

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida (Mr. LEHMAN)?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 128

Whereas the rapid development of America's economy is a result of the interaction of the free enterprise of our people and the abundant natural resources of our land; and

Whereas the present great prosperity of the United States is based upon free enterprise; and

Whereas the principles of free enterprise are inexorably bound with our principles of individual political freedom; and

Whereas the belief of Americans in the essential justice of free enterprise is being increasingly challenged throughout the world.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating July 1, 1978, as "Free Enterprise Day" and calling upon the people of the United States and interested groups and organizations to observe such day with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LEHMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the Senate joint resolution (S.J. Res. 128), just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 12536, NATIONAL PARKS RECREATION ACT OF 1978

Mr. DODD. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1243 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1243

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12536) to provide for increases in appropriations ceilings, development ceilings, land acquisition, and boundary changes in certain Federal park and recreation areas, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill as an original bill for the purpose of amend-

ment under the five-minute rule, and said substitute shall be read for amendment by titles instead of by sections. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. MURTHA). The gentleman from Connecticut (Mr. DODD) is recognized for 1 hour.

Mr. DODD. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois (Mr. ANDERSON) for the purpose of debate only, pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1243 provides for the consideration of H.R. 12536, the National Parks and Recreation Act of 1978. This resolution provides for an open rule with 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs. This resolution, in addition, provides that it shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill as an original bill for the purpose of amendment under the 5-minute rule, and said substitute shall be read for amendment by titles instead of by sections. This resolution also provides for one motion to recommit with or without instructions.

Mr. Speaker, this bill incorporates a number of items affecting national parks and recreation areas that have been pending for a long time. It authorizes appropriations to provide increases in development and acquisition ceilings and boundary changes for parks in all parts of the country. In addition, it designates new wilderness areas, new national trails and several new wild and scenic rivers.

The comprehensive approach adopted in H.R. 12536 allows a number of park projects to be before the House at the same time. This should facilitate the consideration of these important changes in and additions to our national park and recreation systems.

Mr. Speaker, I request that we adopt House Resolution 1243, so that we may proceed to the consideration of this bill.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1243 is a 1-hour open rule making in order the consideration of the bill H.R. 12536, the "National Park and Recreation Act of 1978." Following the hour of general debate, the bill will be read for amendment under the 5-minute rule, by titles instead of by sections, and the committee amendment in the nature of a substitute will be considered as an original bill for the purpose of amendment. I would point out that this rule contains no waivers of points of order—an increasingly rare occurrence in recent months.

Mr. Speaker, the bill this rule makes in order is an omnibus parks and recreation bill which authorizes approximately \$1.6 billion though fiscal year 1983 for increases in appropriations ceilings, development ceilings, and land acquisition and boundary changes in certain Federal park and recreation areas. All told, the bill involves some 150 projects in 44 States. I am informed that some 200 congressional districts are involved here which perhaps help to explain why this is referred to in some quarters as a "park barrel bill." I just want to commend the Interior Committee on doing a fine job in pulling all these projects together in one bill so we can get a better overview of how all our park money is spent, instead of nickel and diming us to death with individual bills for all these projects. This bill does have the blessing of the environmental groups as well as of at least 200 of our colleagues. It contains most of the administration's environment program. The bill was reported from the Interior Committee by unanimous voice vote, and this rule was reported from the Rules Committee by voice vote. I urge its adoption.

Mr. Speaker, I have no requests for time, and I reserve the balance of my time.

Mr. DODD. Mr. Speaker, I have no requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROUSSELOT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 311, nays 2, not voting 119, as follows:

[Roll No. 496]

YEAS—311

Abdnor	Bolling	Conable
Akaka	Bonior	Corcoran
Alexander	Bonker	Corman
Ambro	Brademas	Cornell
Ammerman	Breckinridge	Coughlin
Anderson, Ill.	Brinkley	Cunningham
Annunzio	Brodhead	D'Amours
Applegate	Brooks	Daniel, R. W.
Archer	Broomfield	Danielson
Ashbrook	Buchanan	de la Garza
Ashley	Burke, Fla.	Delaney
Aspin	Burke, Mass.	Dellums
AuCoin	Burleson, Tex.	Derrick
Badham	Burlison, Mo.	Derwinski
Bafalis	Burton, John	Devine
Baldus	Burton, Phillip	Dickinson
Barnard	Butler	Dodd
Baucus	Byron	Dornan
Bauman	Carney	Downey
Beard, R.I.	Carr	Drinan
Bedell	Carter	Duncan, Oreg.
Beilenson	Cavanaugh	Duncan, Tenn.
Benjamin	Chappell	Early
Bennett	Clausen,	Edgar
Bevill	Don H.	Edwards, Ala.
Biaggi	Clawson, Del	Edwards, Calif.
Bingham	Clay	Edwards, Okla.
Blanchard	Cleveland	Eilberg
Blouin	Coeman	Emery
Boggs	Collins, Ill.	English
Boland	Collins, Tex.	Erlenborn

Ertel	Lent	Roberts
Evans, Colo.	Levitas	Robinson
Evans, Del.	Livingston	Roe
Evans, Ind.	Lloyd, Calif.	Roncallo
Fary	Lloyd, Tenn.	Rooney
Fascell	Long, La.	Rose
Fenwick	Long, Md.	Rosenthal
Findley	Lott	Rousselot
Fish	Lujan	Roybal
Fisher	Luken	Rudd
Flood	McClory	Runnels
Florio	McCormack	Santini
Foley	McEwen	Satterfield
Forsythe	McFall	Schroeder
Fountain	McHugh	Sebelius
Frenzel	McKinney	Seiberling
Fuqua	Madigan	Sharp
Gammage	Maguire	Shuster
Gaydos	Mahon	Sikes
Gilman	Markey	Sisk
Ginn	Marks	Skelton
Glickman	Marlenee	Skubitz
Goldwater	Marriott	Slack
Gonzalez	Martin	Smith, Iowa
Gore	Mattox	Smith, Nebr.
Gradison	Mazzoli	Snyder
Grassley	Metcalfe	Spellman
Green	Meyner	Spence
Gudger	Mikulski	St Germain
Guyser	Mikva	Stagers
Hall	Miller, Calif.	Stangeland
Hamilton	Miller, Ohio	Stanton
Hammer-	Mineta	Stark
schmidt	Minish	Steed
Hanley	Mitchell, Md.	Steers
Hannaford	Mitchell, N.Y.	Steiger
Hansen	Mollohan	Stockman
Harkin	Moore	Stokes
Harris	Moorhead,	Stratton
Heckler	Calif.	Studds
Heftel	Moss	Symms
Hightower	Mottl	Taylor
Hillis	Murphy, Ill.	Thone
Hollenbeck	Murphy, Pa.	Thornton
Holt	Murtha	Treen
Hubbard	Myers, Gary	Trible
Huckaby	Myers, John	Tucker
Hughes	Myers, Michael	Ullman
Hyde	Natcher	Van Deerin
Ichord	Neal	Vanik
Ireland	Nedzi	Vento
Jacobs	Nichols	Volkmer
Jeffords	Nix	Waggonner
Jenkins	Nowak	Walgren
Johnson, Calif.	O'Brien	Walsh
Jones, N.C.	Oakar	Wampler
Jones, Okla.	Ottinger	Watkins
Jones, Tenn.	Panetta	Waxman
Jordan	Patten	Weaver
Kastenmeyer	Patterson	Weiss
Kazen	Perkins	White
Kelly	Pettis	Whitehurst
Kemp	Pike	Wilson, Bob
Keys	Poage	Winn
Kildee	Preyer	Wright
Kindness	Price	Wydler
Kostmayer	Quillen	Yates
Krebs	Rahall	Yatron
Krueger	Regula	Young, Alaska
LaFalce	Reuss	Young, Fla.
Lagomarsino	Rhodes	Young, Mo.
Latta	Richmond	Young, Tex.
Leach	Rinaldo	Zablocki
Lederer	Risenhoover	

NAYS—2

McDonald Oberstar

NOT VOTING—119

Addabbo	Conyers	Gephardt
Anderson,	Cornwell	Cornwell
Calif.	Cotter	Gibbons
Andrews, N.C.	Crane	Goodling
Andrews,	Daniel, Dan	Hagedorn
N. Dak.	Davis	Harrington
Armstrong	Dent	Harsha
Beard, Tenn.	Dicks	Hawkins
Bowen	Diggs	Hefner
Breaux	Dingell	Holland
Brown, Calif.	Eckhardt	Holtzman
Brown, Mich.	Evans, Ga.	Horton
Brown, Ohio	Fithian	Howard
Broyhill	Filippo	Jenrette
Burgener	Flowers	Johnson, Colo.
Burke, Calif.	Flynt	Kasten
Caputo	Ford, Mich.	Le Fante
Cederberg	Ford, Tenn.	Leggett
Chisholm	Fowler	Leggett
Cochran	Fraser	Lehman
Cohen	Frey	Lundine
Conte	Garcia	McCloskey
		McDade

McKay	Pursell	Teague
Mann	Quayle	Thompson
Mathis	Quie	Traxler
Meeds	Railsback	Tsongas
Michel	Rangel	Udall
Milford	Rodino	Vander Jagt
Moakley	Rogers	Walker
Moffett	Rostenkowski	Whalen
Montgomery	Ruppe	Whitley
Moorhead, Pa.	Russo	Whitten
Murphy, N.Y.	Ryan	Wiggins
Nolan	Sarasin	Wilson, C. H.
Obey	Sawyer	Wilson, Tex.
Pattison	Scheuer	Wirth
Pease	Schulze	Wolff
Pepper	Shipley	Wylie
Pickle	Simon	Zeferetti
Pressler	Solarz	
Pritchard	Stump	

The Clerk announced the following pairs:

Mr. Thompson with Mr. Whitley.
 Mr. Addabbo with Mr. Andrews of North Dakota.
 Mr. La Fante with Mr. Armstrong.
 Mr. Moakley with Mr. Holland.
 Mr. Howard with Mr. Hagedorn.
 Mr. Giaimo with Mr. Railsback.
 Mr. Jenrette with Mr. Quie.
 Mr. Meeds with Mr. Wiggins.
 Mr. Murphy of New York with Mr. Whalen.
 Mr. Moorhead of Pennsylvania with Mr. Milford.
 Mr. Wolff with Mr. McDade.
 Mr. Wirth with Mr. McCloskey.
 Mr. Zeferetti with Mr. Brown of Michigan.
 Mr. Pepper with Mr. Echardt.
 Mr. Ford of Michigan with Mr. Frey.
 Mr. Flynt with Mr. Gephardt.
 Ms. Holtzman with Mr. Harsha.
 Mrs. Burke of California with Mr. Johnson of Colorado.
 Mr. Conyers with Mr. Kasten.
 Mr. Cotter with Mr. Sawyer.
 Mr. Hawkins with Mr. Sarasin.
 Mr. Rogers with Mr. Stump.
 Mr. Rostenkowski with Mr. Vander Jagt.
 Mr. Russo with Mr. Walker.
 Mr. Shipley with Mr. Wiley.
 Mr. Simon with Mr. Pritchard.
 Mr. Traxler with Mr. Pressler.
 Mr. Charles H. Wilson of California with Mr. Crane.
 Mr. Pickle with Mr. Conti.
 Mr. Moffett with Mr. Cohen.
 Mr. Fithian with Mr. Evans of Georgia.
 Mr. Filippo with Mr. Caputo.
 Mr. Lundine with Mr. Cochran of Mississippi.
 Mr. Pattison of New York with Mr. Broyhill.
 Mr. Udall with Mr. Quayle.
 Mr. Teague with Mr. Pursell.
 Mr. Anderson of California with Mr. McKay.
 Mr. Bowen with Mr. Harrington.
 Mr. Dan Daniel with Mr. Pease.
 Mr. Ford of Tennessee with Mr. Fraser.
 Mr. Brown of California with Mr. Whitten.
 Mr. Charles Wilson of Texas with Mr. Tsongas.
 Mr. Solarz with Mr. Schulze.
 Mr. Ryan with Mr. Scheuer.
 Mr. Davis with Mr. Burgener.
 Mr. Dicks with Mr. Brown of Ohio.
 Mr. Flowers with Mr. Gibbons.
 Mr. Garcia with Mr. Mann.
 Mr. Cornwell with Mr. Fowler.
 Mr. Hefner with Mr. Leggett.
 Mr. Michel with Mr. Ruppe.
 Mr. Diggs with Mr. Cederberg.
 Mr. Breaux with Mr. Andrews of North Carolina.
 Mrs. Chisholm with Mr. Dingell.
 Mr. Rangel with Mr. Montgomery.
 Mr. Obey with Mr. Horton.
 Mr. Nolan with Mr. Goodling.
 Mr. Mathis with Mr. Lehman.

Mr. OBERSTAR changed his vote from "yea" to "nay".

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 12432, CIVIL RIGHTS COMMISSION ACT OF 1978

Mr. DODD. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1235 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1235

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12432) to extend the Commission on Civil Rights for five years, to authorize appropriations for the Commission, to effect certain technical changes to comply with changes in the law, and for other purposes, and all points of order against section 3(a) of said bill for failure to comply with the provisions of clause 5, rule XXI are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore. The gen-

tleman from Connecticut (Mr. DODD) is Mr. DODD. Mr. Speaker, I yield 30 minutes to the gentleman from Mississippi (Mr. LOTT), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1235 provides for the consideration of H.R. 12432, the Civil Rights Commission Act of 1978. This resolution provides for an open rule with 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The resolution, in addition, waives all points of order against section 3(a) of the bill for failure to comply with the provisions of clause 5, rule XXI. This waiver is necessary because, if this bill is enacted before the end of the fiscal year, section 3(a) provides for the use of outstanding funds for a new purpose.

Mr. Speaker, the primary purpose of this bill is to extend the life of the Commission on Civil Rights for 5 years until 1983. Furthermore, H.R. 12432 authorizes appropriations for the Commission for 2 years; and expands the jurisdiction of the Commission to include discrimination based on age and handicap status. This bill also amends the 1957 Civil Rights Act by mandating that each State establish one State advisory committee, composed of citizens of that State in order to insure that the Commission continues to receive input from the local level.

As the national clearinghouse for civil rights information, the Commission, for

the last 20 years, has been responsible for disseminating information regarding denial of equal protection of the laws because of race, color, sex, religion or national origin, including but not limited to discrimination in voting education, housing, employment, the use of public facilities and transportation and the administration of justice. With the enactment of the legislation we are considering today, the Commission will be given the authority to investigate the infringement of the civil rights of two new groups—the elderly and the handicapped. In recent years, we have seen more and more examples of how our society discriminates against our Nation's 23 million elderly and 35 million handicapped citizens.

While the Commission has no enforcement powers and is authorized only to make reports, findings and recommendations to the President and the Congress, its contribution to the development of the important civil rights legislation of the last two decades is well known.

Mr. Speaker, I request that we adopt House Resolution 1235, so that we may proceed to the consideration of this important bill.

Mr. LOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a 1 hour, open rule providing for the consideration of H.R. 12432, the Civil Rights Commission Act of 1978. Section 3(a) of the bill, which expands the Commission's jurisdiction, fails to comply with clause 5 of rule XXI—appropriations in legislation. Consequently, the resolution waives this rule.

The purpose of this bill is to extend the authorization of the U.S. Civil Rights Commission for 5 years and to expand its jurisdiction to include discrimination based on age and handicapped status. The measure authorizes \$12,752,000 in fiscal year 1979 and \$14,000,000 in fiscal year 1980.

It is my understanding that by 1980 the Commission's authorization will have doubled in just 5 years. In view of the fact that over the last 3 years it has spent over \$1½ million just to produce a recently published 112-page report, this agency should be a prime candidate for close scrutiny by its authorizing and oversight committee.

Mrs. FENWICK. Mr. Speaker, will the gentleman yield?

Mr. LOTT. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Jersey (Mrs. FENWICK).

Mrs. FENWICK. Mr. Speaker, I rise with some mixed feelings about this bill. I served on the New Jersey committee for the U.S. Commission on Civil Rights since the legislation was passed in 1958. In fact, for a long time I was vice chairman of that committee.

But I am opposed to the extension of the jurisdiction of the committee and I would like to bring to the attention of the committee that has oversight jurisdiction, the change that has taken place in that Commission over the years.

It has changed from being a Commission which was indeed somewhat, although not entirely, open to suggestion from its State committees. The Commission came to New Jersey in 1962 when Mr. Hanna was chairman, and we had a most useful meeting in Newark at that

time, concerning equal employment opportunity and other such matters.

But what happened subsequently—and I am being blunt about it, is that it was taken over by the staff. Before I resigned from the committee, the chairman was in the position of having meetings called by the staff without his even knowing about it. The situation was totally out of hand and the committee was controlled by the staff in Washington.

I do not think that it is fruitful to continue the ways which now have become the practice of the Commission, according to my experience.

I spoke to Father Hesburgh about this change following my letter of resignation.

I do not know how we are going to correct this. It is one of the evils of bureaucracy. But the work of the Commission covering civil rights and human rights was, as I understand the term "civil rights" extremely valuable.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. LOTT. I yield 1 additional minute to the gentlewoman from New Jersey.

Mrs. FENWICK. I think it is unwise to extend the Commission's jurisdiction and to vote for a 5-year extension. We must know how this Commission is operating and whether or not it will pay any attention to the chairmen of the State committees and their members.

We were overridden in the matter, for example, of the education of our deprived children and their right to an equal opportunity in education—we hoped to report on that but we were overridden and ordered to do housing. So we gave up education and took up housing because the Commission felt that housing was more important. I was co-chairman of that subcommittee, and we turned in a full report although little attention was paid to it. We wrote other reports, too—first voting, and then employment, then housing and others. But no matter how hard we worked we could not get the Commission in Washington to pay any attention to the State committee, nor would the staff pay any attention to the State chairman, therefore, I would strongly recommend that this not be set up for a full 5 years.

Mr. LOTT. Mr. Speaker, I appreciate the remarks made by the gentlewoman from New Jersey (Mrs. FENWICK). I would only add that this is an open rule, but it waives all points of order against section 3(a) of the bill on the expansion of this jurisdiction.

Mr. Speaker, I have no further requests for time.

Mr. DODD. Mr. Speaker, I have no further requests for time and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DEVINE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 303, nays 16, not voting 113, as follows:

[Roll No. 497]

YEAS—303

Abdnor	Evans, Colo.	Maguire
Akaka	Evans, Del.	Mahon
Alexander	Evans, Ind.	Markey
Ambro	Fary	Marks
Ammerman	Fascell	Marlenee
Anderson, Ill.	Fenwick	Marriott
Annunzio	Findley	Martin
Applegate	Fish	Mattox
Archer	Fisher	Mazzoli
Ashley	Flood	Metcalfe
Aspin	Florio	Meyner
AuCoin	Foley	Mikulski
Badham	Fountain	Mikva
Bafalis	Frenzel	Miller, Calif.
Baldus	Fuqua	Miller, Ohio
Barnard	Gammage	Mineta
Baucus	Gaydos	Minish
Beard, R.I.	Gilman	Mitchell, Md.
Bedell	Ginn	Mitchell, N.Y.
Beilenson	Glickman	Mollohan
Benjamin	Goldwater	Moore
Bennett	Gonzalez	Moorhead,
Bevill	Gore	Calif.
Biaggi	Gradison	Mottl
Bingham	Grassley	Murphy, Ill.
Blanchard	Green	Murphy, Pa.
Blouin	Gudger	Murtha
Boggs	Guyer	Myers, Gary
Boland	Hall	Myers, John
Bolling	Hamilton	Myers, Michael
Bonior	Hammer-	Natcher
Bonker	schmidt	Neal
Brademas	Hanley	Nedzi
Breaux	Hannaford	Nichols
Breckinridge	Harkin	Nix
Brinkley	Harris	Nolan
Brodhead	Heckler	Nowak
Brooks	Heftel	O'Brien
Broomfield	Hightower	Oakar
Buchanan	Hillis	Oberstar
Burke, Fla.	Holland	Ottinger
Burke, Mass.	Hollenbeck	Panetta
Burleson, Tex.	Holt	Patten
Burison, Mo.	Horton	Patterson
Burton, John	Hubbard	Perkins
Burton, Phillip	Huckaby	Pettis
Butler	Hughes	Pike
Byron	Hyde	Preyer
Carney	Ichord	Price
Carr	Ireland	Quillen
Carter	Jacobs	Rahall
Cavanaugh	Jeffords	Rangel
Chappell	Jenkins	Regula
Clausen,	Johnson, Calif.	Reuss
Don H.	Jones, N.C.	Rhodes
Clay	Jones, Okla.	Richmond
Cleveland	Jones, Tenn.	Rinaldo
Collins, Ill.	Jordan	Risenhoover
Conable	Kastenmeyer	Roberts
Corcoran	Kazen	Robinson
Corman	Kemp	Roe
Cornell	Keys	Roncalio
Coughlin	Kildee	Rooney
Cunningham	Kindness	Rose
D'Amours	Kostmayer	Rosenthal
Daniel, R. W.	Krebs	Roybal
Danielson	Krueger	Runnels
de la Garza	LaFalce	Santini
Delaney	Lagomarsino	Schroeder
Dellums	Latta	Sebelius
Derrick	Leach	Seiberling
Derwinski	Lederer	Sharp
Dickinson	Lehman	Shuster
Dingell	Lent	Sikes
Dodd	Levitas	Skelton
Dornan	Livingston	Skubitz
Downey	Lloyd, Calif.	Slack
Drinan	Lloyd, Tenn.	Smith, Iowa
Duncan, Oreg.	Long, La.	Smith, Nebr.
Duncan, Tenn.	Long, Md.	Snyder
Early	Lott	Spellman
Edgar	Lujan	Spence
Edwards, Ala.	Luken	St Germain
Edwards, Calif.	McClory	Staggers
Edwards, Okla.	McCormack	Stangeland
Eilberg	McEwen	Stanton
Emery	McFall	Stark
English	McHugh	Steed
Erlenborn	McKay	Steers
Ertel	McKinney	Stockman

Stokes	Vento	Wilson, Bob
Stratton	Volkmer	Winn
Studds	Waggonner	Wolff
Taylor	Walgren	Wright
Thone	Walsh	Wyder
Thornton	Wampler	Yates
Treen	Watkins	Yatron
Trible	Waxman	Young, Alaska
Tucker	Weaver	Young, Fla.
Ullman	Weiss	Young, Mo.
Van Deerlin	White	Young, Tex.
Vanik	Whitehurst	Zablocki

NAYS—16

Ashbrook	Forsythe	Rudd
Bauman	Hansen	Satterfield
Clawson, Del	Kelly	Steiger
Coleman	McDonald	Symms
Collins, Tex.	Poage	
Devine	Rousselot	

NOT VOTING—113

Addabbo	Fraser	Pressler
Anderson,	Frey	Pritchard
Calif.	Garcia	Pursell
Andrews, N.C.	Gephardt	Quayle
Andrews,	Gialmo	Qule
N. Dak.	Gibbons	Railsback
Armstrong	Goodling	Rodino
Beard, Tenn.	Hagedorn	Rogers
Bowen	Harrington	Rostenkowski
Brown, Calif.	Harsha	Ruppe
Brown, Mich.	Hawkins	Russo
Brown, Ohio	Hefner	Ryan
Broyhill	Holtzman	Sarasin
Burgener	Howard	Sawyer
Burke, Calif.	Jenrette	Scheuer
Caputo	Johnson, Colo.	Schulze
Cederberg	Kasten	Shipley
Chisholm	Le Fante	Simon
Cochran	Leggett	Sisk
Cohen	Lundine	Solarz
Conte	McCloskey	Stump
Conyers	McDade	Teague
Cornwell	Madigan	Thompson
Cotter	Mann	Traxler
Crane	Mathis	Tsongas
Daniel, Dan	Meeds	Udall
Davis	Michel	Vander Jagt
Dent	Milford	Walker
Dicks	Moakley	Whalen
Diggs	Moffett	Whitley
Eckhardt	Montgomery	Whitten
Evans, Ga.	Moorhead, Pa.	Wiggins
Fithian	Moss	Wilson, C. H.
Flippo	Murphy, N.Y.	Wilson, Tex.
Flowers	Obey	Wirth
Flynt	Pattison	Wylie
Ford, Mich.	Pease	Zerfetti
Ford, Tenn.	Pepper	
Fowler	Pickle	

The Clerk announced the following pairs:

Mr. Moakley with Mr. Gibbons.
 Mr. Thompson with Mr. Andrews of North Carolina.
 Mr. Addabbo with Mr. Frey.
 Mr. Jenrette with Mr. Pressler.
 Mr. Le Fante with Mr. Andrews of North Dakota.
 Mr. Obey with Mr. Goodling.
 Mr. Pepper with Mr. Railsback.
 Mr. Ziferetti with Mr. Kasten.
 Mr. Dan Daniel with Mr. Madigan.
 Mr. Flippo with Mr. McCloskey.
 Mr. Ford of Tennessee with Mr. Vander Jagt.
 Mr. Howard with Mr. Whalen.
 Ms. Holtzman with Mr. Eckhardt.
 Mr. Hawkins with Mr. Crane.
 Mrs. Burke of California with Mr. Harsha.
 Mr. Bowen with Mr. Conte.
 Mr. Davis with Mr. McDade.
 Mr. Pickle with Mr. Wiggins.
 Mr. Murphy of New York with Mr. Cohen.
 Mr. Moorhead of Pennsylvania with Mr. Hagedorn.
 Mr. Wirth with Mr. Cochran of Mississippi.
 Mr. Lundine with Mr. Sarasin.
 Mr. Harrington with Mr. Sawyer.
 Mr. Garcia with Mr. Caputo.
 Mr. Gialmo with Mr. Burgener.
 Mr. Rogers with Mr. Michel.
 Mr. Rostenkowski with Mr. Milford.
 Mr. Russo with Mr. Fraser.
 Mr. Shipley with Mr. Evans of Georgia.
 Mr. Simon with Mr. Diggs.

Mr. Traxler with Mr. Dent.
 Mr. Moffet with Mr. Dicks.
 Mr. Wolff
 Mr. Cotter with Mr. Cederberg.
 Mr. Cornwell with Mr. Broyhill.
 Mrs. Chisholm with Mr. Armstrong.
 Mr. Brown of California with Mr. Beard of Tennessee.
 Mr. Mathis with Mr. Brown of Michigan.
 Mr. Brown of Ohio with Mr. Stump.
 Mr. Mann with Mr. Hefner.
 Mr. Conyers with Mr. Gephardt.
 Mr. Ryan with Mr. Ruppe.
 Mr. Solarz with Mr. Pritchard.
 Mr. Sisk with Mr. Qule.
 Mr. Fithian with Mr. Pursell.
 Mr. Flowers with Mr. Quayle.
 Mr. Flynt with Mr. Wiley.
 Mr. Pattison of New York with Mr. Whitley.
 Mr. Charles H. Wilson of California with Mr. Whitten.

Mr. Udall with Mr. Teague.
 Mr. Ford of Michigan with Mr. Fowler.
 Mr. Meeds with Mr. Leggett.
 Mr. Charles Wilson of Texas with Mr. Moss.
 Mr. Tsongas with Mr. Walker.
 Mr. Scheuer with Mr. Schulze.
 Mr. Montgomery with Mr. Johnson of Colorado.
 Mr. Anderson of California with Mr. Pease.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PHILLIP BURTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks, and to include extraneous matter, with reference to the bill, H.R. 12536.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

THE EFFECT OF TAX-CUT BORROWING ON INTEREST RATES AND THE DOLLAR

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, on Wednesday, the U.S. Treasury will be selling 15 year Treasury bonds with a yield between 8½ percent to 8¾ percent, almost the highest interest rates in our history.

If Congress should adopt the Steiger amendment to roll back capital gains taxation, the interest rate should rise much higher as the Government struggles to finance an incredible deficit.

If Congress in its folly should adopt the Roth-Kemp proposal—you should warn your constituents that the Federal Government interest rate might reach 15 percent as we pack \$80 billion on the deficit in the next several years in order to pay for the tax cut.

Tax rates are important—but what matters more—is the value of our dollars after taxes. The Roth-Kemp proposal will leave us with shylock interest rates and funny money.

These are very serious and critical times, and we ought to be mindful as to what effect extensive borrowing for tax cuts is going to have on the value of the dollar. What is important to us is not what the taxes are or what the

tax rate is; what is important to the American people is what they can buy with the dollars they have left after taxes.

NATIONAL PARKS AND RECREATION ACT OF 1978

Mr. PHILLIP BURTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 12536), to provide for increases in appropriations ceilings, development ceilings, land acquisition, and boundary changes in certain Federal park and recreation areas, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. PHILLIP BURTON).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 12536, with Mr. THORNTON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California (Mr. PHILLIP BURTON) will be recognized for 30 minutes, and the gentleman from Kansas (Mr. SEBELIUS) will be recognized for 30 minutes.

The Chair recognizes the gentleman from California (Mr. PHILLIP BURTON).

Mr. PHILLIP BURTON. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the legislation before us reflects countless hundreds of hours of work by members of our subcommittee, the full committee, our staffs, the Department of the Interior, and countless other locally concerned citizens, who felt that the utilization of one comprehensive proposal to treat many of the minor, a number of the longstanding, and a few of the contentious issues confronting the American people and the use of its land and resources was an idea whose time has come.

Mr. Chairman, I would like to commend all members of our subcommittee, particularly the ranking minority member, the gentleman from Kansas (Mr. SEBELIUS), and all of our staffs for this modest proposal that is great in scope and magnificent in quality.

Without unnecessarily oversimplifying the items before us, I think, essentially, that this bill has about four categories. One category reflects the efforts earlier made last year by the distinguished ranking minority member of the full committee, the gentleman from Kansas (Mr. SKUBITZ), who felt there were a great number of needed increases in the development ceilings for previously authorized projects, and in the interest of saving the time of the Congress and, ultimately, the cost to the taxpayers, that these items should be treated in one package. We have done that.

Second, in the last Congress we did increase our commitment to the land and water conservation fund. It is from that fund that most of the moneys already

authorized by this Congress shall be specifically targeted for land acquisitions well within the land and water conservation fund ceilings already authorized by overwhelming vote by the Congress of the United States.

Third, we have a number of miscellaneous provisions which treat individual problems that have been confronting the managers of our resources; and we treat them with definite and limited, but effective process.

Finally, the item which represents about 50 percent of the total cost of the bill is an administration proposal which purports to represent an authorization of 5 years, at the rate of \$150 million a year for purposes of treating the problems of urban America and its recreational systems.

In summary, Mr. Chairman, this proposal provides for increases in the development ceilings for some 34 national monuments, historic sites, seashores, parks, and battlegrounds; land acquisition ceiling increases for some half dozen sites; boundary changes, additions, and adjustments to some 36 similar sites; the creation of something more than 3 million acres of wilderness in approximately a dozen areas; and the creation of 11 new national parks, historic sites, seashores, and recreation areas, with 4 new national trails and 8 new additions to the Wild and Scenic Rivers System.

It also proposes studies of some 18 or so river segments for possible wild and scenic river designation and 5 funding authorizations for already existing wild and scenic rivers.

Mr. Chairman, it was at an earlier time in this session that the gentleman from Arizona (Mr. UDALL), our distinguished chairman of the full committee, stood in this well and stated that the vote on the Alaska lands bill so ably managed by the gentleman from Ohio (Mr. SEIBERLING) would be the environmentalist vote of the century.

I cannot quarrel with that, but I feel perfectly confident in the assertion that if that were the environmentalist vote of the century, leaving that issue aside, this matter before us and the content of the proposal of our committee will rank as the environmentalist vote of this decade. I think it a rare tribute to the Congress and to the legislative process that we have been able to construct a proposal so broad in scope, agreed upon by all that each and every element of this proposal is thoughtfully constructed. Of necessity, when we are dealing with policy matters, one might expect that there will be some differences of opinion or some questions; but it is a rare tribute to our committee, in my view, that we have been able to sufficiently reconcile those differences so that all who have been involved know and stipulate to the reasonableness of the product.

Mr. Chairman, there is one final note. There have been some matters forwarded to the other body by this committee and this House, and I am in consultation with the members of the minority, to the end that some of the matters that have not yet been processed by the Senate will also be added to this legislation.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. SEBELIUS. Mr. Chairman, I yield such time as he may consume to the ranking minority member of the full committee, the gentleman from Kansas (Mr. SKUBITZ).

Mr. SKUBITZ. Mr. Chairman, I thank my colleague for yielding to me.

Last October I introduced a measure, H.R. 9630, which coincided with title I of H.R. 12536. My bill authorized increases in development ceilings for 37 different areas at a total cost of \$80 million, as compared with \$96 million in title I of this bill. The idea of consolidating the many needed developments as well as making various boundary changes and additions to the parks is a good one. But this bill has taken gigantic proportions. The gentleman from California (Mr. PHILLIP BURTON) and my colleague from Kansas (Mr. SEBELIUS) have worked hard on this legislation, and deserve high praise.

Mr. Chairman, I am sure that anyone who studies the bill knows that we have added a number of projects, but in the words of our former colleague, Sam Friedel:

I am hopeful, with a few technical members and minor changes, we are able to make this bill acceptable to this body.

Mr. SEBELIUS. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. DON H. CLAUSEN).

Mr. DON H. CLAUSEN. Mr. Chairman, I would like to commend my colleague, the gentleman from California and chairman of the National Parks Subcommittee for his tireless efforts on this bill. The gentleman from Kansas (Mr. SEBELIUS) also deserves high praise for his diligent work. It has been a pleasure, as a member of the Parks Subcommittee, to work with these two gentlemen as well as the many other members who have made worthwhile contributions.

Notwithstanding these fine efforts, I would like to associate myself with the remarks of the ranking member of the full committee (Mr. SKUBITZ) which indicate that this bill is not perfect. Not all the items included have received the proper consideration. In this regard, I think it is especially important that we carefully consider all amendments which are offered and pay particularly close attention to the remarks of the Members whose districts are affected. They are the ones closest to the people most directly affected and their viewpoint should be given great weight.

I have made this point before in debate on other bills, but my advice has not always been heeded. That is why there is a development ceiling increase in this bill for the Redwood National Park—to offset some of the adverse effects that have resulted from legislation passed earlier this year. If my voice had been heeded then, this money might not have been needed now.

My point takes on added significance now that some members have just recently become more concerned about being fiscally responsible. The known costs of this bill are estimated at \$1.5 billion. There are also unknown costs of administration, maintenance, and opera-

tion of new additions. There are also unknown dollar costs associated with not heeding the advice of affected Members who can best predict the effect on local economics and labor.

I urge my colleagues to consider this bill and the amendments offered carefully. Responsible spending on worthwhile, needed additions and improvements to units of our National Park System is a laudable goal which I support.

Mr. PHILLIP BURTON. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to my colleague from California.

Mr. PHILLIP BURTON. Mr. Chairman, there is one portion of my statement that I failed to include in my remarks. With appropriate discussion with the distinguished ranking minority member, for the purposes of the Insular Affairs part of our jurisdiction, the gentleman from California (Mr. DON H. CLAUSEN) as well as in consultation with other members of the subcommittee, including the gentleman from California (Mr. LAGOMARSINO), we felt it not only appropriate but imperative, when we reached the amending process, that some appropriate recognition be extended to the noble efforts of our dear personal friend and colleague, the gentleman from California, Mr. KETCHUM.

More particularly, we envision mandating the Department of the Interior to see that Congressman's KETCHUM's role in terms of all the insular areas, his role with reference to the Pacific Trust Territories, and his role with the other insular areas to see that all of our fellow Americans were extended equitable treatment, his role during World War II with reference to Guam, and his leadership in the achievement of bringing to successful fruition the Northern Marianas' Covenant, that for all of these enormous and invaluable contributions of our distinguished colleague, that some appropriate recognition on Guam and on the American Park in Saipan be noted for posterity with reference to the efforts of this dear man.

We choose not to, and have not been, frivolous in this determination, but it is only just and fitting that generations to come understand his role.

Mr. DON H. CLAUSEN. I thank the gentleman for what I think is a very timely and very commendable suggestion. I would look forward to working with him to develop that proper vehicle, hopefully in this legislation. Certainly, BILL KETCHUM did indeed put forth many, many hours, not only in the committee, but also with visitations to the area. He also served with such great distinction in the Guam area during the war. It would be more than fitting, and I commend the gentleman for making that suggestion. I look forward to working with him on it.

Mr. SEBELIUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am almost certain that this is the biggest and most comprehensive omnibus bill ever brought to the floor of the House relative to parks and other items related to outdoor recreation. It is also no doubt the most expensive.

I want to commend the subcommittee chairman (Mr. PHILLIP BURTON) for his

imagination, ingenuity, and determination in bringing this bill forward. It certainly constitutes a landmark in legislation dealing with parks and outdoor recreation, and there can be no doubt but what the Nation and our environment will benefit in superior fashion from this type of legislation.

There are a number of comments I would like to make on an assortment of items in this bill and problems with the Department.

MINERAL KING

This is a superlative area which has long warranted being added to the surrounding Sequoia National Park. I want to urge the Secretary to not misinterpret this legislation and the required general management plan preparation as mandating such a specific focus on this area that something outstandingly special must be done with it. On the contrary, if something extra special were deemed appropriate, it would likely have not been made a part of the national park by this bill. While the management planning should consider various alternatives, nearly any alternative constituting increased development, access or use would of necessity entail considerable improvement of the access road. Nearly any such action would undoubtedly create significant adverse impact on the existing park resources through which the present road now passes, and that kind of impact would be most objectionable. The National Park Service should basically plan to manage Mineral King as a backcountry trail head, with perhaps some limited primitive auto campground facilities at well chosen locations.

Considering that the Forest Service's compromise development scheme recommended a significant amount of instant wilderness designation in the high elevation parts of the area, the National Park Service should seriously consider this type of land classification designation in the development of the management plan for the area, and make appropriate recommendations to the Congress regarding wilderness at the time of submission of the general management plan.

WILDERNESS

The National Park Service is not very consistent in its practices and policy application regarding permitted technological intrusion into wilderness. Many of the areas included in this bill currently have such intrusions which are designed to accommodate visitors use. While some plausible arguments can be made for their need in specific and occasionally unique situations—such as campsite platforms and toilets at Everglades—it is more difficult to answer the questions of how many such developments you permit and how you control that number from proliferating, or the facilities being made more elaborate through time. Occasionally too, technological provision—as with containerized toilets—spurs the need for further technological provision—motorized equipment to service the containerized toilets—and soon an escalating spiral of intensifying technological intrusion into the wilderness is well underway, and the very purpose for which wilderness is designated becomes threatened and ultimately defeated. The National Park Service must seriously be-

gin to think about establishing a basic wilderness philosophy and policy which permits users to meet the wilderness on its own terms, unaided by advance technological, on-site management preparation, and dovetail such an approach with the identification of physical and social carrying capacities for these areas. The provision of technological remedies, usually in the form of on-site facilities, can easily heighten the carrying capacity of the resource and permit more people to use it. But the problem is, this violates the concept of wilderness. Carrying capacities must be identified, adopted, and adhered to on the basis of the resource, unfettered by the developments of man and his activities. The committee intends that the National Park Service begin to seriously look at the carrying capacity of these wilderness areas, and legislative mandate for doing so is included in section 607(2) of this bill, in context with the preparation of general management plans.

NEW AREA STUDIES

Section 607(1) of this bill authorizes specific funding for the National Park Service to better implement section 8 of Public Law 91-383. When section 8 of this law was instituted in late 1976, it understandably took some time for the National Park Service to get moving to get the first list compiled, and get studies fully completed to back up the list. I am most dismayed to learn, however, that in the 9 months which have followed that first submission, follow-up effort to update and complete the initially submitted studies has been less than satisfactory. I am concerned that the new area studies program, which was initiated and designed by the Congress to help both the Interior Department and the Congress do a more professional and responsible job of identifying prospective new park areas, is not receiving the attention, priority, and leadership it deserves. I hope that both the Secretary and the Director of the National Park Service will make a strong effort to pull this activity out of the doldrums.

NEW PARK AREAS

The area of greatest concern that I have with this bill deals with the new units of the national park system which we create. Many of these areas have not been subjected to complete hearings or sufficient-in-depth scrutiny by the committee, and I am fearful that numerous of the provisions are not as adequate, proper or complete as they might be.

Moreover, several of the very areas themselves are of questionable merit. For example, I am not sure in my mind that the Santa Monica Mountains language is well constructed and workable. The area appears to entail very numerous and significant private inholdings, which could make the area difficult to administer, and might also contribute to significant problems for the inholders too, as time goes on. A very different formula to address the needs here would, in my mind, have constituted a far superior approach.

GENERAL MANAGEMENT PLANS

Section 607(2) of the bill changes the procedure for the preparation and dis-

position of general management plans by the National Park Service. Beginning on the date of approval of this act, the National Park Service is to assure that all newly developed and revised general management plans address a number of basic features enumerated in this legislation, and an annual status report for all general management plans is to be submitted to the overseeing committees of the House and Senate. This provision should constitute a mandate to the National Park Service to review its entire general management plan procedure, and try to get it more organized. The committee was recently greatly disturbed to find that general management plans, many of which by law have stated submission dates, are many years behind in being submitted when due. This is an unacceptable situation which must be promptly rectified, and the director of the National Park Service should inform the committee of what steps he will institute to rectify this problem.

Similarly, the Heritage Conservation and Recreation Service has been unable to submit in a reasonably timely fashion, its first annual Land and Water Conservation Fund accomplishments report, as required by law. Section 610 of this bill provides statutory submission dates for these reports.

Mr. Chairman, this completes the remarks I want to make on this bill at this time.

Mr. SKUBITZ. Mr. Chairman, will the gentleman yield?

Mr. SEBELIUS. I yield to the gentleman from Kansas.

Mr. SKUBITZ. Mr. Chairman, I would like to ask the chairman of the subcommittee a question. In the opinion of the subcommittee, does the gentleman not think that if 95 to 98 percent of the projects we have here were brought out in the old process of having them one at a time, that they would all be passed by this body anyway?

Mr. PHILLIP BURTON. Mr. Chairman, if the gentleman will yield, absolutely.

Mr. SKUBITZ. What we tried to do was to lump them all together so that this body might act once in a few hours rather than spend days and weeks on these projects.

Mr. PHILLIP BURTON. The gentleman is absolutely correct.

Mr. GOLDWATER. Mr. Chairman, will the gentleman yield?

Mr. SEBELIUS. I yield to the gentleman from California.

Mr. GOLDWATER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of this bill. I particularly want to compliment the subcommittee chairman, Mr. BURTON, and the full committee on the unique, comprehensive approach in addressing many concerns and problems in one bill.

These issues have been pending for many years. They have been needing attention. This bill contains a very opportune and unique approach.

In addition, Mr. Chairman, there is a section of this bill that directly impacts upon the area I represent. That area is the Santa Monica Mountains, which stretches from downtown Los Angeles into rural Ventura County, and which in-

cludes a significant portion of the greater Los Angeles coastline.

The struggle to preserve and protect significant portions of this last undeveloped resource that reaches into the heart of the Los Angeles urban area has been going on for over 20 years. When I first came to the Congress in 1969, our late colleague, Congressman Chuck Teague, recognized the problem and had introduced legislation—to my knowledge the first—to preserve significant portions of the mountains and seashore for open space and recreational opportunities.

I supported his proposal then and have continued to sponsor and support proposals that would balance the various interests in the mountain area. Legislation that I individually sponsored or authored jointly with my colleague and member of the House Interior Committee, BOB LAGOMARSINO, sought to preserve a large but reasonable amount of open space while at the same time protecting the property rights of local landowners. The proposals also recognized that additional development in the mountain and seashore area is not, and does not have to be, incompatible with protection and preservation of significant and environmentally or esthetically important areas.

The proposals Congressman LAGOMARSINO and I worked on and introduced also placed maximum emphasis on involving citizens and their interest groups in the entire park study, planning, and creation process. That is why our bills repeatedly included appointive positions made up of local citizens and why these proposals made every effort to have all interests and concerns accounted for and given their due.

Our colleague, TONY BEILENSEN, became convinced that the area merited national park designation. Thus, he introduced bills that called for the creation of a Santa Monica Mountains and Seashore National Park.

What we shared in common was a commitment to preserve and protect the valuable resource of the mountains and coastal area. In the beginning, we had serious disagreements on what approach was best.

Beginning early this year, and in part assisted by the encouragement of our colleague PHIL BURTON, we began working on a joint approach which to the maximum extent possible met the basic concerns and desires of we three Members and our constituents.

The result is section 510 of this bill which creates the Santa Monica Mountains National Recreation Area.

This section designates the park that will be created as an element of the national recreation system. As such, it will in practical effect be an element of the national park system. It will be federally acquired and administered.

The bill authorizes a total funding of \$150 million for land acquisition. A portion of the funds, \$30 million, are specifically earmarked for application to local grants to encourage local government, as well as the State, to compatibly zone contiguous and adjacent areas so as to complement the recreation area.

The bill designates a target acquisition area of approximately 80,000 acres and looks to a total land acquisition area of some 40,000 to 50,000 acres.

The work of the current Santa Monica Mountains Comprehensive Planning Commission will be utilized. The bill creates a new park commission which will have members appointed from the local area. Thus, the current proposal continues the element of maximizing local citizen involvement.

Significantly, the bill also provides that except where continued private ownership is clearly incompatible with the proposed park, no private land will be condemned and acquired.

Of equal importance is the presence in the bill of the idea that this will be a park and recreation area that connects the urban center of Los Angeles and the San Fernando area to the coastline and the sea.

Before concluding my remarks, two additional points must be made. First, all of the Congressmen involved in the drafting of this unique approach to parks legislation—BOB LAGOMARSINO, TONY BEILENSEN, and myself—have made every effort to involve local citizens in the drafting of our proposal. For my own part, over the last 4 years alone I have discussed the need for a park and the way to go about it with individuals and citizens' groups throughout the area. As my proposals have grown and been modified my congressional district newsletters have discussed them. Thus, while not every concern or interest has been heard from I sincerely believe that the approach contained in this bill represents a fair, reasonable, and balanced approach given the legislative need for a joint effort here in the Congress. Additional delays in getting this legislation passed may well kill any chance of getting protective park coverage for any portion of the mountains.

Second, the approach contained in this bill is unique in Federal park legislation. Its degree of local citizen involvement, its premise that private land use and residences are not by definition incompatible with the park, its insistence that fair market value be given for land and dwellings, and its attempt to provide a valuable environmental and recreational asset for a major urban area can and should serve as a model for future park approaches.

This approach deserves the support of the Congress and I urge my colleagues to support it.

Mr. LAGOMARSINO. Mr. Chairman, will the gentleman yield?

Mr. SEBELIUS. I yield to the gentleman from California (Mr. LAGOMARSINO).

Mr. LAGOMARSINO. Mr. Chairman, I would certainly like to join the chairman in paying tribute to our late colleague BILL KETCHUM, and I think it is very appropriate that we are able to do so in this bill. BILL was a real leader in this area and particularly with regard to the offshore areas. Although he was not a member of our committee in the last couple of years, he certainly had a lot of influence with us. We talked to him and we listened to his counsel and advice. It was always good, by the way. So I am grateful that we are able to pay some real practical respect to his memory in this very meaningful way.

Also, I would like to compliment the subcommittee chairman, the gentleman from California (Mr. PHILLIP BURTON). I

referred to Mr. BURTON's handling of this measure in subcommittee one day as that of a benevolent steam roller. I think that is accurate in a way. Mr. PHILLIP BURTON set his eyes on the goal and accomplished it.

However, although this is a major piece of legislation, a very comprehensive one, a true omnibus bill, every item in it has been worked over very carefully with the people involved.

In a number of areas where there probably was a very good argument for legislation, for doing something, the subcommittee deferred to the Congressman from that district if he had serious problems with it. So, even though this is a major piece of legislation, it does respect, I think, the feelings of the majority of the Members of the House.

Also I believe that certainly the subcommittee ranking minority member, the gentleman from Kansas (Mr. SEBELIUS), deserves a lot of respect for his work on this legislation.

I would like to join my colleague, the gentleman from California (Mr. GOLDWATER), in particularly describing and in urging support for section 510 of this bill relating to the Santa Monica Mountains.

Again, although as I say, this would be a major piece of legislation in and of itself, I think it is important to consider with this bill that we have worked out the bill in what I believe to be pretty good fashion. To begin with, we had some wide differences of position. The gentleman from California (Mr. GOLDWATER) and I had a bill and the gentleman from California (Mr. BEILENSEN) had a bill. I think we were able to sit down and greatly improve upon the legislation and come up with legislation that I think will not only serve the needs and desires of the people of southern California, but the people of our Nation as a whole.

So again I want to thank all of the Members who had a part to play with this legislation and urge my colleagues to support the bill.

In addition, let me say this, Mr. Chairman, I rise in support of H.R. 12536, the National Parks and Recreation Act of 1978. This legislation, as you know, is an "omnibus" bill in the true sense of the word—containing over 130 items. I would, therefore, like to confine my comments to section 510 to establish the Santa Monica Mountains National Recreation Area in California.

Efforts to save the Santa Monica Mountains from development and urban encroachment stretch back many years. The Santa Monica Mountains are unique, rising some 3,000 feet from the Pacific Ocean and stretching 54 miles from the Mugu Lagoon to Griffith Park and downtown Los Angeles. Clearly the Santa Monica Mountains merit inclusion in the National Park System. The mountains provide a welcome and unique stretch of open space, scenic vistas and healthy air for the almost 10 million residents of the Los Angeles basin.

State and local governments have already demonstrated their extensive commitment to the preservation of the Santa Monica Mountains. To date, they have invested over \$85 million to acquire land for open space and park purposes. This effort has resulted in the preserva-

tion of some 35,000 acres, including substantial portions of the beaches. State and local governments have done an outstanding job so far and should be commended for their efforts. Yet the preservation of the mountains is not completed—much still remains to be done necessitating Federal assistance as set forth in the legislation now before us. Without direct Federal assistance the State and local governments simply cannot do the job and a major portion of this valuable resource will be lost forever.

The language contained in H.R. 12536 is a compromise proposal which will provide an adequate level of Federal assistance for acquisition and management while at the same time involving the State and local governments in a meaningful way. It is a coordinated approach to the mountains which insures major Federal involvement to begin acquisition of valuable resources and recognizing that local governments have a vital role to play in the protection and utilization of the recreation area and the lands that surround it.

Mr. Chairman, I urge adoption of section 510 and the bill now before us.

Mr. PHILLIP BURTON. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. FLORIO), a most important member of our subcommittee.

Mr. FLORIO. Mr. Chairman, I rise to speak in strong support of this very significant piece of legislation but first I too would like to commend the chairman of the subcommittee, the gentleman from California (Mr. PHILLIP BURTON), for the sensitivity and the strong consideration he has shown in guiding this piece of legislation through the legislative process.

Mr. Chairman, the House has considered many worthy legislative issues of national and regional concern during its sessions in the 95th Congress, but none of more concern and importance to the State of New Jersey than section 503 of the National Parks and Recreation Act of 1978.

As a citizen and Representative of the Nation's most densely populated State, I believe that one of the most critical needs is to renew the commitment of the Federal Government to help insure a safe, healthful, and humane living environment for our urban populations. Enactment of section 503 of this bill would be a major step forward toward insuring the protection and conservation of the Pine Barrens Area of New Jersey consisting of approximately 970,000 acres located within 30 miles of Philadelphia and 50 miles of New York City.

Mr. Chairman, the Pine Barrens of New Jersey are anything but barren; they are a national treasure in imminent danger of obliteration. The very fact of their continued existence in such proximity to "Megalopolis" is all the more reason for considering their conservation.

National attention is now focusing on the Pine Barrens because its ecological, cultural and scientific resources transcend the merely local. How can one measure this objectively—as if the mere existence of a 1,500-square-mile unde-

veloped tract adjacent to both Philadelphia and New York were not enough? The route chosen by a 1976 Department of the Interior task force was to apply the criteria the National Park Service uses to determine if an area is eligible for inclusion in the National Park Service system of natural areas. Meeting any one single criterion qualifies an area, so it was decided to test the present-day Pine Barrens against those criteria. Seven were found to meet the national significance test, as follows:

First. Outstanding geological formations or features significantly illustrating geologic processes.

Second. An ecological community significantly illustrating characteristics of a physiographic province or biome.

Third. A biota of relative stability maintaining itself under prevailing natural conditions, such as a climatic climax community.

Fourth. An ecological community significantly illustrating the process of succession and restoration to natural conditions following disruptive change.

Fifth. A habitat supporting a rare, vanishing or restricted species.

Sixth. A relic flora or fauna persisting from an earlier period.

Seventh. A seasonal haven for concentrations of native animals, or a vantage point for observing concentrated populations, such as a constricted migration route.

In addition to these specific criteria, an area, in order to attain national significance, must also reflect integrity—it must present a true, accurate, essentially unspoiled natural example of the category under consideration. Further, the Pine Barrens meet at least four criteria for establishment of a National Historical Park.

Mr. Chairman, through section 503 of this bill, we are not proposing to "lock up" the land as though in a museum, but instead to use it as an ecological reserve where appropriate growth and change can be accommodated. Through enactment of this provision, we will be taking a significant step toward creating a living landscape where people can enjoy and benefit from one of the few remaining pristine natural resources. It is a step long overdue, Mr. Chairman, and for the sake of the single most extraordinary natural area in the entire northeastern quadrant of this Nation, I call upon all of my colleagues here today to support section 503 of the bill.

Mr. PHILLIP BURTON. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Chairman, I thank the distinguished chairman of the subcommittee, the gentleman from California (Mr. PHILLIP BURTON), for yielding to me. I am not on the Subcommittee on National Parks and Insular Affairs in this Congress although I served on it in previous Congresses. However, I want to extend my congratulations and commendations to the entire subcommittee for the absolutely monumental achievement represented by this bill, and in particular the chairman of that subcommittee, the gentleman from California (Mr. PHILLIP BURTON), who, to my mind,

has created the national parks and recreation bill of the century.

The people of our country have come to realize that unless we act now and act with dispatch to set aside in all parts of our land those particular areas that are of national park quality and wilderness significance, we will have lost that opportunity for all time.

I personally think that one of the most important philosophies embodied in this bill is that of putting the parks where the people are. I not only feel that way because the Cuyahoga Valley National Recreation Area is in this bill, but because of some of the other urban recreation areas that this bill deals with. At the same time, the bill would also protect such magnificent wild and scenic places as Mineral King Valley, many of which are threatened by developments that could destroy their unique beauty. Although not in urban areas, they will serve millions of people over the years to come.

Mr. Chairman, with respect to the Cuyahoga Valley National Recreation Area, the committee report, on pages 69 and 70, notes that the National Park Service has not yet acquired any scenic easements on improved property, although the original act intended that maximum use be made of this device in order to minimize the costs to the Government and the dislocation of the inhabitants of the area. The committee report goes on to reiterate that fee title to improved properties should not be acquired except where such acquisition is considered essential to the purposes of the recreation area. I strongly agree with that policy.

Last Saturday, June 24, I met with Mr. William Birdsell, superintendent of the Cuyahoga Valley National Recreation Area, Mr. John Wright, chief of lands, of the midwest region of the National Park Service, and members of their respective staffs. Also in attendance was Ms. Loretta Neumann, of the staff of the Subcommittee on General Oversight and Alaska Lands, of which I am chairman. The purpose of the meeting was to go over the status of the acquisition program in the Cuyahoga and discuss any major problems. As a result of the meeting, I am gratified to report that the Park Service representatives made an excellent explanation as to why they have delayed acquiring scenic easements. They pointed out that real estate in northeastern Ohio is currently appreciating at the rate of 10 to 12 percent a year and that the approximate fair market value of a scenic or preservation easement on improved residential property represents only 10 to 15 percent of its fee value. Therefore, they have concluded that the dollar value of easement appreciation will be but a small fraction of the dollars of fee value appreciation. In this situation, it is logical to conclude that concentrating on fee acquisition first will result in the greatest savings to the taxpayers. I must say that their rationale appears to be sound.

The National Park Service representatives also agreed that, wherever it will result in a significant savings to the taxpayers, the Park Service intends to emphasize scenic easement rather

than fee acquisition, unless acquisition of the fee is clearly necessary to carry out the purposes of the national recreation area. As a specific example, we discussed improved properties in the proposed addition that lies on both sides of Tinkers Creek Road. Mr. Birdsell reiterated his assurance that the Park Service does not intend to acquire in fee any of the improved properties along that road but will only acquire in fee the areas of open land surrounding the improved properties. The improved properties will be covered by scenic easements.

Mr. Chairman, I again want to commend the subcommittee and the gentleman from California (Mr. BURTON) for approving the additions and deletions to Cuyahoga recommended by the National Park Service.

The 2,670 acres of land that would be added by the bill are necessary to maintain visual continuity and to avert the possibility of incompatible commercial development in the valley. At the same time, the bill would remove 230 acres of nonessential areas of high development whose acquisition cost would far exceed any return benefits as far as resource protection is concerned.

I would also commend the subcommittee for authorizing funds to meet the short-range development objectives of the park. Since the Park Service budget for development purposes is on a 3-year basis, if these funds are not authorized now, in all likelihood even the most basic development of the recreation area will be delayed for another 3 years. Since the Park Service has already published its general management plan for the Cuyahoga Valley, it will be able to proceed promptly to implement the development plan as soon as the funds are appropriated.

Mr. Chairman, last Saturday and Sunday I drove up and down the Cuyahoga Valley several times. After the unusually harsh winter we have been through, the valley seemed even more of a miracle of lush, green beauty. Hundreds of joggers, bicyclists, and hikers were using the roads, as well as many hundreds of automobiles. The Cuyahoga Valley antique steam train disembarked its passengers on schedule. These and many other uses are increasing spontaneously even though there has been no development by the Park Service so far. Obviously, since the public demand is there, we must start soon to provide bike trails and hiking trails and the many other facilities needed to meet the demand. I wish to thank personally all the members of the committee for their thoughtfulness in making a start on the development of this magnificent addition to our National Park System.

Mr. PHILLIP BURTON. Mr. Chairman, I yield such time as he may consume to the distinguished chairman of the Committee on Ways and Means, the gentleman from Oregon (Mr. ULLMAN).

Mr. ULLMAN. I thank the gentleman for yielding.

Mr. Chairman, I would like to express my sincere appreciation to subcommittee Chairman BURTON for his fine leadership in developing the Omnibus Parks

and Recreation Act of 1978. The package includes many proposals which have been studied and restudied for a number of years. Several of these proposals affect areas in Oregon and have my full support.

Two provisions of the bill, however, do merit additional clarification. First, section 761 explains that Federal agencies can expend funds to administer and manage Federal lands along State-administered rivers. It is my understanding that this section is intended to eliminate the Interior Department's objections to the inclusion of certain Oregon rivers into the National System as State-administered rivers.

Mr. PHILLIP BURTON. That is correct. In 1971, the Governor of Oregon requested that the Department of the Interior accept certain rivers into the National System as State-administered rivers. The Department rejected the request, claiming that too much land along the river was in Federal ownership. The Department argued that section 2(a) of the Wild and Scenic Rivers Act prohibited the Department from expending funds along State-administered rivers, even for the management of its own lands. Thus, a substantial number of acres of Federal land could not be managed at all. Section 761 of the omnibus bill is intended to eliminate objections of this nature. The section explains that expenditures may be made for the administration and management of federally owned lands along State-administered rivers.

Mr. ULLMAN. Thank you, Mr. Chairman. My second question concerns the language of section 762. The section requires Federal agencies managing land along wild and scenic rivers to take all actions necessary to protect such rivers in accordance with the purposes of the Wild and Scenic Rivers Act. It is my understanding that this broad directive is not intended to authorize Federal land acquisition and use restrictions on non-Federal land and along State-administered rivers. The powers of condemnation and land use restriction are the essence of management and control and rightly belong to the State along State-administered rivers.

Mr. PHILLIP BURTON. The gentleman from Oregon is correct. The language of section 762 is intended to apply the broad protections of the act to all rivers in the National System, including those administered by the States. For example, the section 7 prohibition on the licensing of dams that would adversely impact a designated river and the restrictions on public and mineral entry in sections 8 and 9 would apply to Federal activities along State-administered rivers. The gentleman is correct, however, in assuming that the Federal condemnation and use-restriction provisions of section 6 would not apply to State-administered rivers. It is the intention of the committee that these powers—which epitomize management and control—remain with the States in the case of rivers accepted into the System as State-administered rivers.

Mr. ULLMAN. I thank the gentleman

from California for clarifying these two provisions. Again, I commend the chairman's leadership on this proposal and urge all of my colleagues to give the bill their full support.

Mr. PHILLIP BURTON. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. KREBS), a distinguished member of the full committee and the subcommittee, who is without peer in terms of his diligence and effort and attendance on our committee.

Mr. KREBS. Mr. Chairman, I thank the subcommittee chairman for yielding. Before going any further, I, too, would like to join my colleagues who have already expressed themselves in commendation of the chairman of the subcommittee, the distinguished gentleman from California (Mr. PHILLIP BURTON), for his leadership and I would say tenacity in putting this legislation together.

I would also like to express my appreciation to the ranking Republican member, the gentleman from Kansas (Mr. SEBELIUS), for his courtesies and his leadership in promulgating and bringing about this legislation.

Mr. Chairman, I would like to address myself very briefly, if I may, to one section of the bill, section 314, which provides for the incorporation of the Mineral King Valley into the Sequoia National Park. Let me say that the Mineral King Valley, for those who may not be familiar with it, is probably one of the most beautiful alpine valleys anywhere in this country. It is located in the eastern part of Tulare County in my congressional district. It has been the subject of legislation for a number of years. I think it is important to point out that the first Member of this House to carry a bill analogous to the one that is now being incorporated into the legislation before us was carried by the distinguished chairman, the gentleman from California (Mr. PHILLIP BURTON).

It was subsequently carried by our former colleague, the distinguished gentleman from California, Mr. Jerome Waldie, then by our colleague, the gentleman from California, Mr. GEORGE MILLER, and ultimately by myself. Similar legislation is before the Senate, authored by the senior Senator from California (Mr. CRANSTON).

Passage of this legislation would indeed be an historic occasion. The Mineral King Valley because of its beauty desperately needs preservation. When I talk about preservation, I do not mean locking it up for anybody. Under the terms of our legislation, the Park Service is instructed to come up with a plan within 2 years following enactment of this legislation for additional recreational opportunities, to make more recreational opportunities available to people from all parts of California and, for that matter, from all parts of the United States.

Mr. Chairman, let me specifically touch on a concern that I know is in the minds of some people in the State of California, namely, the possibility or likelihood of a ski development in the Mineral King Valley. Under the terms of our legislation, we are not telling the

Park Service what to do up there. We are asking the Park Service to prepare a plan with maximum public input. In that connection it should be pointed out that we have a letter from the Assistant Secretary of the Interior which specifically provides that downhill skiing is going to be one of the alternatives to be considered in the promulgation of this plan.

In closing, Mr. Chairman, I would again like to express my appreciation to the gentleman from Kansas (Mr. SEBELIUS), the gentleman from California (Mr. PHILLIP BURTON), as well as to the members of the subcommittee.

Mr. PHILLIP BURTON. Mr. Chairman, I yield 3 minutes to the distinguished member of our committee, the gentleman from Texas (Mr. KAZEN).

Mr. KAZEN. Mr. Chairman, let me at the very beginning pay my compliments to the distinguished chairman of the subcommittee and to the ranking member, the gentleman from Kansas (Mr. SEBELIUS).

I particularly want to call the attention of the committee to the tremendous job done by the chairman of the subcommittee, the gentleman from California (Mr. PHILLIP BURTON), for the gentleman's leadership and above all the gentleman's tenacity in insisting that a bill of this nature be passed during this session. The gentleman has done a masterful job of maneuvering, let us say, and getting all factions and all Members that had an interest in this bill together.

I think that the whole country will owe a tremendous debt of gratitude to this man for the work the gentleman has done on this bill. It will save countless days and possibly weeks by having been architecturally formed in the manner in which it comes to the floor today.

Mr. Chairman, I rise to voice my strong support for H.R. 12536, of which I am coauthor, and particularly section 505, which is of great interest to me and the Southwest. That section creates the San Antonio Missions National Historical Park. This project would protect and preserve four Spanish missions and related structures, built by heroic and determined Spanish priests and natives of the area early in the 18th century.

The Spanish occupation of Texas began in 1690 in response to French intrusions into the area. The missions played a major role in the imperial rivalry of that era long before Texas was an independent nation and then a part of the United States.

I believe there is no disagreement with the contention that the missions and related structures are unique monuments, so located that they provide the greatest concentration of successful missionary enterprises in our Nation. Even as they provide a bridge from a significant period of our early development, they continue in constant use.

I believe you should know that the National Park Service gave careful study to five alternative plans for the Missions Park and that every element of the San Antonio community agreed on the proposal contained in the Senate and House legislation. This proposal would link

four missions, the historic Espada Aqueduct and Dam, into a single administrative unit linked by ribbons of scenic paths along the San Antonio River.

The Park Service study said that—

This alternative would enable the Park Service to protect and maintain the historical integrity of the missions and acequias through implementation of the service's historical preservation policies.

The report also says:

More than in any of the previous alternatives, this broad-scope proposal satisfies the criteria for development of new parks within the national park system.

We have since reduced even further the area which was the subject of the proposal, and now have included only a barebones request. Mr. Chairman, with our latest revision to the proposal as included in this bill, we have more than met the criteria to create a national park and limited the cost of the project.

I wish to testify that there is need for action on this legislation now. The historic structures, built on huge stones laid in place before mechanical assistance was available, are deteriorating rapidly. There are no local funds to save them, and once they are gone, they are gone forever.

Yet this is more than a local or community interest. These old structures, still in use, are monuments to the courage, the energy, and the determination of early settlers. They are living monuments not only to people but to values that can inspire those who see them preserved.

We of south Texas have great reverence for another mission popularly known as the Alamo, used by a gallant band of Texans as a fort when they fought superior Mexican forces. Yet these other missions, Concepcion, San Jose, Espada and San Juan, were also bastions of faith and valor that should not be denied their historic importance by neglect.

I, therefore, urge my colleagues to support and vote for H.R. 12536.

Mr. PHILLIP BURTON. Mr. Chairman, I wish to yield time to a distinguished former member of our subcommittee and full committee, a member who got promoted by being given an assignment on the Committee on Appropriations. I say the gentleman got promoted, although the members of our committee think, considering the quality of our service and in spite of the powerful repute of the Committee on Appropriations, that any member leaving us and going elsewhere is demoted rather than promoted.

Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. McHUGH).

Mr. McHUGH. Mr. Chairman, I rise in support of this legislation and to commend the gentleman from California (Mr. PHILLIP BURTON) and his subcommittee for including in this bill section 705, which would designate under the Wild and Scenic Rivers Act about 75 miles of the Upper Delaware River between Hancock and Sparrow Bush, N.Y.

In 1968, when Congress passed this act

to provide protection for our Nation's most precious water resources, the Upper Delaware River was identified for study by the Department of Interior and for possible designation at a later date. Section 705 is a culmination of that study. If enacted, it would assure that this beautiful river which serves as the boundary between New York and Pennsylvania would be protected.

Designation of the river is supported by the Department's years of study, by the President, who recommended designation in May of last year, and of course by the committee itself. Everyone agrees that the time for study is over, and the need for Federal protection is clear and compelling. The issue now is not whether the Upper Delaware should be designated, but the conditions under which designation should take place.

In my judgment, Mr. Chairman, section 705 will accomplish designation in a manner which strikes just the right balance between our interest in preserving the resource and the vital interests of those who now live and work along the river. This is not a minor concern in my congressional district, which includes the towns located along the New York side of the river.

Most people who live along the Upper Delaware do not want the Federal Government to purchase large tracts of land. Therefore, an important feature of section 705 is a limitation on the authority of the Secretary of Interior to purchase land and interests in land. It is this kind of authority which local residents most fear. Moreover, in this case such authority is not necessary to provide for the river's protection.

In the decade since the Wild and Scenic Rivers Act was passed, experience has taught us much about the acquisition necessary to protect our natural resources. In 1968, Congress apparently believed that broad acquisition power was essential to adequately protect designated rivers. However, in the intervening years we have learned that in some cases protection can be afforded through local action consistent with a management plan which has been thoughtfully developed. This approach not only has the benefit of keeping property in private hands, but it costs the Federal Government substantially less than outright acquisition.

Accordingly, section 705 strictly limits the Secretary's initial authority to acquire property. Only if a particular town failed to implement the management plan would the Secretary have the acquisition authority provided under the 1968 legislation, and then only in that town. We have every expectation that the local citizens and their local governments will make that kind of acquisition unnecessary.

Another major feature of section 705 is the guarantee it provides to local residents that they can participate in developing the plan under which the river and its corridor will be managed. Clearly, this management plan will have its greatest impact on those who live and work along the river. As in the case of acquisition, these people fear that the

Federal Government might, through the management plan, regulate the use of their land in an arbitrary manner; that some impersonal bureaucracy could be insensitive to their basic concerns. In fairness to them, and to assure their participation in the process, section 705 provides for a citizens advisory council which would participate fully in the development of the management plan. This council, comprised primarily of local people, would not have the last word on management, but would contribute to the development of the plan. It would provide an important means by which local residents could themselves share in the responsibility of management.

Mr. Chairman, the years of study have amply demonstrated the need for inclusion of the Upper Delaware in the Federal system. Its scenic wonders are a reminder of how increasingly precious such resources have become during the last decade. I believe we have also come to appreciate how fragile such resources are. I can also say with some pride that the Upper Delaware River, together with the Catskill Mountains, is one of our region's most important economic resources. The recreation and tourist industry is a major factor in our area's economy, and the river is an important component in this respect. As one of the last great free-flowing rivers in the Northeast, it provides a fishery which is the delight of countless fishermen, as well as unsurpassed opportunities for sport canoeing. Since this magnificent river is less than 2 hours' drive from New York City, its unique value to our region is matched only by the threat to it without adequate and effective protection.

Throughout our abundant land, there are other rivers like the Upper Delaware, free flowing and majestic in their natural state, but frequently threatened or victimized by ignorance, misuse or greed. Many a river has been polluted through lack of respect for its fragile ecosystem. Many others have been forever diminished through reckless overdevelopment by those for whom a river's irreplaceable character is less important than short-term economic gain. Mr. Chairman, I believe that with the passage of this legislation, it will not happen to the Upper Delaware River.

Mr. PHILLIP BURTON. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. JOHN L. BURTON).

Mr. JOHN L. BURTON. Mr. Chairman, I rise in support of H.R. 12536 and commend the Committee on Interior and Insular Affairs for its work on this measure. The bill includes boundary adjustments for two areas which affect my congressional district: Point Reyes National Seashore and Golden Gate National Recreation Area and was originally a result of the Marin County Board of Supervisors.

The boundary adjustments for these two units will enable the National Park Service to better protect the natural and scenic features of important lands associated with these two areas. The com-

mittee report notes the need for the National Park Service to be sensitive in its management of these lands to protect their pastoral qualities. I support this concept and I wish to further explain several additional points.

First, it should be noted that the Haggerty Gulch Area should be treated as a special resource area with particular attention given to protecting its fragile biological resources. While access to an area of this sort must of necessity be limited, I am certain it will prove an invaluable asset to the national seashore. In conjunction with this tract, the Orthodox Church in this area should continue in its present use and occupancy as long as religious use of the site continues. Also, the water supply for certain properties which are severed by this expansion of the area should not be interfered with.

Second, I am pleased to see that certain additional tracts belonging to the Audubon Canyon Ranch have been included within the boundaries. The National Park Service should develop a cooperative management agreement for the Bear Valley Marsh with the Audubon Canyon Ranch.

Third, there has been some confusion in my area as to exactly what changes are to be made in the boundaries of these two areas.

The maps referenced in H.R. 12536 with respect to Point Reyes and Golden Gate are the customary small-scale boundary maps used by the National Park Service. I wish to note that there are detailed working drawings in the National Park Service offices in San Francisco and I encourage the National Park Service to make these specific boundary adjustments available for public inspection.

Fourth, I support the technical amendment to be offered by the manager of the legislation which will correct the cutoff date for qualifying improved properties in the Golden Gate National Recreation Area additions. This agrees with our intent that those property owners of GGNRA who are in the process of constructing residences will be covered by the retained use and occupancy provisions of this act.

Fifth, a technical amendment to be offered by the manager to the Point Reyes text will clarify our intent that the Secretary is only to cooperate with the Bolinas Public Utility District with respect to the lands newly added to the national seashore.

Finally, I should like to note that the provisions regarding the leases and easements with respect to these areas should be sensitively administered by the National Park Service. As the committee report notes, the existing leases for the Commonweal Corp. in the Bolinas area will be honored. The existing county and coastal commission permits shall also be respected.

Agricultural easements as well as leases should be made available in administering this provision. In the case of existing agricultural properties, if neither the former owner nor leaseholder of agricul-

tural lands chooses to lease such properties, the Secretary should offer to lease these lands to other interested parties, consistent with the purposes of this legislation. Furthermore, if there is a person renting agricultural lands, that person should be given an opportunity for an agricultural lease if neither the former owner nor lessee so chooses.

Mr. Chairman, Point Reyes National Seashore and Golden Gate National Recreation Area are currently serving many thousands of visitors each month. The action of the 95th Congress in H.R. 12536 will better protect these areas and enhance their value to future generations.

I urge my colleagues to support this legislation.

Mr. Chairman, I ask the distinguished chairman of the subcommittee, the gentleman from California (Mr. PHILLIP BURTON) if that is not the intent of the subcommittee.

Mr. PHILLIP BURTON. Mr. Chairman, if the gentleman will yield, I fully concur in all of the remarks made by my distinguished colleague.

Mr. JOHN L. BURTON. Mr. Chairman, I would like to thank the chairman and the members of the subcommittee for the fine work they have done on this bill. It is tough for a stranger to get any help from that subcommittee, but I was fortunate in having a friend, the gentleman from Kansas (Mr. SEBELIUS), who was fortunate enough to get the job done.

Mr. SEBELIUS. Mr. Chairman, I yield 3 minutes to the gentleman from South Dakota (Mr. ABDNOR).

Mr. ABDNOR. Mr. Chairman, I, too, would like to add my praise for the fine work the subcommittee has done and to single out the subcommittee chairman, the gentleman from California (Mr. PHILLIP BURTON), and the ranking Republican member, the gentleman from Kansas (Mr. SEBELIUS), for the excellent document they have here. I wish to especially thank them for the consideration they gave those of us who had some concern about particular areas of the bill.

Mr. Chairman, it is with a great deal of pleasure that I call to the attention of my colleagues section 708 of H.R. 12536, which designates a 59-mile stretch of the Missouri River as a national recreation river under the Wild and Scenic Rivers Act.

The language of this section represents a compromise in the finest sense of the word. It was developed in close consultation with officials of the Corps of Engineers and the U.S. Fish and Wildlife Service as well as the Interior Committee staff.

My good friends and colleagues from Nebraska, Mrs. SMITH and Mr. THONE, and I were instrumental in developing the specific language which appears in the bill; and I would like to take a few moments to make certain there is no misunderstanding as to what it says.

First of all, there are two primary, equal, related, and yet distinct purposes to be served. They are: First, preservation and enhancement of the river for esthetic and recreational enjoyment as

well as maintenance of the natural ecosystem; and second, completion of structures to arrest erosion and prevent further loss of streambank soil and vegetation. Both purposes will be addressed under this legislation, and without each the other would not have been included in H.R. 12536.

Other important features include a prohibition on the acquisition of any property in fee title without the consent of the owner. A limitation of 5 per centum of the land covered by the plan for the river is also imposed upon the acquisition by condemnation of lesser interests in land, such as scenic or recreational easements. Even this authority is expressly limited to accommodate the wishes of local landowners and is only to be exercised in case of obvious and urgent threat of action contrary to the purposes of the recreational river.

The 5 per centum amounts to a total of no more than about 960 acres on which easements may be taken without the consent of the owner. On the other hand, no limit is placed upon the number of acres which may be acquired from willing sellers or which may be leased for recreational purposes or protected by easements acquired by mutual agreement.

This legislation expressly allows the withdrawal of water from the river in sufficient quantities to serve the needs of communities and individuals. No purpose for which water may be needed is excluded as long as it does not jeopardize the river for the purposes the recreational river designation is given. Specifically, the purposes for which water may be withdrawn include but are not limited to rural, municipal, and livestock water supplies, irrigation, and fish and wildlife enhancement.

Finally, it is intended that the recreational river designation shall in no way interfere with the present and future plans of communities, such as Yankton, S. Dak., to develop industrial sites in proximity to their current boundaries.

With rapid completion of the streambank stabilization works and enlightened administration of the recreational river designation, the Missouri National Recreation River will be a boon to the citizens of the area, a credit to the Nation, and a vital step in helping to preserve an invaluable natural ecosystem.

Mr. SEBELIUS. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Chairman, an important part of the bill is section 704, which adds part of the Upper Mississippi River area to the wild rivers part of our law.

Originally, I was a coauthor of this, at least of the bill that became a component part of this omnibus bill. There were, in connection with this particular section of river, administrative hearings held by the agency of the Interior Department. The hearings, however, were poorly attended.

It was my anticipation, when I became a coauthor of this bill, that the Congress would hold some hearings on this subject so that the local people might be heard.

Unfortunately, Mr. Chairman, so far as I am aware, there were no congressional hearings on this matter. As a result of the possibility of taking of land in the area, the citizens, I think, are naturally upset about the use of eminent domain against their property.

Their unrest is exacerbated by the fact that we have had some difficulty in our State with the St. Croix River, where there has been more concern about eminent domain. That St. Croix precedent, I think, makes our people deeply nervous.

The affected area is not within my district. However, I have some constituents who are property owners in the area. They feel they ought to know what the plan is before Congress gives condemnation authority to the Interior Department.

According to the Fish and Wildlife Service, the plan is yet to be drawn. We do not know how much land is owned by the Government there. There may be a taking of additional lands. There may be a taking of access lands. There may be a recommendation to waive section 6(b). Nobody knows.

Because of that unrest, Mr. Chairman, I intend to offer an amendment to eliminate this section from the bill when the time is parliamentarily correct tomorrow. Without hearings I think it is unwise to include this section.

Mr. PHILLIP BURTON. Mr. Chairman, will the gentleman yield?

Mr. FRENZEL. I yield to the gentleman from California, the distinguished subcommittee chairman.

Mr. PHILLIP BURTON. Mr. Chairman, I am not sure that the statement of fact will sustain scrutiny, but I believe it will.

This is a proposal by the administration, and I am led to believe that the study draft has been available for a couple of years.

Therefore, the gentleman may want to correct his remarks in the record because I think my assertion with respect to that is correct.

Mr. FRENZEL. Mr. Chairman, I wonder whether the gentleman would repeat that statement. I did not hear it.

What was incorrect?

Mr. PHILLIP BURTON. I was led to believe that the gentleman has left the impression that no one knew that this study was going on or that the proposal was.

To the extent that the gentleman makes that representation, I am under the impression that the study draft has been available to anyone who has had an interest in this for a couple of years; and the proposal itself has been available for a year or better. The administration definitely recommends this proposal.

The CHAIRMAN. The time of the gentleman from Minnesota (Mr. FRENZEL) has expired.

Mr. SEBELIUS. Mr. Chairman, I yield 2 additional minutes to the gentleman from Minnesota.

Mr. FRENZEL. Mr. Chairman, I thank the gentleman from California (Mr. PHILLIP BURTON) for his comment.

I would say that I thought that was

true, too, when I cosponsored the bill. But my constituents thought otherwise so I took my problem to my distinguished colleague on the committee, the gentleman from Minnesota (Mr. VENTO) and he and I discussed it. He wrote to the Assistant Secretary for Fish and Wildlife and Parks, who wrote back to the gentleman from Minnesota (Mr. VENTO), who furnished a copy of the letter to me saying the following:

The legislative proposal now being considered provides that such plan be prepared within two years of the date of enactment. During the preparation of this plan, the detailed boundaries of the area will be established and the current ownership of lands determined as well as the plan for the river's development and use. If public ownership within the river corridor does exceed 50 percent, and if the management plan for the river finds that additional lands are necessary to provide for adequate visitor use and resource protection, we would consider recommending an exemption from subsection 6(b) of the Act as it applies to the Upper Mississippi.

As I said, Mr. Chairman, as yet, there is no plan. We do not know how much land is publicly owned there, and we do not know what access land may be taken.

With the history that we have had recently in St. Croix, it seems to me that there is good reason for unrest.

Mr. PHILLIP BURTON. Mr. Chairman, will the gentleman yield further?

Mr. FRENZEL. I yield to the gentleman from California.

Mr. PHILLIP BURTON. Mr. Chairman, I am advised that the detailed plans are never done until the Congress designates the area. I am further advised that there were public hearings in the area, and I am not sure which office has a better understanding as to the state of fact, but I am representing that which I am led to believe is the state of fact.

Mr. FRENZEL. I thank the chairman, and I thank him for his careful work on this piece of legislation.

However, I think the mood of the general public now, Mr. Chairman, is that people do not want to be told that the bureaucrats will draw the plan later. They want to know now, before the authority is granted, what the plan is.

Mr. Chairman, I think they ought to know, before eminent domain is used, what the situation is. No hearings and no plan for poor basis for legislation.

Mr. PHILLIP BURTON. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. KOSTMAYER).

Mr. KOSTMAYER. Mr. Chairman, I want to commend the gentleman from California (Mr. PHILLIP BURTON), the chairman of the subcommittee, for the outstanding job he has done.

This is truly a monumental piece of environmental legislation, I think one of the most important pieces of legislation to come before this Congress.

Mr. Chairman, I am particularly gratified that there is a provision in the omnibus bill which will designate the so-called Middle Delaware as a wild and scenic river.

It is my understanding that an amendment will be offered to delete this pro-

vision in the bill. I hope the amendment will be defeated. The Middle Delaware should be delegated wild and scenic. The subcommittee approved it, the full committee approved it, and I hope that the full House will approve it as well.

Mr. PHILLIP BURTON. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. DE LA GARZA).

Mr. DE LA GARZA. Mr. Chairman, I rise in support of this legislation.

Mr. PHILLIP BURTON. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. BEILENSEN).

Mr. BEILENSEN. Mr. Chairman, I rise to draw to the attention of the Members the remarkable opportunity they will have to vote for the preservation of the Santa Monica Mountains and Seashore. Despite the popular image of Los Angeles as a smoggy, sprawling urban center, it is the only major city in the country containing a rugged mountain range. The Santa Monicas rise in the heart of the Nation's second largest city, and they stretch for 50 miles to the sea. This bill will create a magnificent recreation area to serve the more than 10 million residents of the area, and the more than 8 million visitors we have each year.

Bills to add the Santa Monicas to the national park system have long had the support of both Republicans and Democrats from the time the first bill to create the Toyon National Urban Park was introduced by former Representative Charles Teague in 1970. Numerous other bills were introduced in subsequent years by former Congressmen Alphonzo Bell and Tom Rees and by our colleagues, CHARLES WILSON, GLENN ANDERSON, JIM CORMAN, and BARRY GOLDWATER. This will be the first time the full House has had the opportunity to vote on any Santa Monica Mountains proposal. The bill before you today incorporates the ideas and language from my bill, H.R. 7264, which many of you cosponsored, and the bills of Congressmen GOLDWATER and BOB LAGOMARSINO.

The national recreation area created by the bill will contain approximately 80,000 contiguous acres of coastal canyons and ridges, bluffs and beaches, and an additional 10,000 acres of prime recreation land in the inland mountains, including ancient oak groves and important ecological and archeological sites.

Over one-third of the 90,000 acres in the recreation area are already protected State and local public parkland and beaches. The State has agreed to transfer some or all of its existing parkland (purchased at a cost of \$65 million) to the National Park Service. Now, we have the opportunity to tie together the 35,000 acres of existing public parkland to create a 50-mile hiking and horseback riding trail from the heart of Los Angeles to the sea, and to provide an "airshed" free of heavy automobile use where clean ocean breezes can sweep into the center of the polluted city. The \$150 million which this bill would allo-

cate for the national recreation area, an amount close to the \$125 million which the Office of Management and Budget has approved for Federal acquisition in the Santa Monicas, is a bargain for a wilderness area situated in the midst of an urban metropolis.

If we do not purchase a significant portion of the remaining undeveloped land, we will be asked instead to spend Federal funds for sewers, water supply, and roads to provide an infrastructure for development in the mountains. Without Government action, the human population in the mountains will double in less than 20 years. Three large, already proposed, developments alone would add 12,000 inhabitants. The tops of ridges would be bulldozed flat to make level pads for new housing tracts. Additional Federal dollars will have to be spent to protect new, expensive homes from fires, floods, and earthquakes. The cost of purchasing an additional 45,000 acres of parkland and easements to 5,000 additional acres including access to the beaches and lateral access along the beaches, will be greatly offset by the savings of Federal dollars not spent for development and protection of exclusive subdivisions in the mountains and canyons.

The mountains and seashore provide relief from the noisy, stressful, polluted city surrounding them. They contain more than 600 archeological sites which reveal the history and culture of California's earliest inhabitants, the ancient Chumash people, and provide a wealth of information on other Indian peoples as well. The hillsides of chaparral vegetation and the deep canyons with year-round streams are home to mountain lions, bobcats, golden eagles, osprey, and the few remaining California condors. A variety of sea birds nest in the coastal bluffs and lagoons. Thus, substantial recreational, scenic, historic, cultural, and ecological returns will be realized from this investment in preservation of the Santa Monica Mountains and Seashore, as well as benefits to the physical and psychological health of the surrounding populace.

Not all the land in the mountains will need to be acquired, as much can be protected by local land use regulations and zoning laws compatible with parkland use. The California Coastal Commission's jurisdiction in the Santa Monicas extends 5 miles inland from the sea and includes most of the area in which the National Recreation Area will be established. Two regional coastal commissions have permit power over all development in this coastal portion of the Santa Monicas, and they should be able to provide sufficient protection to buffer the acquired parkland.

To protect the inland portion of the mountains, the State established a Santa Monica Mountains Comprehensive Planning Commission which, although it has no permit powers, is required to create a comprehensive plan which will designate uses of public and private land which would not diminish

the recreational, scenic, and natural benefits of the mountains. H.R. 12536 provides strong incentive for local and State governments to implement the plan created by that commission through a \$30 million grant program. The grant program will enable local and State governments to acquire additional parkland outside the recreation area after they have enacted the necessary land use protections for the entire Santa Monica Mountains zone. Thus, without intruding on the jurisdiction of local and State governments, the bill provides a very strong impetus for them to protect the newly created National Recreation Area.

Many of the provisions in this national parks and recreation bill are long overdue, and I applaud Mr. BURTON and his committee for their strong commitment to preserving the environment and meeting our Nation's need for parkland in urban areas. Our wild and natural areas can shrink, but they cannot grow. We can never recreate wilderness in any of the nationally significant places to be preserved by this bill, and I believe passage of H.R. 12536 is one of the most important actions we will have the opportunity to take this year, and one we will all be proud of.

The CHAIRMAN. All time of the gentleman from California (Mr. PHILLIP BURTON) has expired.

Mr. SEBELIUS. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. PHILLIP BURTON).

Mr. PHILLIP BURTON. Mr. Chairman, first I would like to commend the gentlemen from California (Mr. BEILENSEN, Mr. LAGOMARSINO, and Mr. GOLDWATER) for their effective and statesperson-like work to reconcile their respective views with reference to this vital question. I think because of their experienced insight we are going to see, before this Congress runs its course, that the Santa Monica Mountains in all essential respects are going to be preserved for posterity.

Mr. SEBELIUS. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. LEDERER).

Mr. LEDERER. Mr. Chairman, I rise to bring to the attention of my colleagues very serious consequences portions of the National Parks and Recreation Act would have on the water supply and plans of the Delaware River Basin Area covering four States. Section 706 would designate the middle portion of the Delaware River as wild and scenic thereby ending studies and plans for the proposed Tocks Island water reservoir project in that area of the river or indeed any such water project.

The Delaware River is crucial to the health and well-being of million of citizens in eastern Pennsylvania and New Jersey. It provides two-thirds of the water supply of Philadelphia and adjacent communities; all of the water supply of the city of Trenton, the city of Burlington, and a host of other municipalities and industrial enterprises on

the lower river. By diversion, the city of New York obtains half of its municipal supply from the headwaters of the Delaware. The State of New Jersey uses 70 million gallons a day for diversion for municipalities and industry in central New Jersey. These water rights are defined by a Supreme Court decree of 1954. The decree, in turn, is part of the Delaware River basin compact, a solemn agreement between the States of Pennsylvania, New York, New Jersey, and Delaware and the United States of America. Together, these parties form the Delaware River Basin Commission, speaking for the four States, endorsed the designation of the "Upper River" in the Wild and Scenic Systems. However, they specifically recommended that the "Middle River" not be included in the Wild and Scenic System, because it would effectively terminate the Tocks Island reservoir project.

Mr. Chairman, there has been great controversy over the Tocks Island project. There are differences of view on it among the Governors of the compact States, but they are united in their opinion that the Tocks Island project ought to rise or fall on its own merits, and that it not be legislated out of existence by having the reservoir site placed in the Wild and Scenic System.

If this legislation is not deleted the decisions and planning for the four-State water supply will be taken out of the hands of the Governors and their designers. The States will have to resolve their water supply arrangement without total planning flexibility. Governor Shapp of Pennsylvania has told me that unless suitable water diversion agreements can be reached, Pennsylvania would have to let the courts resolve the problems created by the legislation first proposed in H.R. 12536.

I devoutly hope that court action will not be necessary so I appeal on behalf of Governor Shapp and our people to your sense of equity and fair play. I appeal particularly to Secretary Andrus to reverse the judgment of his Department before it becomes necessary to involve Interior and three State governments in what could be a long, bitter court action. I think it particularly inappropriate, Mr. Chairman, that Secretary Andrus has, by his unilateral action in endorsing the "Middle River" designation, violated the letter and the spirit of the Delaware River basin compact. The compact was designed to resolve controversies among the signatory parties, not to create them.

At the appropriate time, Mr. Chairman, an amendment will be offered to H.R. 12536 that will strike the "Middle River" designation and all conforming language. I urge my colleagues, as strongly as it is in my power to do so, to acquaint themselves with the facts of this situation so that we may avoid destruction of the Delaware River basin compact and the comity that has existed between Pennsylvania and her sister States for the past two decades.

Mr. SEBELIUS. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. McFALL).

Mr. McFALL. Mr. Chairman, I thank the gentleman for yielding to me. I just wanted to ask the chairman of the subcommittee a question or two about two provisions in the bill. If I could ask my friend from California, with reference to section 403, which is on page 217, the section says:

All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary in so far as practicable as wilderness until such time as said lands are designated as wilderness.

As I understand it from talking to the gentleman and the staff, "potential wilderness addition" is a work of art, and they have to be designated by law. Is that correct?

Mr. PHILLIP BURTON. The gentleman is correct. Potential wilderness additions referred to in the bill are listed in this category in descriptions in the legislation in each park. These consist of lands within the boundaries of these parks which are of wilderness character, but which have some restriction, such as grazing permits, which preclude wilderness designations at this time.

When the nonconforming use terminates, section 403 simply permits the designation to be changed from potential to wilderness. But, the gentleman is correct. With reference to the other section, as I indicated to the gentleman, if the gentleman prepares the proper amendments so that they can be cleared with the minority, the majority is prepared to accept them.

Mr. McFALL. Mr. Chairman, I would like to describe briefly what I am talking about. Page 330, section 4, at the bottom of the page provides for inclusion in the National Wild and Scenic Rivers System areas that have been determined by the Secretary. In order to get those out of the Scenic River System after the designation, it is required to pass a joint resolution of disapproval. I will have some legislation prepared on that later.

● Mr. THONE. Mr. Chairman, I would like to take this opportunity to focus attention on section 708 of H.R. 12536, the National Parks and Recreation Act of 1978, which designates the 59-mile reach of the Missouri River from Yankton, S. Dak., to Ponca, Nebr. as a national recreational river under the Wild and Scenic Rivers System.

It is particularly gratifying for me to have been involved, along with my colleagues Congresswoman SMITH of Nebraska and Congressman ABDNOR of South Dakota, in the effort to include designation of this portion of the Missouri River as a recreational river in the National Parks and Recreation Act of 1978, not only because it will preserve the natural beauty of a portion of our environment, but most importantly because of the spirit of cooperation among the citizens of the area, local groups, the U.S. Corps of Engineers and the U.S. Fish and Wildlife Service, which made it

possible. Through continued discussion and compromise an agreement has been reached which is satisfactory to the landowners of the area and to the Federal agencies involved.

Section 708 of H.R. 12536 is unique, because it addresses two equally important but distinct concerns. First of all, this legislation will preserve and protect the environment and beauty of the area while at the same time promoting the recreational aspects of this portion of the Missouri River. Second, it will continue and further bank stabilization efforts along this section of the river and assist in preventing further soil erosion and vegetation loss along the riverbanks. Both of these factors were essential to this designation and exclusion of either one would have made it impossible.

An important feature of the bill is that it severely restricts the Federal Government's authority to acquire land for the recreational river by condemnation, a provision on which local landowners insisted. Under the bill, the Federal Government could acquire easements only from willing sellers to carry out the plan, unless a private owner's actions posed a "serious damage or threat to the integrity of the river corridor."

Another key aspect of the bill is that it establishes a recreational river advisory group to participate in administering and developing the plan. Through this body, local landowners, State officials, as well as representatives of Federal agencies, will play a role in carrying out the details of the recreational river designation.

Designation of the stretch of the Missouri River from Yankton, S. Dak. to Ponca, Nebr., as a recreational river will be of real benefit to the area, a fine addition to the National Wild and Scenic Rivers System, and a lasting example of what can be achieved between local concerns and the Federal Government through cooperation and compromise. ●

● Mr. BURKE of Massachusetts. Mr. Chairman, included in the omnibus park bill which we are considering today, is language that will designate the John Adams and John Quincy Adams birthplaces as part of the National Park Service.

These homes are unique in that they are the only adjacent presidential birthplaces. They are also the oldest presidential birthplaces in the country.

The city of Quincy, Mass., has owned the Adams homes since 1940. The cost of preserving the residences has risen over the years making it increasingly difficult for the city to maintain them properly. As time goes on, the homes will require closer attention and a larger financial commitment, one that the city of Quincy can no longer shoulder. A recent architectural study estimates that the homes need \$500,000 worth of structural repair work, most importantly of which is a new roof on one of the buildings which is in a critical state of deterioration.

In recognition of the national educational and historical importance which these two homes represent, they were designated national landmarks in 1963. The residents and officials of Quincy are fully aware of this national resource and have done an admirable job as its benevolent caretaker. At this time, the city, cognizant of its limited resources, has offered to transfer the homes to the National Park Service. This conveyance would avail the unique birthplaces of the greater resources of the Federal Government and insure that their preservation and upkeep will not have to be sacrificed.

I applaud the efforts of Congressmen BURTON and UDALL to incorporate the Adams homes in the park service. Their close attention and firm support is certainly appreciated by the city of Quincy and will allow future generations of Americans to enjoy the legacy which the Adams family has provided us.

I urge my colleagues to join with me in supporting the transfer of the Adams birthplaces to the National Park Service.●

● Mr. VENTO. Mr. Chairman, I rise in support of H.R. 12536, the National Parks and Recreation Act of 1978. This legislation is a needed proposal that will greatly enhance our Nation's conservation system.

All too often, small proposals, such as those contained in this bill, are shunted aside as Congress deals with the larger and more attractive conservation proposals. However, the proposals contained in this bill are worthy of our consideration and support and will make valuable assets in our system of parks, monuments, national trails, and wild and scenic rivers. Indeed, because of the location of these proposals throughout the country and because of their unique qualities and recreational opportunities, these areas will serve a wide portion of our American society.

With the growing public demand for outdoor recreational opportunities, the proposals contained in this bill will help to satisfy that need and the protection offered by this act will insure that future generations of Americans will have an opportunity to use these areas.

One example of the benefits of this act is the proposed designation of the Upper Mississippi as a wild and scenic river. The Upper Mississippi is a relatively undeveloped river that possesses a wide variety of geologic formations and botanic species and is rich in fish, wildlife, and waterfowl. The Upper Mississippi offers a wide range of recreational opportunities. Fishing, canoeing, hiking, boating, and hunting are all possible along this river and their continued practice will be protected under this bill. Most importantly, the scenic qualities of the river will be preserved for man's ever growing development by H.R. 12536.

I believe that the concerns of the local population over the proposed designation have been adequately resolved.

Local citizens were concerned that they would have no input in the development of the river's master plan. In a letter of June 2, Assistant Interior Secretary Robert Herbst affirmed that—

The principle of public involvement, and will continue to be, an essential part of the planning process for the Upper Mississippi.

In passing the original Wild and Scenic Rivers Act, Congress intended that the public fully participate in the decisionmaking process. For this reason the process was divided into two separate segments which would both allow for public input. During the study process, the public would be able to discuss the merits of congressional designation and would have a voice in whether a specific river would be worthy of such designation. Following positive congressional action, the public then has an input into the development of a master plan for the management of the river. This process has proven successful for the 1,700 miles on 19 stretches of rivers now designated under this act and to amend the existing process is unnecessary and unwise.

The principal concern of the local population was that their homes and lands would be condemned under this act. Such condemnation will not occur under this act. The Organic Wild and Scenic Rivers Act contains a provision that the Department of Interior's condemnation is suspended if 50 percent or more of the land along the proposed designation is public ownership. As Secretary Herbst stated in his letter:

Public lands comprise more than 50 percent of the lands within the boundaries of the Upper Mississippi River as set forth in the conceptual plan for designation and management of the river area. Under these circumstances, condemnation could be used only to clear title or for the acquisition of easements necessary to give the public access to the river and to assure public rights to traverse the area.

At this time, I would like to submit for my colleagues' attention my correspondence with Assistant Secretary Herbst:

HOUSE OF REPRESENTATIVES,
Washington, D.C., May 26, 1978.

ROBERT L. HERBST,
Assistant Secretary for Fish, Wildlife and Parks, Department of Interior, Washington, D.C.

DEAR BOB: I am writing with regards to the inclusion of the Upper Mississippi as a Wild and Scenic River in H.R. 12536.

At the time H.R. 12536 was approved by the full Interior Committee, I stated my understanding that over 50 per cent of the acreage along the proposed designated area was already public lands and that therefore no further lands could be condemned under this proposal. I also expressed my belief that in developing the Master Plan, the Department should encourage local participation and that this local input should play a meaningful role. Since that time, significant concern has been expressed by some of my colleagues and there may be an effort to delete the section regarding the Upper Mississippi. I fully support the designation of the Upper Mississippi as a Wild and Scenic River and hope that you will be able to help dispell the ungrounded fears surrounding this proposal.

What hearings were held by the Department on the proposal to designate the Upper Mississippi as a Wild and Scenic River? What type of publicity was given to these hearings? What mechanisms were available for public input?

Under the proposed management plan for the Upper Mississippi, what is to be the principal means of land control? How much of the acreage along the proposed designation is

currently public land? If this figure is over 50 per cent, is it not true that the Department will be prohibited from condemning any more land except in those cases where the integrity of the land and river is threatened? If the Department would desire to condemn more land for access, rest areas and management purposes, would not a Congressionally approved exemption be required?

In the development of the Master Plan for the Upper Mississippi, the involvement of local citizens could provide meaningful and valuable assistance to the Department. In what ways will the Department seek local input? Will the opinions and advice of local residents play a significant role in the development of a management plan? Will local input play a continuing role in the management of the Upper Mississippi after the implementation of the Master Plan?

I agree with the Administration's position that the Upper Mississippi is one of the most beautiful rivers in our country and that through designation of the river as a Wild and Scenic River will protect its quality. I am hopeful that a prompt response will insure that this river will remain included in H. R. 12536.

Thank you for your prompt attention to this matter.

Warm regards.

Sincerely yours,

BRUCE F. VENTO,
Member of Congress.

WASHINGTON, D.C., June 2, 1978.

In reply refer to: L58(170) ES-37118.

HON. BRUCE F. VENTO,
House of Representatives,
Washington, D.C.

DEAR MR. VENTO: I am taking this occasion to respond to your two letters, dated May 4 and May 26 respectively, concerning the designation of the Upper Mississippi River as a component of the National Wild and Scenic Rivers System.

With respect to the matter of condemnation along the Upper Mississippi, you are correct in your understanding of the types of activities and land acquisition authorities in the Wild and Scenic Rivers Act. Public lands comprise more than 50 per cent of the lands within the boundaries of the Upper Mississippi River as set forth in the conceptual plan for designation and management of the river area. Under these circumstances, condemnation could be used only to clear title or for the acquisition of easements necessary to give the public access to the river and to assure public rights to traverse the area. Activities which were compatible with the proposed designation and classification would be permitted to continue under such easements.

As soon as a river is designated as a component of the National Wild and Scenic Rivers System, the managing agency initiates preparation of a management plan for the area as provided for in section 3(b) of the Wild and Scenic Rivers Act. The legislative proposal now being considered provides that such plan be prepared within two years of the date of enactment. During the preparation of this plan, the detailed boundaries of the area will be established and the current ownership of lands determined as well as the plan for the river's development and use. If public ownership within the river corridor does exceed 50 percent, and if the management plan for the river finds that additional lands are necessary to provide for adequate visitor use and resource protection, we would consider recommending an exemption from subsection 6(b) of the Act as it applies to the Upper Mississippi.

The principle of public involvement was and will continue to be, an essential part of the planning process for the Upper Mississippi. In the initial study of the Upper Mis-

Mississippi, intended to evaluate the river's suitability for Wild and Scenic River status, opinions and ideas expressed by people, both within and outside the Upper Mississippi River basin, were solicited in an attempt to understand all relevant points of view. In addition to meeting with various groups and individuals during the conduct of the study, five public information meetings were held to solicit the views of concerned and interested people regarding placing the river in the National System, alternative means of protection, and administrative options. The meetings were held during the week of December 8, 1975, in Bemidji, Grand Rapids, Brainerd, St. Cloud, and St. Paul, Minnesota. Although the meetings were well covered by the local media and 1,500 brochures reporting study progress were distributed, the total attendance was only 235 persons, or an average of less than 50 people per meeting. Response forms recording the opinion on planning alternatives were filled out by one-half of the attendees and their tally showed the following: 70 per cent preferred that some or all of the river be placed within the National Wild and Scenic Rivers System, 49 per cent indicated that the river corridor should be protected via fee title and scenic easements, and 46 per cent preferred a combination of Federal and State administration.

Efforts to encourage and utilize public participation will be continued throughout the remainder of the planning process that follows designation of the Upper Mississippi Wild Scenic River. Public workshops, meetings, and planning documents will be announced in the Federal Register, regional newspapers, and the public media. As part of the planning process, an assessment of alternatives will be developed. An opportunity for public review of the assessment will be provided so that they may evaluate the various alternatives considered during the planning process up to that point, present other alternatives for consideration, and uncover discussion issues of existing or potential conflict.

Upon completion of the management plan, an accompanying draft environmental statement will be prepared. The public will have an opportunity to provide written comments on the draft to which the managing agency, in this case the National Park Service, will respond in writing. Changes made in the plan and its draft environmental impact statement will be made as appropriate in light of public comments. The draft environmental statement will be available for public review, according to departmental regulations, for a period of no less than 45 days prior to a public meeting administrative decision. After adoption of the management plan in its final form, any further planning or policy changes of major significance will be similarly conducted with the assistance of public participation. Beyond these more formal procedures, however, I want to emphasize that no matter how small a particular issue might be, we are always anxious and willing to consider any citizen's suggestion or criticism as to the administration of our Nation's Wild and Scenic Rivers System.

We hope these comments prove helpful to the consideration of the Upper Mississippi Wild and Scenic River proposal. Please let us know if we can provide any further assistance to you in this regard or any other.

Sincerely yours,

BOB,
Assistant Secretary for
Fish and Wildlife and Parks.

Mr. Chairman, man's development is constantly expanding. The time to preserve areas of natural qualities for our and future Americans' benefit and enjoyment rapidly elapsing. The areas contained in this bill are worthy of protection and preservation. They will be

valuable additions to our conservation system and uncounted Americans will enjoy the opportunities offered by them. For these reasons, I urge my colleagues to support H. R. 12536. ●

● Mr. PATTERSON. Mr. Chairman, I rise in support of H.R. 12536, the National Parks and Recreation Act of 1978, and I would like to take this opportunity to commend the chairman, the gentleman from California (Mr. BURTON) for his efforts in getting this important legislation to the floor in such a timely manner. I would also like to extend my appreciation to my colleagues on the Interior Committee for their hard work on this bill. This legislation encompasses a number of national parks issues that have been hanging over the head of Congress for a long time.

Included in H.R. 12536 is a provision which calls upon the Park Service to conduct a 6-month study of an area in my home State of California, known as the Irvine Coast-Laguna Greenbelt. I applaud the efforts of the committee to include this provision in 12536. It was at my urging that the committee consider the merits of a Park Service study of this unique open space area. I wish to thank the committee for their efforts in this regard.

Under section 613 of H.R. 12536, the National Park Service would be required to do a study of the Irvine Coast-Laguna Greenbelt, in southern California, in order to determine the feasibility and the desirability of establishing such an area as a unit of the National Park System. The Secretary would be required to make his recommendations to the President and the Congress within 6 months after the enactment of the legislation. In addition, the bill would require that the Secretary must consult with appropriate State and local officials and bodies involved and coordinate it with applicable State and local plans and planning activities.

The Irvine Coast-Laguna study includes approximately 17,000 acres and is the only existing open space area between Los Angeles and San Diego. Its location, its unique ecology and topography, its watershed area and marine environment should be considered by the Federal Government for protection. In addition its location and accessibility make it ideal for open space and recreational purposes for urban city dwellers.

The State of California and the county of Orange have been actively pursuing efforts to preserve parts of the area. The State is currently negotiating with the Irvine Co., the largest land owner in the area, for a \$22.8 million open space purchase for the prime land along the Irvine coast. The county of Orange has allocated \$2.8 million for the purchase of a portion of the Laguna Greenbelt. In light of the State and local interest in this area, I think it is appropriate that the Federal Government look seriously into the possibility of supplementing these efforts.

I might add, Mr. Chairman, that the California Coastal Commission has recognized the open space potential of this

area and will be making recommendations in the coming months to limit development, to preserve much of the land and require that large sections of land be available to the public.

It is worth while to note, that in September 1977, the Heritage Conservation and Recreation Service and the National Park Service released the National Urban Recreation Study. The study listed the Irvine Coast-Laguna Greenbelt as "one of the most significant open space and recreational resources—in the Los Angeles area—which should be preserved and developed for recreational use." The report, however, was clear in stating that the findings were "preliminary only" and the Department of Interior would "not develop a position on any area identified in the report without further study". Section 613 of this bill is the vehicle by which the Park Service can complete its work on this subject.

Mr. Chairman, I do have one concern with section 613. It provides for an authorization of \$250,000 to conduct the study. I plan to offer an amendment to the bill which reduces that amount to \$50,000. At the time of committee consideration of the amendment, I recommended to be authorized such sums as may be necessary to carry out the provisions of the section; \$250,000 is an excessive amount, in light of the fact that the area has been extensively studied at the State and local level. The higher figure in the bill was the initial recommendation by the Park Service, but since H.R. 12536 was reported, they have determined that \$50,000 is an adequate sum. I also plan to offer an amendment to reduce the boundaries of the study area by approximately 3,000 acres.

Mr. Chairman, I urge your support of my amendments and I hope my colleagues will recognize the need to enact the provisions of H.R. 12536. ●

● Mrs. SMITH of Nebraska. Mr. Chairman, included in the bill, H.R. 12536, is a section designating a 59-mile stretch of the Missouri River as a national recreation river under the authority of the Wild and Scenic Rivers Act. The exact location and other specific information relating to the designation is contained in section 708 of the bill before us.

I would like to take a few moments to point out some of the unique aspects of this designation and congratulate all of those—especially Earl Rowland, of Newcastle, Nebr., president of the Missouri River Bank Stabilization Association—who worked long and hard to bring about this designation.

In brief, this section provides for preservation and enhancement of part of the Missouri River to be used for recreational and other related purposes. This is one of the most beautiful segments of the Missouri and the protection of the river and surrounding riverbank area is of utmost importance.

Equally important is the need to stabilize the banks of the river in this same area so the beauty and usefulness of this stream will not be lost to the persistent forces of erosion.

This section of the bill provides that preservation and streambank stabilization go together hand-in-hand to bene-

fit the public. While the designation will insure that the recreational aspects of the Missouri will continue to be available, it also insures that the streambanks, which support the trees, wildlife shelter and other growth will not be eaten away by the streamflow. It also will help save the land of private and Government owners, which is now being lost to the river at an alarming rate.

For several years now there has been a bank stabilization program administered by the Army Corps of Engineers. However, this is a demonstration program which will soon expire and it provides for the protection of only limited areas. The provisions of section 708 of this bill are much more comprehensive and valuable.

It should be pointed out that this section severely restricts the power of the Government to condemn land to carry out the purpose of the act. It was felt by all interests—Government and private—that the spirit of cooperation and mutual benefit would prevail negating the need for this "ultimate weapon." I believe it will foster a feeling of good faith on all sides and make this designation even more beneficial. It should be a signal to the entire country that laws are most successful when they are reasonably administered and derive their force from direct consent of the people.

The Wild and Scenic Rivers Act provides that the Secretary of the Interior administer the program which is set out in section 708. However, it is written in the law that the Secretary of the Army through the Corps of Engineers play a prime role in the preservation and bank stabilization work authorized by this legislation. Since the Corps of Engineers already has legal responsibility for many programs on and involving the Missouri River, it is the intent of those who negotiated this agreement that the Corps take primary responsibility for the administration of the designated river segment.

Mr. Chairman, this designation, when it is finally realized, will present an exciting challenge to all involved and will present an opportunity for Government and private interests to work together to realize the goal of a better river. ●

Mr. SEBELIUS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time has expired.

Pursuant to the rule, the Clerk will now read by titles the substitute committee amendment recommended by the Committee on Interior and Insular Affairs now printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

H.R. 12536

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE AND TABLE OF CONTENTS

SECTION 1. This Act may be cited as the "National Parks and Recreation Act of 1978".

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