: Provides \$58,753,000 for higher education scholarships and assistance to public schools as proposed by the House instead of \$58,553,000 as proposed by the Senate.

Amendment No. 47: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that funds appropriated by this Act may be used to reimburse school districts for educating Indian students who reside in Federal boarding facilities and who are residents of the State in which such school districts are located but do not normally reside in such districts.

Amendment No. 48: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows: In lieu of the sum proposed by said amendment, insert the following:

including a \$5,000,000 interest free loan to the Confederated Tribes of the Warm Springs Reservation of Oregon to be repaid to the Revolving Fund for Loans established in the

Bureau of Indian Affairs at the end of a 20 year period after the effective date of this Act, \$89,374,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net increase over the amount proposed by the Senate consists of \$5,000,000 for the facility improvement and repair program; \$16,000,000 for irrigation facilities; and \$1,500,000 for renovation, Office of Technical Assistance and Training.

The managers are in agreement on the following:

That the Bureau should carefully review the Ft. Totter school project before committing any of the construction funds. Revised BIA estimates now raise the total project cost from the \$14,812,000 provided to as high as \$20,000,000. The review should cover the alternatives of refurbishing the existing facility and construction of a smaller new structure. An analysis of all reasonable alternatives and costs should be submitted to the Committees on Appropriations as soon as possible;

That available funds should be used to plan new school facilities at Fort Hall, Idaho, and Navajo Mountain, Utah. Design and construction funds will be given priority consideration when reliable project estimates are available;

That project costs of the Headgate power plant should be repaid to the extent of revenues collected on any sale of power outside the Colorado River Indian Reservation;

That within available funds \$100,000 is for continuing the proposed White River Reservoir study in Utah;

That of the total funding available for facility improvements and repairs, \$3,000,000 is earmarked for advance engineering and design; and

That \$250,000 of available funds shall be for renovation of the Duckwater Shoshone Elementary School, Nevada, without taking priority over critical life safety projects.

Amendment No. 49: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing \$66,479,000 for road construction instead of \$60,379,000 as proposed by the House and \$46,479,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The increase over the amount proposed by the House consists of the following: \$5,000,000 for road construction in the Four Corners area, a joint project with the State of New Mexico; and \$1,100,000 for construction of the Inchelium Ferry on the Colville Reservation, Washington.

The managers are in agreement on the following: That, in addition to the increase of \$2,000,000 for the road from Mexican Water to Bluff, Utah, \$2,000,000 be provided from existing funds of the Navajo road construction program, for a total expenditure in FY 1980 of \$4,000,000; and that the BIA develop a priority system for road projects based on the greatest need to determine funding priorities for FY 1981 and be integrated into the FY 1982 budget development process.

Amendment No. 50: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows: In lieu of the matter proposed by said amendment, insert the following:

: Provided, That no part of any appropriations to the Bureau of Indian Affairs shall be available to continue academic and residential programs of the Chilocco and Seneca boarding schools, Oklahoma, beyond June 15, 1980

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

OFFICE OF TERRITORIAL AFFAIRS

Amendment No. 51: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing \$86,661,000 for administration of territories instead of \$84,161,000 as proposed by the House and \$63,061,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net increase over the amount proposed by the House consists of an increase of \$6,500,000 for a penitentiary on Guam and a decrease of \$4,000,000 for a power plant in the Northern Marianas.

Amendment No. 52: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing that \$82,589,000 be available for expenses of the Governments of American Samoa, Guam, the Virgin Islands, the Northern Marianas, and the Northern Mariana Islands Federal Laws Commission instead of \$80,089,000 as proposed by the House and \$58,989,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net increase over the amount proposed by the House consists of an increase of \$6,500,000 for a penitentiary on Guam and a decrease of \$4,000,000 for a power plant in the Northern Marianas.

Amendment No. 53: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed insert the following:

\$113,785,000, and of the amount appropriated under this head in Public Law 95-355, \$1,100,000 shall be for an ex gratia payment to the people of Bikini Atoll

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net increase over the amount proposed by the House consists of an increase of \$1,925,000 for construction of an upgraded communications system, and a decrease of \$900,000 for transition expenses of local government units.

The managers agree that revised reprogramming guidelines are necessary in the Trust Territory construction program. On a district-

by-district basis, savings from one project may be applied to a shortfall on another without prior Appropriations Committee approval. The managers expect, however, that timely reports on these reprogrammings will be forwarded to the Committee by the Department. The managers emphasize that this is the sole exception to the Committee's established reprogramming guidelines agreed to in the Conference.

Amendment No. 54: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides a permanent indefinite appropriation for such sums as are authorized to be remitted to the Territories of Guam and the Virgin Islands under sections 1(c) and 4(c) (2) of P.L. 95-348, 92 Stat. 487. The House-passed bill contains no such appropriation.

This appropriation accelerates payments of amounts already due by law to Guam and the Virgin Islands. Current estimates of payments are \$17,500,000 for Guam and \$24,000,000 for the Virgin Islands. The budget estimate was \$44,000,000.

OFFICE OF THE SOLICITOR

Amendment No. 55: Appropriates \$15,741,000 for salaries and expenses as proposed by the Senate instead of \$15,500,000 as proposed by the House. The increase over the House includes \$241,000 and 7 positions to administer additional responsibilities arising from the enactment of the OCS amendments of 1978 (2 positions and \$75,000) and the Surface Mining Control and Reclamation Act of 1977 (5 positions and \$166,000).

OFFICE OF THE SECRETARY

Amendment No. 56: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum proposed, insert the following matter:

including not less than \$9,000,000 for an Office of Construction Management, \$49,344,000

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net increase over the amount proposed by the House consists of the following: Decreases of \$400,000 for the Assistant Secretary for Indian Affairs; \$116,000 for hearings and appeals; \$4,800,000 for the National Mine Health and Safety Academy; and \$100,000 for travel; and an increase of \$9,000,000 for construction management.

While agreeing to restore Senate reductions in congressional and public affairs, the managers are of the opinion that the Department continues to operate outside the limitations contained in Section 304. In addition to the explicit prohibition in the bill against influencing legislative proposals, the managers further direct that the same prohibition shall be applied to influencing proposed administrative actions on which a final determination has not been made.

Amendment No. 57: The managers agree with the action of the Senate in deleting a separate account for the Office of Construction Man-

agement and including funds for it in the departmental management account.

Amendment No. 58: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following:

Sec. 108. No appropriations made in this title shall be available for implementation of any decision with regard to any lease, administrative transfer, or withdrawal not now existing of lands and waters comprising Wild Horse Reservoir, Nevada, or any lands immediately adjacent thereto: Provided, That this limitation is not applicable to water necessary for current or future irrigation practices.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers have no objection to the continuation of the present decision process under way regarding Wild Horse Reservoir, Nevada. However, no decision should be implemented until the Congress has had an opportunity to review that decision. The Secretary's final decision is scheduled for early February 1980 and will be reviewed in the appropriation hearings on the fiscal year 1981 budget.

Amendment No. 59: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

Sec. 109. No appropriations made in this title shall be available for the identification of lands not now so identified or acquisition (by withdrawal, transfer or purchase) of lands for or associated with the Unique Wildlife Ecosystem Program as now defined by the United States Fish and Wildlife Service not authorized by law under an existing program.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers are concerned over the expanded concept of habitat preservation established without Congressional review and approval under the recently implemented Unique Wildlife Ecosystem Program. Activities of the Fish and Wildlife Service tend to promote public support for land acquisition and management proposals whose scope has not been clearly identified nor fully defined. Many aspects of the Unique Ecosystem Program resemble those considered but not approved during Congressional consideration of the proposed natural diversity legislation. Bill language approved by the managers is intended to prevent any further expansion of this program in the absence of Congressional review and authorization. It is not designed to interfere with accepted wildlife refuge acquisition and management practices. Nor is it intended to dismantle currently established unique ecosystem programs.

The managers recommend the legislative committees of jurisdiction consider specific authorizations for these and other programs that

depart from normal wildlife conservation programs. Any appropriation requests for unique ecosystem programs should be clearly identified as such in the future.

Amendment No. 60: Deletes language proposed by the Senate preventing funds in the bill from being used to acquire a tract of land at Cape Lookout National Seashore by condemnation. The managers agree that the Park Service shall review carefully the land acquisitions from the Reeves family to determine whether there was an agreement that the tract involved would continue to be titled to and used by the Reeves family. Should such an agreement be verified, the managers agree that the pending condemnation should be withdrawn and an alternative such as lifetime occupancy be explored with the Reeves family.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

Amendment No. 61: Appropriates \$108,795,000 for forest research instead of \$109,490,000 as proposed by the House and \$105,414,000 as proposed by the Senate. The decrease under the amount proposed by the House consists of \$100,000 for renewable resource economics research and \$595,000 for forest recreation research.

The following project additions are provided within the appropriation: \$300,000 for forest residues reduction system, Portland, Or.; \$260,000 for the range validation program, LaGrande, Or.; \$50,000 for wood products insect research, Gulfport, Ms.; \$170,000 for silviculture of hardwoods of the Cumberland Plateau, Sewanee, Tn.; \$165,000 for urban forestry, Chicago, Il.; \$100,000 for scleroderris canker disease research, St. Paul, Mn.; \$57,000 for sand pines research, Marianna, Fl.; \$50,000 for southern pine beetle research, Alexandria, La.; \$50,000 for insect control ecology, Moscow, Id.; and \$104,000 for chestnut blight research, Morgantown, W. Va.

Amendment No. 62: Appropriates \$72,879,000 for state and private forestry instead of \$65,964,000 as proposed by the House and \$73,518,000 as proposed by the Senate. The net increase over the amount proposed by the House consists of the following increases and decreases: Increases of \$450,000 to initiate a 4-year program with the State of Vermont to develop a model comprehensive forest resources plan and \$7,500,000 for rural fire control; and decreases of \$675,000 for dutch elm disease control and tree utilization program, and \$360,000 for travel.

Amendment No. 63: Appropriates \$825,532,000 for national forest system instead of \$847,151,000 as proposed by the House and \$796,824,000 as proposed by the Senate. The decrease under the amount proposed by the House consists of the following: \$4,823,000 for general land activities, \$1,493,000 for cooperative law enforcement; \$3,126,000 for wildlife and fish habitat management; \$5,573,000 for range activities; \$4,564,000 for soil and water management; and \$2,040,000 for travel.

The managers are in agreement on the following: That, except in cases of emergency, the Forest Service should make a public announcement in advance of any forest road closures; that a plan should

be prepared for transferring Forest Service land now used for an administrative site to the city and borough of Juneau, Alaska, for construction of a convention center. The arrangement includes providing the Forest Service space for a visitor information service in the convention facility. If this arrangement is not fulfilled, the land should revert to the Forest Service.

Amendment No. 64: Provides that \$186,725,000 shall remain available for obligation until September 30, 1981, for reforestation, timber stand improvement, cooperative law enforcement, and maintenance of forest development roads and trails instead of \$188,218,000 as proposed by the House and \$180,746,000 as proposed by the Senate.

Amendment No. 65: Appropriates \$423,412,000 for construction and land acquisition instead of \$425,823,000 as proposed by the House and \$409,458,000 as proposed by the Senate. The decrease under the amount proposed by the House consists of \$1,900,000 for construction of nurseries and \$511,000 for travel.

The following projects have been included within the amount appropriated for construction and land acquisition: \$3,625,000 for construction of a headquarters/laboratory at Asheville, North Carolina; \$2,097,000 for development of Angeles High Country; \$3,500,000 for Mount Nebo Scenic Loop Road, Uinta National Forest; \$300,000 for LaSal Loop Road, Manti-LaSal National Forest; \$251,000 for recreation improvements, Monongahela National Forest, West Virginia; \$40,000 for construction of the Highland Scenic Highway Picnic and Overlook, Monongahela National Forest, West Virginia; \$1,510,000 for Lake Kincaid recreation development, Louisiana; and \$100,000 for site planning and facility design on Mount Magazine recreation area, Arkansas.

The managers are in agreement that a minimum of \$12,500,000 provided for construction and land acquisition be allocated for recreation roads to provide better access to the nation's forests; and that \$300,000 is included in the amount provided for nursery construction for the Ashe Nursery in Mississippi.

Amendment No. 66: Provides \$28,835,000 for construction and acquisition of buildings and other facilities instead of \$30,735,000 as proposed by the House and \$24,881,000 as proposed by the Senate.

Amendment No. 67: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment earmarking \$401,242,000 for construction of forest development roads and trails and construction and maintenance of forest development roads by timber purchasers instead of \$384,910,000 as proposed by the House and \$383,076,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers are concerned that Forest Service Road specifications impose a higher standard than necessary, making construction too costly. Funds could be more efficiently utilized and logging areas returned to their natural state more quickly if road specifications are drafted to meet logging requirements only.

Amendment No. 68: Provides language as proposed by the Senate combining amounts provided for construction of forest development roads, timber purchaser roads, and trails.

Amendment No. 69: Deletes House language as proposed by the Senate.

Amendment No. 70: Appropriates \$54,000,000 for the youth conservation corps as proposed by the Senate instead of \$27,400,000 as proposed by the House.

Amendment No. 71: Provides that \$27,000,000 of the amount appropriated for the youth conservation corps shall be available to the Secretary of the Interior as proposed by the Senate instead of \$13,700,000 as proposed by the House.

Amendment No. 72: Provides that \$27,000,000 of the amount appropriated for the youth conservation corps shall be available to the Secretary of Agriculture as proposed by the Senate instead of \$13,700,000 as proposed by the House.

Amendment No. 73: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that funds available to the Forest Service may be advanced for the emergency rehabilitation of burned-over lands under its jurisdiction.

DEPARTMENT OF ENERGY

Amendment No. 74: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following:

ALTERNATIVE FUELS PRODUCTION

In order to expedite the domestic development and production of alternative fuels and to reduce dependence on foreign supplies of energy resources by establishing such domestic production at maximum levels at the earliest time practicable, there is hereby established in the Treasury of the United States a special fund to be designated the "Energy Security Reserve", to which is appropriated \$19,000,000,000, to remain available until expended: Provided, That these funds shall be available for obligation only to stimulate domestic commercial production of alternative fuels and only to the extent provided in advance in appropriations Acts: Provided further, That of these funds \$1,500,000,000 shall be available immediately to the Secretary of Energy to carry out the provisions of the Federal Nonnuclear Energy Research and Development Act of 1974, as amended (42 U.S.C. 5901, et seq.), to remain available until expended, for the purchase or production by way of purchase commitments or price guarantees of alternative fuels: Provided further, That the Secretary shall immediately begin the contract process for purchases of, or commitments to purchase, or to resell alternative fuels to the extent of appropriations provided herein: Provided further, That of these funds an additional \$708,000,000 shall be available immediately to the Secretary of Energy, to remain available until expended, to support preliminary alternative fuels commercialization activities under the Federal Nonnuclear

Energy Research and Development Act of 1974, as amended, of which (1) not to exceed \$100,000,000 shall be available for project development feasibility studies, such individual awards not to exceed \$4,000,000: Provided, That the Secretary may require repayment of such funds where studies determine that such project proposals have economic or technical feasibility; (2) not to exceed \$100,000,000 shall be available for cooperative agreements with non-Federal entities, such individual agreements not to exceed \$25,000,000, to support commercial scale development of alternative fuels facilities; (3) not to exceed \$500,000,000 shall be available for a reserve to cover any defaults from loan guarantees issued to finance the construction of alternative fuels production facilities as authorized by the Federal Nonnuclear Energy Research and Development Act of 1974, as amended: Provided, That the indebtedness guaranteed or committed to be guaranteed under this appropriation shall not exceed the aggregate of \$1,500,000,000; and (4) not to exceed \$8,000,000 shall be available for program management.

This Act shall be deemed to satisfy the requirements for congressional action pursuant to sections 7(c) and 19 of said Act with respect to any purchase commitment, price guarantee, or loan guarantee for which funds appropriated hereby are utilized or obligated.

For the purposes of this appropriation the term "alternative fuels" means gaseous, liquid, or solid fuels and chemical feedstocks derived from coal, shale, tar sands, lignite, peat, biomass, solid waste, unconventional natural gas, and other minerals or organic materials other than crude oil or any derivative thereof.

Within ninety days following enactment of this Act, the Secretary of Energy in his sole discretion shall issue a solicitation for applications which shall include criteria for project development feasibility studies described in this account.

Loan guarantees for oil shale facilities issued under this appropriation may be used to finance construction of full-sized commercial facilities without regard to the proviso in section 19(b)(1) of said Act requiring the prior demonstration of a modular facility.

In any case in which the Government, under the provisions of this appropriation, accepts delivery of and does not resell any alternative fuels, such fuels shall be used by an appropriate Federal agency. Such Federal agency shall pay into the reserve the market price, as determined by the Secretary, for such fuels from sums appropriated to such Federal agency for the purchase of fuels. The Secretary shall pay the contractor, from sums appropriated herein, the contract price for such fuels.

All amounts received by the Secretary under this appropriation, including fees, any other monies, property, or assets derived by the Secretary from operations under this appropriation shall be deposited in the reserve.

All payments for obligations and appropriate expenses (including reimbursements to other Government accounts), pursuant to operations of the Secretary under this appropriation shall be paid from the reserve subject to appropriations.

For the establishment in the Treasury of the United States of a special fund to be designated the "Solar and Conservation Reserve", \$1,000,000,000 to remain available until expended: Provided, That these funds shall be available for obligation only to stimulate solar energy and conservation: Provided further, That the withdrawal of said funds shall be subject to the passage of authorizing legislation and only to the extent provided in advance in appropriations Acts.

Beginning six months after the date of enactment of this Act, and every six months thereafter, the Secretary is required to submit to the Congress a written report detailing the activities carried out pursuant to this appropriation.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The House originally provided \$1.5 billion for the purchase or production of synthetic fuels under the Defense Production Act of 1950, and further provided for the derivation of such funds from the Energy Trust Fund or equivalent mechanism if established by law. If no such fund were established, the House bill would have provided the funds from general funds of the Treasury. No facility construction was allowed from funds appropriated.

The Senate amendment struck the House language and substituted therefor a \$20 billion "Energy Security Reserve" for synthetic or "alternative" fuels, and further appropriated \$2.2 billion from the reserve for beginning a comprehensive program of purchases, purchase commitments, price supports, loan guarantees, loans, and cooperative agreements under the basic authority of the Federal Non-nuclear Research and Development Act of 1974, as amended. The Senate amendment also established a "Solar and Conservation Reserve" of \$1,000,000,000.

The major provisions of the Senate amendment are as follows:

1. Establishes an "Energy Security Reserve" of \$20 billion in the Treasury of the United States.
2. Provides that \$1.5 billion of the reserve be derived by transfer from previously appropriated funds in the "strategic petroleum reserve" account.
3. Provides that funds be available only for stimulation of commercial production of alternative fuels and only to the extent provided in advance in appropriations Acts.
4. Provides \$1.5 billion out of the reserve for purchase commitments or price guarantees for alternative fuels under the authority of the Federal Nonnuclear Research and Development Act of 1974, as amended, and authorizes the Secretary of Energy to contract for such purchases to the extent of appropriations provided.
5. Provides an additional \$708,000,000 from the reserve of which:
 - (a) not to exceed \$100,000,000 shall be available for direct loans for project development feasibility studies, with individual loans not to exceed \$4,000,000, and provides that the Secretary may

waive repayment if studies determine that the project has no economic or technical feasibility.

(b) not to exceed \$100,000,000 shall be available for cooperative agreements with non-Federal entities, such agreements not to exceed \$25,000,000 each.

(c) not to exceed \$500,000,000 shall be available for a reserve to cover any defaults from loan guarantees issued to finance construction of facilities authorized by the Federal Nonnuclear Research and Development Act of 1974. Indebtedness guaranteed shall not exceed \$1,500,000,000.

(d) not to exceed \$8,000,000 shall be available for program management.

6. Provides that the Act satisfies the requirements of the Federal Nonnuclear Research and Development Act of 1974 for specific congressional action on price guarantees, purchase commitments, or loan guarantees.

7. Defines alternative fuels.

8. Provides that within 60 days of enactment the Secretary of Energy shall establish and publish final criteria for loans previously described.

9. Establishes a "Solar and Conservation Reserve" of \$1 billion to be available only subject to passage of authorizing legislation and to the extent provided in advance in appropriations Acts.

10. States that nothing in this appropriation precludes further Senate action on synthetic fuels or sets a binding pattern for these items in the future.

The managers are in agreement that the increased emphasis on alternative fuels production and the broad authorities contained in the Senate amendment are necessary for the expeditious development of domestic alternative fuels capacity in a reasonable time frame. It is urgent that action begin immediately to establish such capacity to offset the Nation's unacceptable and increasing dependence on foreign sources of energy.

The managers emphasize that, in view of projected increasing dependence on imports, alternative fuels production should reach maximum levels as soon as practicable. Testimony before the Congress differs with regard to levels of production that can be achieved by various dates. Minimum and maximum goals of 500,000 barrels per day by 1986 and 6,000,000 barrels per day by 1995 have respectively been projected. The managers agree that maximum levels should be pursued within the reasonable constraints of environmental concerns and the Nation's economic and productive capacity.

The substitute amendment agreed to by the managers contains nearly all the substantive provisions of the Senate amendment. The differences are as follows:

1. Introductory language is included stating a goal of "domestic production at maximum levels at the earliest time practicable". As discussed previously, production should be at levels consistent with reasonable economic benefits, available industrial productive capacity of the Nation, and environmental and other regulatory constraints.

2. The "Energy Security Reserve" appropriation is \$19 billion instead of \$20 billion in the Senate amendment. Including the \$1 billion

for a "Solar and Conservation Reserve" the total of this account is \$20 billion, the amount of the amended budget, instead of \$21 billion in the Senate bill.

3. The \$1.5 billion transfer from the "Strategic petroleum reserve" account is deleted. The managers agree that sufficient funds should be retained in the "Strategic petroleum reserve" account to allow the Secretary to begin immediate purchase of oil for the reserve, to adjust for increased oil prices, and to allow for more flexible, longer contract terms for purchase if justified.

4. The word "domestic" is added to commercial production language to clarify the intent of both houses on the source of alternative fuels.

5. Language is added directing that the Secretary begin the contract process for purchase commitments and price guarantees immediately rather than "authorizing the Secretary to contract."

6. Loans for project development feasibility studies are changed to regular procurement awards in order to expedite the process of receiving and processing requests for assistance. The Secretary may require repayment of these awards if the projects are determined to be economically and technically feasible. Loans would have required establishment of a new administrative system complete with regulations.

7. Within 90 days the Secretary is directed to issue solicitations for project development feasibility studies, instead of a 60 day period for issuing loan criteria.

8. Loan guarantees for oil shale facilities provided for in the Senate amendment can be issued for full-sized commercial facilities, without first demonstrating a modular facility as required in section 19 of the Federal Nonnuclear Reserve and Development Act of 1974. This provision will expedite by several years the development of any oil shale facilities which apply for loan guarantees. It does not waive any substantial requirements of environmental law.

9. Operation of the reserve is further defined in the Senate amendment by:

(a) Providing that Federal agencies pay into the reserve the market price for alternative fuels purchased by the government under this appropriation, thus replenishing budget authority in the reserve.

(b) Providing that all funds derived by operations under this appropriation be deposited in the reserve.

(c) Providing that all payments out of the reserve must be from appropriations from the reserve.

10. Lastly, the agreement provides a secretarial report to Congress every six months after enactment.

The managers believe that this program is necessary to begin the expeditious pursuit of alternative fuels capacity as one of the main efforts in alleviating our ruinous dependence on foreign sources of energy.

The managers agree further that for project development feasibility studies, interest rates on repayment should be five percent. The managers also agree that the Secretary should establish definitive criteria for deciding the economic and technical feasibility of such studies prior to repayment decisions on such awards.

The managers also agree that \$22,000,000 of the funds provided for cooperative agreements should be made available for an agreement

with Great Plains Gasification Associates for preliminary work on a commercial coal gasification facility.

Amendment No. 75: Appropriates \$746,627,000 for fossil energy research and development instead of \$699,377,000 as proposed by the House and \$798,302,000 as proposed by the Senate. The net increase over the amount proposed by the House consists of the following increases and decreases: Increases of \$3,000,000 for underground coal mining; \$1,500,000 for chemical coal cleaning; \$5,000,000 for SRC-II; \$29,500,000 for the H-coal pilot plant; \$7,500,000 for an H-coal commercialization study; \$4,000,000 for coal materials handling in advanced research and supporting technology; \$4,500,000 for low grade heat recovery; \$5,000,000 for university coal research; \$2,000,000 for heavy oil refining; and \$2,500,000 for enhanced gas recovery; and decreases of \$5,000,000 for surface mining R&D; \$1,000,000 for a gasification test facility; \$4,000,000 for coal materials handling in gasification; \$3,700,000 for peat gasification; \$1,000,000 for a utility technology program plan; \$2,000,000 for automotive engine combustion technology; \$300,000 for improved oil and gas burners; and \$250,000 for coal-oil mixture research.

The managers agree that within the amounts provided for high Btu entrained bed gasification \$250,000 is available for preliminary evaluations related to the establishment of an entrained bed test facility on the site of the BIGAS plant.

The managers support the rapid development of thermionic energy converters suitable for improving power plant performance. An aggressive research and development program leading to evaluation of utility scale power modules should be pursued by the Department. The Department should evaluate the program and submit a request for reprogramming or supplemental funding in FY 1980 if necessary.

The managers further agree that \$1,500,000 is available, within the amount provided, for demonstration of innovative small atmospheric fluidized bed technology as originally proposed by the Senate.

Funds for automotive engine combustion technology, deleted in this account, are transferred to the conservation account in the amount of \$1,500,000.

The managers agree that the \$5,000,000 added for university coal research is for research at universities having existing laboratories capable of coal research, and is not to be used to establish a system of "University Coal Laboratories", as authorized by P.L. 95-87, the Surface Mining Control and Reclamation Act of 1977.

The managers agree that up to \$1,000,000 within available funds should be provided for a feasibility study on the further use of the Cresap, West Virginia, test facility to be completed as soon as possible, but no later than June 1, 1980.

Amendment No. 76: Appropriates \$103,250,000 for fossil energy construction instead of \$71,250,000 as proposed by the House and \$105,250,000 as proposed by the Senate. The decrease under the amount proposed by the Senate consists of \$2,000,000 for a second high-Btu gasification demonstration plant.

The managers agree that the Department of Energy should use the \$2 million provided in fiscal year 1979 for project 77-1-b to continue preliminary work on a second high-Btu synthetic pipeline gas demonstration plant. DOE, in selecting a process technology, shall consider

processes of a second-generation technology that will advance the state-of-the-art.

DOE shall report to the Appropriations Committees on plans for initiating construction of a second plant prior to FY 1981.

Amendment No. 77: Appropriates \$111,221,000 for energy production, demonstration and distribution instead of \$125,971,000 as proposed by the House and \$106,971,000 as proposed by the Senate. The net increase over the amount proposed by the Senate consists of the following increases and decreases:

Increases of \$1,000,000 for coal bed methane; and \$11,750,000 for the Federal buildings solar program; and decreases of \$2,000,000 for coal policy studies; \$2,000,000 for naval shale reserves; \$1,500,000 for oil shale commercialization; and \$3,000,000 for solar commercialization.

The managers agree that coal policy studies should be accomplished within existing departmental funds for policy and evaluation activities.

Within the funds provided for solar commercialization, \$3,000,000 is for wood combustion and gasification. Additional funding for commercial wood utilization is provided within the alternative fuels account.

Lastly, the managers agree that funds recommended by the House for urban waste projects should be reduced to \$3,000,000 and transferred to the energy conservation account.

Amendment No. 78: Provides that \$88,750,000 of the funds provided for energy production, demonstration, and distribution remain available until expended instead of \$104,500,000 as proposed by the House and \$78,000,000 as proposed by the Senate. The net under the amount proposed by the House consists of the following increase and decreases: An increase of \$2,000,000 for shale reserves development; and decreases of \$11,750,000 for the Federal buildings solar program; and \$6,000,000 for urban waste conversion.

Amendment No. 79: Appropriates \$628,702,000 for energy conservation instead of \$566,052,000 as proposed by the House and \$692,502,000 as proposed by the Senate. The net decrease under the amount proposed by the Senate consists of the following increases and decreases:

Increases of \$3,000,000 for urban waste research, development and demonstration; \$200,000 for the federal energy management program; \$1,050,000 for heat pumps; \$3,375,000 for projects with the aluminum and steel industries; \$3,250,000 for industrial cogeneration; \$1,500,000 for diesel propulsion research; and \$2,500,000 for administration of the schools and hospitals grant program; and decreases of \$3,675,000 for the emergency buildings temperature restriction program; \$2,000,000 for steam engine propulsion research; \$3,000,000 for the National Alcohol Fuels Commission; and \$70,000,000 for the energy impact assistance.

The managers note that \$3,000,000 provided for urban waste shall be transferred into this account from energy production, demonstration, and distribution. Also, \$1,500,000 allowed for diesel production has been transferred from the fossil energy research and development account. Funding proposed by the House for urban waste loan guaran-

tees has been deleted from this account, because it is included within loan guarantees provided by the proposed alternative fuel production account.

The managers agree that any formcoke demonstration project initiated by the department must include a provision for industrial cost sharing of project construction.

Amendment No. 80: Reappropriates \$141,250,000 for energy conservation grants instead of \$180,000,000 as proposed by the House and \$102,500,000 as proposed by the Senate. The decrease is \$38,750,000 of fiscal year 1978 funds proposed by the House for reappropriation to the schools and hospitals grant program.

Amendment No. 81: Deletes language proposed by the House earmarking \$5,000,000 for a reserve to cover defaults from loan guarantees issued for financing the construction of facilities to convert municipal waste into synthetic fuels.

Amendment No. 82: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that none of the funds provided for State energy conservation grants shall be available to any jurisdiction that has not implemented section 362(c)(5) of Public Law 94-163.

Amendment No. 83: Deletes language proposed by the Senate which would have provided \$3,000,000 for the National Alcohol Fuels Commission.

Amendment No. 84: Appropriates \$152,879,000 for the Economic Regulatory Administration instead of \$125,697,000 as proposed by the House and \$154,264,000 as proposed by the Senate. The net increase over the amount proposed by the House consists of the following increases and decrease:

Increases of \$10,000,000 for coal conversion prohibition orders; \$4,200,000 for major refiner compliance; \$10,000,000 for non major refiner compliance; and \$4,182,000 for fuels regulation; and a decrease of \$1,200,000 for innovative rate structure pilot studies.

While the managers support the purposes and goals of the Fuel Use Act, and to that end are including increased funding to expedite conversions, some conferees have expressed concern over the regulations promulgate by the Department of Energy to implement the Fuel Use Act and wish to make clear that increased funding for this program does not necessarily imply that all of those concerns have been alleviated.

Amendment No. 85: Deletes House language appropriating \$8,391,000 for the strategic petroleum reserve.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

HEALTH SERVICES ADMINISTRATION

Amendment No. 86: Appropriates \$538,874,000 for Indian health services instead of \$541,449,000 as proposed by the House and \$536,580,000 as proposed by the Senate. The net increase over the amount proposed by the Senate consists of the following increases and decrease: A decrease of \$400,000 to operate and equip the Colville Con-

valescent Center, Washington; and increases of \$2,000,000 for Indian health manpower and \$694,000 for health education.

The managers are in agreement on the following: That, within available funds, \$300,000 be used to undertake a feasibility study to determine if the Alaska Hospital and Medical Center in Anchorage meets current health care requirements of the beneficiary population; that IHS not support any facility constructed by EDA unless it intends to seek necessary operating funds and has departmental clearance to do so in advance; that, within available funds, \$70,000 be allocated to the Indian Development District of Arizona for the establishment of a training program for emergency medical personnel; that, within available funds, \$77,000 be allocated to Fort Berthold for a physical extender service; that IHS provide technical assistance to the Tulalip Tribe, Washington, to develop a health care delivery system; that the IHS develop a priority ranking system for health services and submit the system to the House and Senate Appropriations Committees for review by February 1, 1980; that IHS report to the House and Senate Appropriations Committees within 60 days on the resources available to the Indians of the various states and on the impact of the health care and funding commitment implicit in the recently adopted IHS regulations on contract care delivery areas; and that funds reprogrammed from the Fort MacArthur Clinic be distributed on the following basis: 80% to reservation programs and 20% to urban program.

Amendment No. 87: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides for construction, repair, and improvement of Indian health facilities and related activities as proposed by the Senate.

Amendment No. 88: Appropriates \$74,302,000 for Indian health facilities as proposed by the House instead of \$26,062,000 as proposed by the Senate.

The managers are in agreement on the following: That of the amount provided for sanitation facilities, \$4,000,000 be made available for design and initial construction of a rural water distribution system for the Turtle Mountain Indian Reservation, North Dakota; that the Indian Health Services and the Department of Health, Education, and Welfare develop a sound priority system for the sanitation program; that IHS and the Department develop firm estimates for both construction and leasing for the Bethel housing project and include those recommendations in the FY 1981 budget justifications; that the Department carefully review the adequacy of cost estimates for IHS construction projects and the actual housing needs for the Red Lake facility and report to the House and Senate Appropriations Committees by February 1, 1980; and that a 60-bed facility, not including a school of optometry sponsored by Northeastern Oklahoma State University, be constructed at Tahlequah, Oklahoma.

Amendments Nos. 89 and 90: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides language clarifying the use of funds collected under the authority of the Indian Health Care Improvement Act.

Amendment No. 91: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

: Provided, That none of the funds appropriated under this Act to the Indian Health Service shall be available for the lease of permanent structures without advance provision therefor in appropriations Acts

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

OFFICE OF EDUCATION

Amendment No. 92: Provides language proposed by the Senate earmarking funds for Parts B and C of the Indian Education Act.

Amendment No. 93: Appropriates \$75,900,000 for Indian education as proposed by the Senate instead of \$75,875,000 as proposed by the House. The increase over the amount proposed by the House is to provide a total of \$200,000 for the operation of the National Advisory Council on Indian Education.

INSTITUTE OF MUSEUM SERVICES

Under the provisions of Section 413(a) of Public Law 96-88, the Secretary of Education is authorized to consolidate various educational and related agencies within the newly established Department of Education. One agency, funded in this bill, identified as eligible for such action, is the Institute of Museum Services. The managers have no objection to merging this unit with other comparable units if this will help the Secretary develop and manage a viable Department. The managers further agree that oversight of the programs of the Institute would be continued wherever it may be situated.

SMITHSONIAN INSTITUTION

Amendment No. 94: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing \$103,781,000 for salaries and expenses instead of \$103,498,000 as proposed by the House and \$102,710,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The increase over the amount proposed by the House consists of \$233,000 for the Tropical Research Institute as recommended by the Senate for fence construction (\$22,000), two game wardens (\$98,000), increased utility costs (\$81,000), and two administrative positions (\$32,000) and \$50,000 for American and Folklife Studies.

Amendment No. 95: Appropriates \$4,200,000 for museum programs and related research (special foreign currency program) instead of \$3,700,000 as proposed by the House and \$4,700,000 as proposed by the

Senate. The managers agree that the establishment of a substantial reserve fund for future year programs should be reviewed within the context of the 1981 priorities.

Amendment No. 96: Restores House language stricken by the Senate that limits the total amount of museum programs and related research grants to Smithsonian employees to \$500,000.

Amendment No. 97: Appropriates \$6,250,000 for construction and improvements, National Zoological Park instead of \$6,500,000 as proposed by the House and \$6,000,000 as proposed by the Senate. The decrease under the amount proposed by the House deletes \$250,000 budgeted for redesign of the parking facility addition.

Amendment No. 98: Appropriates \$5,250,000 for restoration and renovation of buildings as proposed by the House instead of \$5,150,000 as proposed by the Senate. The managers agree this amount should be adequate to renovate and repair the buildings associated with the newly acquired African Museum of Art.

Amendment No. 99: Appropriates \$20,600,000 for construction of the Museum Support Center as proposed by the House instead of \$10,850,000 as proposed by the Senate. No funds are included for South quadrangle planning.

Amendment No. 100: Appropriates \$22,241,000 for salaries and expenses of the National Gallery of Art instead of \$22,311,000 as proposed by the House and \$21,978,000 as proposed by the Senate. The decrease under the amount proposed by the House deletes funds for the direct funding of the Repertory of International Literature of Art (RILA).

Amendment No. 101: Appropriates \$1,611,000 for salaries and expenses of the Woodrow Wilson International Center for Scholars as proposed by the House instead of \$2,611,000 as proposed by the Senate. No funds are provided for a one time appropriation to establish the Hubert H. Humphrey fellowship in social and political thought.

NATIONAL ENDOWMENT FOR THE HUMANITIES

Amendment No. 102: Appropriates \$111,700,000 for salaries and expenses as proposed by the House instead of \$109,400,000 as proposed by the Senate.

Amendment No. 103: Provides \$100,300,000 for program funds as proposed by the House instead of \$98,900,000 as proposed by the Senate.

Amendment No. 104: Provides \$11,400,000 for administrative expenses as proposed by the House instead of \$10,500,000 as proposed by the Senate.

The managers urge both Endowments to confine their grants to programs and organizations whose purposes are closely identified with the arts and humanities. Support for general operations, such as those for public television stations, should be left to those Federal programs specifically established for such purposes. A special effort should be made to insure that museum grants are directed at distinct arts and humanities programs and not those supported by the National Institute of Museum Services.

See
Congressional
Record
11/9/79
attached

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Amendment No. 105: Appropriates \$1,350,000 for salaries and expenses as proposed by the House instead of \$1,460,000 as proposed by the Senate.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

Amendment No. 106: Appropriates \$1,856,000 for salaries and expenses as proposed by the Senate instead of \$1,811,000 as proposed by the House.

Congress has approved the overall plan for the Pennsylvania Avenue Development Corporation. As part of that plan, interim regulations have been published containing specific goals that assure an affirmative action plan guaranteeing the participation of minority businesses. The affirmative action plan adopted by the Corporation provides for equity participation only where such equity contribution exists. The managers strongly support that concept and expect the PADDC to report progress in implementing the plan to the Committee as well as any pressures being exerted from other units of government urging otherwise. The Committees expect the Pennsylvania Avenue Development Corporation to report back to the Congress as soon as possible its progress in this matter.

FEDERAL INSPECTOR FOR THE ALASKA GAS PIPELINE

Amendment No. 107: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following:

*FEDERAL INSPECTOR FOR THE ALASKA GAS PIPELINE**PERMITTING AND ENFORCEMENT*

For necessary expenses of the Federal Inspector for the Alaska Gas Pipeline, \$10,600,000, of which \$3,600,000 shall remain available until expended.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The Federal Inspector is recognized by the managers as a representative of the President in conducting negotiations with Canada, the Provinces of Canada and other interested entities in obtaining approval of the financing and construction of the pipeline. As such, he may expend such funds as may be provided by the President or his duly authorized representative for official reception and representation expenses.

COMMUNITY SERVICES ADMINISTRATION

EMERGENCY FUEL ASSISTANCE

Amendment No. 108: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and

concur in the Senate amendment with an amendment which appropriates \$1,350,000,000, instead of \$1,200,000,000 as proposed by the Senate. There were no funds for this purpose in the House bill, as the House has passed a separate bill (H.J. Res. 430) containing \$1,350,000,000 for emergency heating assistance. The amendment reads as follows:

COMMUNITY SERVICES ADMINISTRATION

COMMUNITY SERVICES PROGRAM

For an additional amount for "Community services program", \$1,350,000,000: Provided, That of this amount \$1,200,000,000 shall be transferred by allocation to the Secretary of Health, Education, and Welfare for payment of energy grants and allowances and related administrative costs: Provided further, That energy allowances shall not be considered as income or resources under any other public or publicly assisted income tested program, but shall be taken into consideration in determining eligibility for energy crisis assistance: Provided further, That the States shall, in awarding funds, give priority to those households experiencing significant increases in heating fuel costs over the levels of the previous year: Provided further, That States shall, in establishing such priority, provide for determining the extent to which increases in rents are caused by increases in heating fuel costs and consider such portions of increases in rents to be increases in heating costs: Provided further, That proof of income eligibility shall be required of all applicants: Provided further, That an annual audit shall be made of this program and all of its components: Provided further, That no awards to applicants shall be made after June 30, 1980: Provided further, That \$400,000,000 shall be paid as a special one-time energy allowance to recipients of Supplemental Security Income distributed among the States according to the following formula: (1) $33\frac{1}{3}$ per centum based on the number of heating degree days squared times the number of households below 125 per centum of poverty; (2) $33\frac{1}{3}$ per centum based on the difference in home heating energy expenditures between 1978 and 1979; (3) $33\frac{1}{3}$ per centum based on the number of Supplemental Security Income recipients (other than those receiving no more than \$25 because of their presence in a Medicaid institution) in each State relative to the national total: Provided further, That no Supplemental Security Income recipient shall receive more than \$250 from the funds provided for Supplemental Security Income recipients: Provided further, that the remainder of any funds that would have been allotted to any State for Supplemental Security Income recipients if no maximum payment limitation had been in existence shall be allocated based on the State determination previously made in regard to funds provided for special energy allowances to recipients of Aid to Families with Dependent Children (AFDC) or block grants to States:

Provided further, *That \$942,600,000 shall be distributed among the States according to the following formula: (1) 50 per centum based on the number of heating degree days squared times the number of households below 125 per centum of poverty; (2) 50 per centum based on the difference in home heating energy expenditures between 1978 and 1979: Provided further, That, in the State Funding Plan, the Governor shall provide assistance for those who pay fuel bills indirectly as well as directly: Provided further, That from revenues received from any windfall profit taxes imposed by Federal law on producers of domestic crude oil, there shall be reimbursed to the general fund of the Treasury an amount equivalent to the amount of funds appropriated to carry out the purposes of the paragraph: Provided further, That for the purposes of this paragraph, the term "States" shall include the "insular areas" of the United States.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees have agreed to provide the full amount requested by the President for low-income energy assistance. The budget request in this amount is contained in House Document Nos. 96-188 and 96-207. This amount, together with \$250 million appropriated earlier, will provide a total of \$1.6 billion for the upcoming winter.

The amount in the conference agreement (less Federal administrative costs) will be allocated as follows: \$400,000,000 will be distributed to Supplemental Security Income (SSI) recipients, according to the State in which they live, by a three-part formula consisting of (1) one-third based upon heating degree days squared times the number of households below 125 percent of poverty (2) one-third based upon the difference in home heating energy expenditures between 1978 and 1979 and (3) one-third based upon the number of SSI recipients in a State compared to the total number of such recipients in all the States; and \$942,600,000 will be allocated to the States under a two-part formula consisting of (1) 50 percent based upon heating degree days squared times the number of households below 125 percent of poverty and (2) 50 percent based upon the difference in home heating energy expenditures between 1978 and 1979.

The conference agreement includes \$150,000,000 for the energy crisis assistance program administered by the Community Services Administration. That amount, together with \$250,000,000 appropriated earlier, will provide a total of \$400,000,000 for fiscal year 1980. The funds will be distributed among the States as block grants for the same purposes specified in the conference report to accompany the Labor-HEW Appropriation Bill for 1980 (House Report 96-400). Included in the amount approved by the conferees is \$3,400,000 for administrative expenses, as requested in the budget, to enable CSA to maintain current employment levels and to add 50 temporary positions to assist in the administration of the program.

The conference agreement includes \$1,200,000,000 which will be transferred to the Department of Health, Education, and Welfare for administration by that Department. Of that amount, \$400,000,000

will be paid as a special one-time energy allowance to recipients of Supplemental Security Income. No SSI recipient may receive more than \$250 in this manner. Any SSI funds that cannot be utilized by a State because of the maximum payment limitation shall be allocated based upon the State determination previously made in regard to funds provided for special energy allowances for AFDC recipients or block grants to the States. Federal administrative costs of \$4,000,000 are also included. The budget proposed to utilize the remainder of the funds for special energy allowance to recipients of Aid to Families with Dependent Children (AFDC). The conferees direct that States be given the option of either participating in the AFDC payment plan presented in the budget request or of receiving their share of those funds in the form of a block grant. The block grant would be used to provide assistance to households with incomes below 125 percent of the poverty level. States wishing to receive a block grant will have 30 days from enactment of this bill to submit a plan for approval to HEW; HEW will then have 15 days from the date the plan is submitted to approve it. If HEW fails to act on a plan within 15 days, it will automatically be considered as approved. If HEW rejects a State plan, the State will have 5 days to submit a new plan; HEW will then have 5 more days to either accept or reject that plan.

The conferees direct that HEW consider any plan that has been submitted by a State for energy assistance to CSA and that has been approved be automatically considered as approved for the purpose of that State's participation in the HEW block grant program. The conferees intend that this provision will expedite the implementation of this program and that minor modifications necessary to be consistent with the new provisions in this conference report shall not be considered as requiring new plan approval.

The States can use the block grant in a variety of ways, including, but not limited to the following: retain all or part of the funds for crisis intervention; target households with higher energy costs rather than distributing it broadly; establish a vendor line of credit; make payments to those already participating in other income assistance programs (AFDC, food stamps).

The conferees expect HEW and CSA to work together as closely as possible in carrying out this program to reduce duplication and overlap to a minimum and to ensure that the funds are made available to the intended recipients as quickly and expeditiously as possible. States may use up to 10 percent of the block grants for administrative expenses.

The conferees direct the Community Services Administration to amend its regulations to provide equal treatment of paid fuel bills and unpaid fuel bills. Cash payments for bills already paid shall be equivalent to payments for unpaid bills. Although the conferees agree on the need to impose a ceiling on the funds available to each eligible household, the conferees are also aware of the unique heating requirements of each State. The conferees therefore recommend that regulations be amended to allow the Governor of each State to request the authority to increase this ceiling.

The conferees direct that there be no duplication of payments from any funds contained in this program.

The conferees are deeply concerned about unemployed individuals and their families. Accordingly, the States are directed to notify individuals receiving unemployment compensation benefits regarding the availability of funds under the Community Services Administration energy crisis assistance program for emergency fuel needs. In regard to the block grant program to the States, HEW, or CSA, as appropriate, shall make adequate provisions for the participation of Native Americans.

The conference agreement also provides for the following: that the States shall, in awarding funds, give priority to those households experiencing significant increases in heating costs over the levels of the previous year; that the States shall, in establishing such priority, provide for determining the extent to which increases in rents are caused by increases in heating costs and consider such portions of increases in rents to be increases in heating costs; that the States shall provide assistance for those who pay fuel bills indirectly as well as directly; that proof of income eligibility shall be required of all applicants; that an annual audit shall be made of this program and all of its components; and that no awards to applicants shall be made after June 30, 1980.

The conferees feel that time is of the essence in this matter. For this reason, they have agreed to provide the funds on an emergency basis in this bill.

TITLE III—GENERAL PROVISIONS

Amendment No. 109: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment insert the following:

None of the funds appropriated under this Act shall be available to implement any amendment to, or provision of, the regulation under section 4(a) of the Emergency Petroleum Allocation Act of 1973 providing for an increase or decrease in any month beginning after the date of the enactment of this Act in the ratio of the number of entitlements issued any firm with respect to any imported refined petroleum product to the number of barrels of such product imported by such firm in such month above the ratio in effect on April 30, 1979 unless the President has transmitted such amendment or provision to the Congress as an "energy action" under section 551 of the Energy Policy and Conservation Act (Public Law 94-163) and neither House of Congress has disapproved (or both Houses have approved) such request in accordance with the procedures specified in such section 551 of such Act.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The provision allows for a 50% entitlement for imported residual fuel oil for the State of Michigan and the East Coast market instead

of the 30% entitlement included in the Senate-passed bill. This entitlement is identical to that provided for the past year in the fiscal year 1979 Interior and Related Agencies Appropriations Act. Additionally, any changes to imported residual fuel oil entitlements or entitlements for any other imported refined petroleum products are made subject to "energy action" procedures under the Energy Policy and Conservation Act, Public Law 94-163.

Amendment No. 110: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that funds may be used to contract with private firms to provide plant care or watering services except for indoor plants.

Amendment No. 111: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides an exemption to the State of Alaska from application of certain provisions of the Export Administration Act of 1979.

It is the intent of the managers to continue to encourage the Forest Service to restrict administratively the export of unprocessed western red cedar logs from Alaska as soon as the capability develops to process such logs in Alaska.

Amendment No. 112: In lieu of the sum named insert \$240,000.

The Bureau of Indian Affairs is currently providing contract support for attorneys' fees to four Pueblos in New Mexico in the case of *State of New Mexico v. Aamodt*. The Bureau determined that separate representation is required for each Pueblo to settle conflicts of interest between the Indians.

The Secretary shall request the Attorney General to determine if the trust responsibility of the government requires Federal financial support for legal representation to settle intertribal disputes.

The Secretary shall report back to the Committee within six months.

Conference total—With comparisons

The total new budget (obligational) authority for the fiscal year 1980 recommended by the Committee of Conference, with comparisons to the fiscal year 1979 amount, the 1980 budget estimates, and the House and Senate bills for 1980 follow:

New budget (obligational) authority, fiscal year 1979	\$12,325,226,000
Budget estimates of new (obligational) authority, fiscal year 1980	¹ 30,079,538,000
House bill, fiscal year 1980	10,231,970,000
Senate bill, fiscal year 1980	29,571,647,000
Conference agreement	30,304,887,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1979	+17,979,661,000
Budget estimates of new (obligational) authority, fiscal year 1980	+225,349,000
House bill, fiscal year 1980	+20,072,917,000
Senate bill, fiscal year 1980	+733,240,000

¹ Includes \$21,626,768,000 of budget estimates not considered by the House.

SIDNEY R. YATES,
 GUNN MCKAY,
 CLARENCE D. LONG,
 ROBERT DUNCAN,
 J. P. MURTHA,
 NORM D. DICKS,
 BO GINN,
 JAMIE L. WHITTEN,
 JOSEPH M. MCDADE,
 RALPH REGULA,
 CLAIR W. BURGNER,
 SILVIO O. CONTE,

Managers on the Part of the House.

ROBERT C. BYRD,
 ERNEST F. HOLLINGS,
 BIRCH BAYH,
 J. BENNETT JOHNSTON,
 WALTER D. HUDDLESTON,
 PAT J. LEAHY,
 QUENTIN BURDICK,
 JOHN A. DURKIN,
 TED STEVENS,
 MILTON R. YOUNG,
 MARK O. HATFIELD,
 HENRY BELLMON,
 JAMES A. McCLURE,
 PAUL LAXALT,

Managers on the Part of the Senate.

○

The Committee has received information that certain members of the public have been advised that they are being recruited for a special project. This project is being undertaken by the Department of the Interior, Bureau of Land Management, and the Bureau of Reclamation. The project is intended to provide for the development of certain public lands in the State of Nevada. The project is being undertaken in cooperation with the State of Nevada. The project is being undertaken in cooperation with the State of Nevada. The project is being undertaken in cooperation with the State of Nevada. The project is being undertaken in cooperation with the State of Nevada.

Confidence total - With comparisons

The total new budget (obligational) authority for the fiscal year 1950 recommended by the Committee is \$11,950,000,000, and the 1949 estimates total \$11,850,000,000, and the total for 1948 was \$11,850,000,000. The following table shows the comparison:

New budget authority, fiscal year 1950	\$12,250,000,000
Estimated authority, fiscal year 1950	\$11,850,000,000
Estimated authority, fiscal year 1949	\$11,850,000,000
Estimated authority, fiscal year 1948	\$11,850,000,000
Confidence total, fiscal year 1950	\$12,250,000,000
Comparison with:	
Estimated authority, fiscal year 1949	+ \$400,000,000
Estimated authority, fiscal year 1948	+ \$400,000,000
Estimated authority, fiscal year 1947	+ \$400,000,000

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No

McHugh	Peyser	Stanton
Madigan	Preyer	Steed
Maguire	Price	Stenholm
Markey	Pritchard	Stewart
Marks	Pursell	Stockman
Marlenee	Quillen	Stokes
Marriott	Rahall	Stratton
Martin	Rangel	Studds
Matsui	Ratchford	Stump
Mattox	Regula	Swift
Mavroules	Reuss	Tauke
Mica	Rinaldo	Thomas
Miller, Calif.	Ritter	Traxler
Miller, Ohio	Robinson	Trible
Mineta	Rodino	Van Deerlin
Minish	Roe	Vander Jagt
Mitchell, N.Y.	Rose	Vanik
Moakley	Rostenkowski	Vento
Mollohan	Rothen	Volkmer
Moore	Roybal	Walgren
Moorhead,	Rudd	Walker
Calif.	Russo	Wampler
Mottl	Sabo	Watkins
Murphy, Pa.	Satterfield	Weaver
Murtha	Sawyer	Weiss
Myers, Ind.	Schulze	White
Myers, Pa.	Seiberling	Whitehurst
Natcher	Sensenbrenner	Whitley
Neal	Shannon	Whittaker
Nelson	Sharp	Whitten
Nowak	Shelby	Williams, Mont.
O'Brien	Shumway	Williams, Ohio
Oberstar	Simon	Wirth
Obey	Slack	Wolf
Ottinger	Smith, Iowa	Wolpe
Panetta	Smith, Nebr.	Wyatt
Pashayan	Snyder	Yates
Patten	Solomon	Yatron
Patterson	Spence	Young, Mo.
Paul	St Germain	Zablocki
Pease	Stack	Zerferetti
Perkins	Staggers	
Petri	Stangeland	

□ 1300

The CHAIRMAN. Three hundred and one Members have answered to their names, a quorum is present, and the Committee will resume its business.

Mr. FLIPPO. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. HIGHTOWER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2335) to provide for a research, development, and evaluation program to determine the feasibility of collecting in space solar energy to be transmitted to Earth and to generate electricity for domestic purposes, had come to no resolution thereon.

□ 1310

CONFERENCE REPORT ON H.R. 4930, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1980

Mr. YATES. Mr. Speaker, I call up the conference report on the bill (H.R. 4930) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1980, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the statement.

(For conference report and statement see proceedings of the House of November 8, 1979.)

Mr. YATES (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. The gentleman from Illinois (Mr. YATES) will be recognized for 30 minutes, and the gentleman from Pennsylvania (Mr. McDADE) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Illinois (Mr. YATES).

Mr. YATES. Mr. Speaker, first, may I express my gratitude to the leadership on the minority side and to my colleagues in the House for their cooperation in permitting me to bring up the conference report on the bill ahead of its normal legislative schedule. Ordinarily I would not have requested the indulgence of the House, but the report that we are talking about contains funds for the fuel assistance program.

Mr. Speaker, we are already much too late in having taken action on that bill. I heard this morning as I listened to the radio driving to the House that the first snowfall of the winter is already expected in my home city of Chicago tomorrow. I think it is well that we pass this report today. I am told that the other body expects to consider it later in the day, and from then on we hope that the executive branch will be expeditious in taking action on the bill.

Mr. Speaker, this is a good conference report. It provides a total of \$30,304,887,000, which is \$17,979,661,000 above the 1979 appropriations. It is \$225 million above the budget estimate. It is \$733,240,000 above the Senate bill and \$20,072,917,000 above the bill that was approved by the House. It must be noted in connection with the figure above the House, Mr. Speaker, that the Senate considered \$21,676,768,000 in budget estimates that were not considered by the House. The estimates included \$20 billion for an alternative fuels reserve and \$1,350,000,000 for low-income fuel assistance.

Mr. Speaker, I propose now to describe what the conference did on the fuel assistance program. Of the \$1,350,000,000 made available for the low-income fuel assistance program, \$150 million is for the Community Services Administration to be distributed to the States on a block grant basis, along with \$1,200,000,000 for the Social Security Administration. Of that amount \$400 million is to be distributed to the States for energy replacement costs for supplemental security income recipients. This \$400 million is distributed, one-third based on heating degree days squared, times the number of households below 125 percent of poverty. One-third is distributed on the basis of the difference between heating energy expenses that occurred between 1978 and 1979, and the remaining one-third is distributed in proportion to the number of SSI recipients in a State to the total number of SSI recipients in the United States. There is a cap of \$250 per SSI recipient. The \$800 million remaining in the Social Security Administration is distributed to States as follows: 50 percent based on the heating

degree day squared times households below 125 percent of poverty, and the remaining 50 percent based on the difference between heating energy expenditure changes between 1978 and 1979.

In the event the State provides an approved distribution plan, the money to the State may be distributed on the basis of that plan. If the State does not have an approved plan, the State's allocation would be distributed to AFDC recipients within the State. In my opinion, this is a better bill than the one which passed the House a few weeks ago.

It is our intention with respect to low-income fuel assistance that HEW be responsible for auditing the program. The Secretary should make available the necessary administrative funds to accomplish that from funds available for State block grants.

Mr. Speaker, may I in passing express my gratitude to the distinguished chairman of the Labor-HEW Subcommittee of the Committee on Appropriations of the House, the gentleman from Kentucky (Mr. NATCHER), for his outstanding cooperation in connection with our working out the formula, and also to my good friend, the gentleman from Massachusetts (Mr. CONTE) who presented the amendment that was accepted by the conferees that resulted in breaking a deadlock that seemed to be growing in the conference committee.

Mr. VENTO. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Minnesota.

(Mr. VENTO asked and was given permission to revise and extend his remarks.)

Mr. VENTO. I thank the gentleman for yielding. I want to commend the chairman of the Interior Appropriations Subcommittee and the gentleman from Kentucky (Mr. NATCHER), the gentleman from Mississippi (Mr. WHITTEN) and, of course, the gentleman from Massachusetts (Mr. CONTE) for their work on this crisis intervention fund and the emergency assistance program. It is terribly important, I think, that the House has prevailed in terms of the amount in terms of House Concurrent Resolution 430, and in terms of the distribution formula which is much more equitable.

I wish to commend all the members of the conference committee for maintaining the House position regarding the low-income energy assistance provision.

There are two aspects of this section which deserve special note. The conference approved the higher funding level as contained in House Concurrent Resolution 430. The report also contains the House version of the allocation formula. This is critically important because this provision gives the appropriate recognition to cold weather factors which any low-income energy assistance program should reflect. This report also maintains the dual nature of assistance. It provides for a general energy assistance program for low income and elderly persons specifically assuring assistance for AFDC and SSI recipients who will be faced with increasing energy bills. In addition, the crisis intervention program funding is expanded and formula revised to insure that

those individuals faced with severe financial problems can prevent their source of heat from being discontinued. I have heard objections from some on the formula change that CSA initially used, but in all fairness to that formula, the only legislative guidance that CSA had, was misconstrued. Those that demand that we adhere to it fail to point out that it considered all household energy cost increases rather than just heating costs. If there is sentiment for such meaningful energy assistance let's not try to pass it off as cold weather assistance.

Mr. Speaker, there is no way that we can totally make up the outrageous price increases that are resulting from OPEC and the multinational oil companies conduct, rather we should address effectively and realistically the problems inherent in decontrol of oil and middle distillate products rather than follow the path of accommodation. This program of emergency fuel assistance, hopefully to be funded by the windfall profit tax which is languishing in the U.S. Senate, will obviously not meet all the needs, but it is the best we can do at this point.

The Congress can be justifiably proud of our swift action to attempt to prevent the tragedy which could affect millions of people in this country. It has only been 3 weeks since the Javits' amendment was added to the Interior appropriation, and in that short period of time this Congress has responded. Because this legislation will not serve all the families and individuals who are adversely affected by the rising costs of home heating, it is incumbent upon the States to design and provide sufficient funding for their own unique situations.

Mr. Speaker in addition to the members of the conference committee, I wish to commend the House leadership. It is a result of the visible advocacy of the leadership that this issue was brought, so swiftly, to a resolution.

Mr. YATES. I thank the gentleman.

In the field of energy, Mr. Speaker, the conferees have agreed to a \$19 billion energy security reserve to stimulate the domestic commercial production of alternative fuels and a \$1 billion solar and conservation reserve. That figure is important in view of the debate on the bill that was in the Committee of the Whole a few minutes ago and which resulted in the Committee's rising.

Of the \$19 billion in the energy security reserve, \$2,208,000,000 will be appropriated immediately. The balance of the reserve will be provided in subsequent appropriation acts.

May I say, Mr. Speaker, in passing that the \$19 billion in the reserve will only be available on the basis of further appropriations.

Mr. BAUMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. YATES. I would be glad to yield to the gentleman from Maryland. I may say in passing that I appreciate the

gentleman's cooperation in permitting us to bring this bill to the floor.

Mr. BAUMAN. I thank the gentleman for yielding. I appreciate the gentleman's cooperation regarding certain funds contained in this bill. I had a question about some other matter, and that is amendment No. 74 which the gentleman has just mentioned. As I understand the language that he proposes or will propose, it says that there is hereby established in the Treasury a special fund to be designated as the energy security reserve to which is appropriated \$19 billion to remain available until expended. That appears to the gentleman from Maryland to be an appropriation of \$19 billion; yet the gentleman contends that that will not be available until another appropriation occurs in the future.

Mr. YATES. The gentleman from Illinois makes that contention. There is specific language in the conference report to that effect, that until further appropriation bills are approved by the Congress, no funds will be made available from that reserve.

□ 1320

Mr. BAUMAN. Does that mean, if the gentleman will yield further, that if the so-called synfuels program does not produce the kind of activity that we foresee that we could withhold further approval of funds in the future, despite this \$19 billion appropriation?

Mr. YATES. May I say to the gentleman whatever program, respecting synfuels, is adopted by the Congress, no funds will be made available for that program out of the \$19 billion reserve until the Congress approves the money through the appropriations process.

Mr. BAUMAN. To begin that program this year the gentleman proposes in excess of \$1 billion?

Mr. YATES. We propose \$2,208,000,000 to initiate the synfuel program.

Mr. BAUMAN. Mr. Speaker, the last question I have of the gentleman is, if neither of these programs, the fuel assistance program or the synfuels program, are authorized by current law, what will happen when the Congress addresses itself finally and those laws, the authorizing bills, are signed? Does your appropriation language govern how the programs will be conducted?

Mr. YATES. It is my opinion that the appropriations language will govern, I will stay to the gentleman. This is an appropriations bill.

Mr. BAUMAN. Well, then what the gentleman is saying is that we are about to vote on the major energy initiative we will ever address in this Congress. This is the authorizing bill and appropriating bill—

Mr. YATES. May I say to the gentleman, this is a major energy initiative but it is in the appropriations process. It is the beginning of the energy program and subsequent authorizing legislation will also control the direction of that program. For example, the bill that was passed by the House and which is now

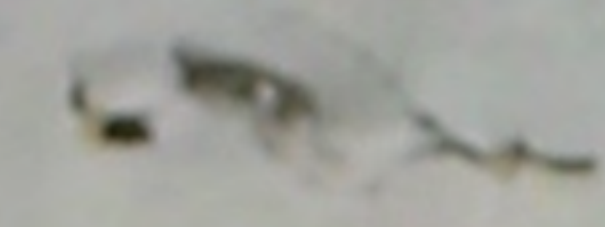
over in the other body provides certain standards and legislative formula for the energy program, they will control. In the meantime, this language that is in the appropriation bill will govern.

Mr. Speaker, I would like to make one further point: The definition in the bill is important. We make available purchase commitments and price guarantees for alternative fuels. These are defined as gaseous, liquid, or solid fuels and chemical feedstocks derived from coal, shale, tar sands, lignite peat, biomass, and, may I say that biomass includes alcohol to extend gasoline in the form known as gasohol solid waste, unconventional natural gas, and other minerals, or organic materials other than crude oil or any derivative thereof; \$700,000,000 is provided, including \$100,000,000 for project development feasibility studies \$100,000,000 for cooperative agreements to support commercial scale development of alternative fuels facilities and \$500,000,000 for a reserve to cover any defaults from loan guarantees issued to finance the construction of alternative fuels production facilities as authorized by the Federal Nonnuclear Energy Research and Development Act of 1974 as amended. This reserve is one-third of a total loan guarantee or commitment not to exceed \$1,500,000,000. This is a significant change from the bill as passed the House which included only \$1,500,000,000 for purchase, commitments, or price guarantees as authorized by the Moorhead Act. The program, as agreed by the managers, will expedite the domestic development and production of alternative fuels to reduce the dependence on foreign supplies of energy resources by establishing domestic production at the earliest time practicable.

In addition to those two major changes, the conferees made many changes in the balance of the bill which deals primarily with the resource management agencies of the United States. The conferees agreed to provide \$300,000,000 for land and water conservation fund grants to States. This \$100,000,000 above the amount proposed by the House and \$59,307,000 below the amount proposed by the Senate. The State share is 61 percent of the total amount appropriated which is subject to sharing. Additional information on agreements reached by the managers is contained in House Report 96-604, which is printed in yesterday's Record beginning at page H10473.

I should like to make reference to one item relating to the Smithsonian Institution—the proposed south quadrangle complex. The conferees struck out planning funds of \$250,000 in order to provide an opportunity for further reviews of certain aspects of the project.

Mr. Speaker, I include at this point in the Record a table comparing new obligational authority recommended in the bill for 1980, and the respective recommendations contained in the House and the Senate bills in comparison thereto.



1948

THE UNIVERSITY OF CHICAGO

of course the first substantial work
which has been done in this field
is the work of the late Dr. J. H. Van
Vleck, who in 1928 published a paper
in which he showed that the
magnetic susceptibility of a
paramagnetic salt is proportional to
the inverse of the temperature.
This result is now known as the
Curie law. It is a simple consequence
of the fact that the magnetic
moments of the ions in a paramagnetic
salt are independent of each other
and of the temperature. The
magnetic susceptibility of a
paramagnetic salt is therefore
proportional to the number of
ions per unit volume and to the
square of the magnetic moment of
each ion. The magnetic moment of
an ion is proportional to the
square root of the number of
unpaired electrons in the ion.
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paramagnetic salt is therefore
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electrons per ion.

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