Mr. Speaker, I withdraw my reservation of objection on the amendment. 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 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 be requested and requested to issue a proclamation designating July 1, 1978, as "Free Enterprise Day" and calling upon 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 assigned, 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 AND 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 by the chair and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read a second time 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-
CONGRESSIONAL RECORD—HOUSE 18869

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 H. Res. 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 Civil Rights Act for five years, to authorize appropriations for the Commission, to effect certain technical changes to comply with changes in the law, 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 XXVII, are hereby waived. After general debate, which shall be equally divided and controlled by the chairman and the 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 gentleman from Connecticut (Mr. Dodd) is recognized.

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 one hour of general debate, which shall be confined to clause 3(a) of the bill, and for other purposes.

The result of the vote was announced as above recorded.

The resolution was agreed to.

Providing for consideration of H.R. 12432, Civil Rights Commission Act of 1978

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

The Clerk read the resolution, as follows:

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The result of the vote was announced as above recorded.

The resolution was agreed to.
the last 20 years, has been responsible for disseminating information regarding denial of the right to vote on the basis 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.

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 legislation. Consequently, the resolution waives this rule.

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 $12,750,000 in fiscal year 1979 and $14,000,000 in fiscal year 1980.

It is my understanding that by 1980 the Commission's authorization would have doubled in just 5 years. In view of the fact that over the last 3 years it has spent over $1 1/2 million just to produce a recently published 112-page report, this agency could well be in need of 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 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 the public. 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 and documents 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.

Mr. Speaker, 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.

Mr. Speaker, the time of the gentlewoman has expired.

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

Mrs. FENWICK. Mr. Speaker, 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 the 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, the use of public facilities, and disseminating information regarding derelictions called by the staff without his even knowing about it.

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

[Roll No. 497]
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 North Carolina (Mr. Saul) for 10 minutes.

Mr. Burton. Mr. Speaker, I ask unanimous consent that all Members may revise and extend their remarks, and to leave the table.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

So the resolution was agreed to.

The Speaker. The motion was agreed to.

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. Murrellite with Mr. Pressler.
Mr. Le Fante with Mr. Andrews of North Dakota.
Mr. Obey with Mr. Goodling.
Mr. Pepper with Mr. Railback.
Mr. Zeferetti with Mr. Kasten.
Mr. Dan Daniel with Mr. Madigan.
Mr. Fink with Mr. McCloskey.
Mr. Ford of Tennessee with Mr. Henderson.
Mr. Howard with Mr. Whalen.
Mr. Holtzman with Mr. Eckhardt.
Mr. Hawkins with Mr. Crane.
Mr. Baker with Mr. Hefner.
Mr. Davis with Mr. McCardle.
Mr. Pickle with Mr. Wiggins.
Mr. Murphy of New York with Mr. Cohen.
Mr. Moorehead of Pennsylvania with Mr. Hagedorn.
Mr. Wirth with Mr. Cochran of Mississippi.
Mr. Lundinee with Mr. Sarasin.
Mr. Harrington with Mr. Sawyer.
Mr. Garcia with Mr. Caputo.
Mr. Glick with Mr. Weaver.
Mr. Rogers with Mr. Michel.
Mr. Rosenkowski with Mr. Milford.
Mr. Russo with Mr. Proxmire.
Mr. Shipley with Mr. Evans of Georgia.
Mr. Simon with Mr. Diggs.

Mr. Vanik. Mr. Speaker, I ask unanimous consent to strike out the first paragraph of the Vanik Amendment and substitute therefor: (Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks, and to include extraneous matter, with reference to the bill, H.R. 12536.)

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

Mr. Phillip Burton. Mr. Speaker, I am presenting a proposal that is great in scope 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. Saxelius), 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. Skuhrav), 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.

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

NATIONAL PARKS AND RECREATION ACT OF 1978

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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 Nation 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.

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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 and 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 members of our resources; and we treat them with definite and limited, but effective process.

Finally, the item which represents almost one-fourth 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 of the several thousand national monuments, historic sites, seashores, parks, and battlegrounds; land acquisition ceiling increases for some half dozen boundary changes, additions, and adjustments to existing areas; the proposed creation of something more than 3 million acres of wilderness in approximately a dozen areas; and the creation of 11 new national seashores; the closing of certain areas; and 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 volume of these bills so many managed by the gentleman from New Mexico (Mr. Sidenering) would be the environmentalist vote of the century.

I cannot quarrel with that, but I feel perhaps it is evident in the assertion that if that were the environmentalist vote of the century, leaving that issue aside, of course the creation of something more than 3 million acres of wilderness in approximately a dozen areas; and the creation of 11 new national seashores; the closing of certain areas; and additions to the Wild and Scenic Rivers System.

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I cannot quarrel with that, but I feel perhaps it is evident in the assertion that if that were the environmentalist vote of the century, leaving that issue aside, of course the creation of something more than 3 million acres of wilderness in approximately a dozen areas; and the creation of 11 new national seashores; the closing of certain areas; and 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 volume of these bills so many managed by the gentleman from New Mexico (Mr. Side-
imagination, ingenuity, and determination in bringing this bill forward. It certainly constitutes a landmark in legislation dealing with national parks and outdoor recreation, and there can be no doubt 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 of the Interior.

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 the 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 passes, and that kind of impact would be most objectionable. The National Park Service should basically plan to manage Mineral King as a back-country 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 special 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 control platforms and toilets at Everglades— it is more difficult to answer the questions of how many such developments you permit. My fear is that unless we have a control that stops from proliferating, or the facilities being made more elaborate through time. Occasionally too, technological provision—such as control toilets—fails to anticipate the need for further technological provision—motorized equipment to service the containerized toilets—and then 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 begin to think about establishing a basic wilderness philosophy and policy which permits users to meet the wilderness on its own terms. Studies by advance technological, on-site management of the area, and dovetailing such an approach with the identification of physical and social carrying capacities for these areas. The current 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 in the area. The Congress 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). I urge the Secretary to not misinterpret this language is well constructed and workable.

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 the submission, followed up effort to update and complete the initially submitted studies has been less than satisfactory. I am concerned that the new 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 new new 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 holdings, which would make it 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 disposition 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 House and Senate. This provision should constitute a mandate to the National Park Service to review its entire management plans and make appropriate amendments or additions to make them more comprehensive. As the National Park Service will make a strong effort 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 act in a reasonable fashion, apparently in 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 in 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-
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 introduced in the 90th Congress, 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 acknowledged 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 important areas.

The proposals Congressman Lagomarsino and I worked on and introduced also placed maximum emphasis on involving citizens and other interested 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 sought to have all interests and concerns accounted for and given due regard.

Our colleague, Tony Bellenson, 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 should serve as a model for future park approaches.

Beginning early this year, and in part assisted by the encouragement of our colleague Phil Burton, we began working on a joint approach which we believe to be a 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 $85,000 million for land acquisition. A portion of the $85,000 million, are specifically earmarked for acquisition of private and local grants to encourage local government, as well as the State, to compatibly some 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.

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, it has been worked over very carefully with the people involved.

In a number of areas where there was probably was a very good argument for legislation, for doing it my 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 underlining how important it is to get the authorization, to get the 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 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. Beilenson) had a bill. I think we were able to sit down and greatly improve upon the legislation and come up with this bill 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 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.
tion of some 35,000 acres, including sub-
stantial portions of the beaches. State
and local governments have done an out-
standing job so far and should be com-
mented for their efforts. Yet the preser-
vation of the mountains is not com-
pleted—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 can-
not 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 pro-
vide an adequate level of Federal assist-
ance for acquisition and management
while at the same time involving the
State and local governments in a mean-
ingful 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 sec-
ton 510 and the bill now before us.

Mr. PHILLIP BURTON. Mr. Chair-
man, as he has done on the Pine Barrens
Mr. FLOREO. Mr. Chairman, I rise to
speak in strong support of this very sig-
nificant piece of legislation but first I
too would like to commend the chair-
man of the subcommittee the gentle-
man from California (Mr. PHILLIP
BURTON), for the sensitivity and the strong
consideration he has shown in guiding
this piece of legislation through the leg-
islative process.

Mr. Chairman, the House has con-
sidered many worthy legislative issues
of national and regional concern during
its sessions in the 95th Congress, but
none more important or urgent than the
to the State of New Jersey this section
503 of the National Parks and Recreation

As a citizen and Representative of the
National Parks and Recreation Area, de-
noted State, I believe that one of the most
urgent needs is to renew the commitment of the
Federal Government to help insure a safe,
healthy, and humane living en-
vironment for our urban populations.
Enactment of section 503 of this bill
would be a major step forward toward
insuring the protection and conserva-
tion 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 prox-
iminity to "Megalopolis" is all the more
reason for considering their conserva-
tion.

National attention is now focusing on the
Pine Barrens because its ecological,
cultural, and historic resources res-
scend the locally minor. How can one
measure this objectively—as if the mere
existence of a 1,500-square-mile unde-
veloped tract adjacent to both Philadel-
phia and New York were not enough?
The route chosen by a 1976 Department
of the Interior task force to apply
the criteria the National Park Service
uses to determine if an area is eligible
for inclusion in the National Park Serv-
vice system raised much concern. 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 criteria.

First. Outstanding geological forma-
tions or features significantly illustrating
geologic processes.

Second. An ecological community sig-
ificantly illustrating characteristics of
a physiographic province or biome.

Third. A biota of relative stability
maintaining itself under prevailing nat-
ural conditions, such as a climatic cli-
max community.

Fourth. An ecological community sig-
ificantly 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 natural haven for concen-
trations of native animals, or a vantage
point for observing concentrated popu-
lations, such as a constricted migration
route.

In addition to these specific criteria, an
area, in order to attain national signifi-
cance, must also reflect integrity—it
must present a true, accurate, essentially
unaltered example of the category under consideration. Further, the
Pine Barrens meet at least four criteria
for establishment of a National His-
torical 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 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 appreciate few re-
main ing pristine natural resources. It is
a step long overdue, Mr. Chairman, and
for the sake of the single most extraor-
dinary natural area in the entire north-
eastern quadrant of this Nation, I call
upon all of my colleagues here today
support section 503 of the bill.

Mr. PHILLIP BURTON. Mr. Chair-
man, I yield much time as he may as
sume to the gentleman from Ohio (Mr.
SEIBERLING).

Mr. SEIBERLING. Mr. Chairman, I
thank the distinguished chairman of the
subcommittee, the gentleman from Cali-
ifornia (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
previously Congress. I want to extend my congratulations and com-
mandations to the entire subcommittee
for the absolutely monumental achieve-
mnt accomplished by this bill, and in par-
ticular the chairman of that subcom-
mittee, the gentleman from California
(Mr. PHILLIP BURTON), who, to my mind,
hast created the national parks and recre-
ation bill of the century.

The people of our country have come
to people 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 shall have lost that op-
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
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 recrea-
tion areas that this bill deals with. At
the same time, the bill would also pro-
tect 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
lands within the area. Although the
original act intended that maximum use
be made of this device in order to
make the costs to the Gov-
ernment and the dislocation of the in-
habitants of the area. The committee
report goes on to reiterate that fee title
to improved properties should not be ac-
quired except where such acquisition
is considered essential to the manage-
ment and the enjoyment of the recrea-
tion area. I strongly agree with
that policy.

Last Saturday, June 24, I met with
Mr. William Birdsell, superintendent of
the Cuyahoga Valley National Recrea-
tion 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 Over-
sight and Alaska Lands, of which I am
chairman. The purpose of the meeting
was to discuss the acquisition
program in the Cuyahoga and dis-
cuss 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 appreci-
ating at the rate of 10 to 12 percent a
year and that the approximate fair
market value of a scenic or preserva-
tion easement on improved residential
property would represent little more than
10 to 15 percent of its fee value. Therefore, they have concluded that the dollar value of eas-
emption appreciation will be but a small
fraction of the dollar appreciation.
In this situation, it is logical to con-
clude that concentrating on fee ac-
quition first will result in the greatest
savings to the taxpayers. I must say that
the rationale appears sound.

The National Park Service repre-
sentatives 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-proposed development of a similar nature 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.

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 avoid 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 benefits expected 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 God's beauty. Hundreds of hikers, bicyclists, and hikers 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 new 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 concur 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 along Federal lands to administer and manage Federal lands along State-administered rivers. It is my understanding that this section is intended to eliminate the Department's objection 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 Federal expenditure of funds along State-administered rivers, even for the management of its own lands. Thus, a substantial number of acreages would 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 management of certain lands 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 would not be compatible with the actions of the many States along State-administered rivers. The powers of condemnation and land use restriction are the essence of management and control and rightly belong to the States along State-administered rivers.

Mr. PHILLIP BURTON. The gentleman from Oregon is correct. The language of section 762 is intended to apply to 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 Federal acquisition of land does not apply to Federal land along State-administered rivers. The powers of condemnation and land use restriction are the essence of management and control and rightly belong to the States along State-administered rivers.

Mr. PHILLIP BURTON. The gentleman from Oregon is correct. The language of section 762 is intended to apply to 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 Federal acquisition of land does not apply to Federal land along State-administered rivers. The powers of condemnation and land use restriction are the essence of management and control and rightly belong to the States along 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 this bill the support it deserves.

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

Mr. KEENES. Mr. Chairman, I thank the distinguished 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. SIEBERT), 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 areas in the world 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. Wal- die, then by our colleague, the gentleman from California, Mr. George Miller, and ultimately by myself. Similar legislation has previously been supported 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 this 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 talk 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. SEXTON), the gentleman from California (Mr. PHILLIP BURTON), as well as to the members of the subcommittee.

Mr. PHILLIP BURTON. Mr. Chairman, I rise to voice my strong support for the bill. I am the chairman of the subcommittee and to the ranking member, the gentleman from Kansas (Mr. SEXTON).

I particularly want to call the attention 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 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 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 this legislation. I am authoress, and particularly section 505, which is of great interest to me and the Southwest. That section creates the San Antonio Missions National Historical Park. That 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 1890 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 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 which the missions are located.

The Park Service study said that—

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

The report also says:

More than in any of the previous alternatives, this mission 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 this is and need for action on this legislation now. The historic structures, built on huge stones laid in place before mechanical assistance was so corporating 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 bastions of faith and valor that should not be denied their historic importance by neglect.

I, therefore, urge my colleagues to support this proposal.

Mr. PHILLIP BURTON. Mr. Chairman, I wish to yield time to a distinguished former member of our subcommittee and full committee, a gentleman who is 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 15 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 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 for the 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 protecting 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, in particular towns, 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, the Department of Interior has the 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 lands 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 advisory board which would participate fully in the development of the management plan. This council, comprised primarily of local people, would have the last word in 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. We must be very careful in our partnership with the National Park Service to better protect the natural and cultural endowments of these two areas. The comprehensive National Park Service management plan for the Upper Delaware, in conjunction with the Catskill Mountains, is one of our region's most important economic resources. The recreation and tourist industry, responsible for one in four dollars of our economic output, 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, mismanagement, or greed. Many have 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 values of the lands associated with these two areas. The committee 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 Gully property should be treated as a special resource area with particular attention given to protecting its fragile biological resources. While access to an area of the land must of necessity be limited, I am certain it will prove an invaluable asset to the national seashore. In conjunction with this tract, the Orthopedic 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 in the bill. It is to be hoped that 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 description of the property 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 cooperation with the Park Service 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. JOHN L. BURTON), and the ranking Republican member, the gentleman from Kansas (Mr. SBEELIUS), who was fortunate enough to get the job done. Mr. SBEELIUS. 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. SBEELIUS), for the excellent document they have here. I wish to express the particular concern they gave to those of us who had some concern about particular areas of the bill.

Mr. Chairman, it is with a great deal of pride 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. THOEN, 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 clear that there is no misunderstanding as to what it says.

First of all, there are two primary, coequal, related, and yet distinct purposes to be served. They are: First, preservation and enhancement of the river's aesthetic 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 cases 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 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. D., to industrial sites in proximity to their current boundaries.

With rapid completion of the streambank stabilization works and enlightened administration of the recreational river, 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 omnibus 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 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 may be a taking of additional lands. There may be only a taking of access lands. There may be a recommendation to waive section 6(b).

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 that, I think it is unwise to include this section.

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

Mr. FRENZEL. Mr. Chairman, 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, 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 would 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.

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

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

Mr. PHILLIP BURTON. I am advised that the detailed boundaries of the area are to be determined by the Fish and Wildlife Service, and it seems to me that there is no reason for unrest.

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

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 the gentleman is not satisfied when the gentleman told me that the Fish and Wildlife Service is going to do the study and I yield to the gentleman from California (Mr. PHILLIP BURTON) for his statement.

Mr. PHILLIP BURTON. I rise to commend the gentleman from California for his work.

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 environmental 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. JOE C. WILLIAMS). 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. BEILENSON).

Mr. BEILENSON. 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 located in 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 8 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 Tovyon 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, GLENTI ANDERSON, JIM CORT, 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 LACOMARSONI.

The national recreation area created by the bill will contain approximately 90,000 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 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 magnificent coastal 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 heart of the polluted city.

The $150 million which this bill would allocate 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 1977, 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 forced 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 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 $65 million dollars spent to protect new, expensive homes.

The mountains and seashore provide relief from the noisy, stressful, polluted urban environment. They contain more than 600 archeological sites which reveal the history and culture of California's earliest inhabitants, the ancient people who 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 benefits 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 the 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 or State government, the bill provides a very strong impetus for them to protect the newly created National Recreation Area.

Many of the provisions in this national park and recreation bill are long overdue, and I would like to commend Mr. Burton and his colleagues on 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 the bill will be a very important action we will have the opportunity to take this year, and one we will all be proud of.

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

Mr. PHILLIP BURTON. Mr. Chairman, first I would like to commend the gentlemen from California (Mr. BEILENSON, Mr. LACOMARSONI, and Mr. GOLDWATER) for their effective and statesmanship-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 adjourns, the bill which I am proud of and which is long overdue.

Mr. SEBELEIUS. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. LEREDER).

Mr. LEREDER. Mr. Chairman, I rise to bring to the attention of my colleagues very serious consequences portions of the National Park 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. Such designation would determine the boundaries of the middle portion of the river and thereby ending studies and plans for the proposed Tocks Island water reservoir project in that area of the river or indeed any such projects at all. 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 municipalities. 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, and Pennsylvania uses 4 million gallons a day for diversion for municipalities and industry in central Pennsylvania. 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 a 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 designees. The States will be forced 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 his judgment of his Department before it becomes necessary to involve Interior and three State governments in what could be a long, bitter court action. It is 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 two hundred years.

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 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 and consistent with the wilderness acts as 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 section.

"Wilderness designation, it is required to pass a joint resolution of disapproval. I will have some language to the contrary at the time.

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 designated by the Secretary to be included in the Scenic River System after the designation, it is required to pass a joint resolution of disapproval. I will have some language to the contrary at the time.

Mr. THIONE, 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 50-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, in this legislation, which is in a critical state under the Federal Government's administration 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 commitment. The city of Quincy can no longer shoulder a recent architectural study estimates that the homes need $500,000 worth of structural repairs, the most important 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, concerned for the future of the Adams family and their cherished home, has offered to transfer the homes to the National Park Service. This conveyance would achieve the unique birthplaces of the greater resources of the Federal Government and thereby allow their preservation and upkeep not have to be sacrificed.

I applaud the efforts of Congressman Burton and Unall to incorporate the Adams homes in trails, and with 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 will have provided.

I urge my colleagues to join 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, 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 could serve as a wide portion of our American society.

With the growing public demand for outdoor recreational opportunities, the proposal now before Congress is a needed action to satisfy that need and the protection offered by this act will assure that future generations of Americans will have an opportunity to utilize 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 waterfowls. The Upper Mississippi offers a wide range of recreational opportunities. Fishing, canoeing, hiking, 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 heard. The principle of public involvement, and will continue to be, an essential part of the planning process.

In passing the original Wild and Scenic Rivers Act, Congress intended that the public fully participate in the decision-making process. For this reason the process was divided into two separate phases. The first phase allows 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 river is to receive such a 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 the proposed act. The Wild and Scenic Rivers Act contains a provision that the Department of Interior's condemnation is suspended if 50 percent or more of the property in 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 would 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:

In reply refer to: L58(170) ES-37119.

Robert L. Herbst, Assistant Secretary for Fish, Wildlife and Sports Department of Interior, Washington, D.C.

Dear Bob: I am writing with regard to the inclusion of the 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 percent 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 dispel the unfounded fears surrounding this proposal.

What hearings has the Department on the proposal to designate the Upper Mississippi as a Wild and Scenic River? What type of hearings will be held? 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 percent, is it not true that the Department would 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 not want to condemn any more land, is it not true that the Department would want to allow for access to the land? How much land could be condemned under such easements?

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 percent of the lands within the boundaries of the Upper Mississippi River as set forth in both 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 (4) of the Wild and Scenic Rivers Act. The legislative proposal now before Congress provides that such plans be prepared within a period of 5 years from the date of enactment. During the preparation of this plan, the detailed boundaries of the area will be established and the current ownership and use of lands determined, as well as the plan for the river's development and use. If public ownership within the river corridor does not exceed 50 percent, the management plan for the river finds that additional lands are necessary to provide for adequate water quality, recreation and resources. The Department would consider recommending an exemption from subsection (b) of the Act if 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 Mississippi...
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, 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 area. I wish to thank the committee for their efforts in this regard.

Under section 613 of H.R. 12536, the National Park Service is authorized 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 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 $2.8 million open space purchase between 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’s 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 protected for the public benefit." 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 consideration of the amendment, I recommended to be authorized such sums as may be necessary to carry out the provision of the section. The 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 58-mile stretch of the Missouri River as a Wild and Scenic 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 706 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 Roundfield, of Newcastle, Nebr., president of the Missouri River Bank Stabilization Association—who worked long and hard to bring about this important goal.

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 significant improvements of the Missouri and the protection of the river and surrounding riverbank area is of utmost importance.

I appreciate 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 force 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 interested—Government and private—that the spirit of cooperation and mutual benefit would prevail negating the need for "ultimate weapon." I believe it will foster a feeling of good faith among all interests-Government and private. 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 provide 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.

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

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 called the "National Parks and Recreation Act of 1978". TABLE OF CONTENTS

Sec. 1. Short title and table of contents.
Sec. 2. Definition.
Sec. 3. Authorization of appropriations.