



NACo IN CALIFORNIA—Los Angeles County Supervisor Kenneth Hahn, right, discusses the impacts of the Proposition 13 vote with NACo Executive Director Bernard F. Hillenbrand. Hillenbrand arrived in the state 48 hours after the June 6 property tax rollback. Last week he met with county supervisors who gathered in Sacramento to find out how the Legislature plans to act.

PROPOSITION 13

Initial Cuts Underway

SACRAMENTO, Calif.—Despite constitutional questions and unspecified state legislative decisions, California counties have begun steps to implement the Proposition 13 property tax ceiling prior to the July 1 deadline. Many counties have already frozen hiring and salaries, issued layoff notices and begun budget hearings to cut back expenses. Proposition 13, approved by California voters June 6, would limit property taxes to 1 percent of market value and would significantly reduce overall local government revenues in California.

NACo Executive Director Bernard F. Hillenbrand met in California last week with county supervisors as they gathered in Sacramento to organize implementation efforts and to find out how the state legislature plans to act.

result in identical properties receiving identical services while being assessed different tax burdens.

County supervisors attending the Sacramento meeting expressed concern that essential local services funded by property taxes will be threatened if the state does not offer adequate financial assistance. For example, Sacramento County has been forced to lay off 128 firemen, and Los Angeles County has given layoff notices to 600 of 1200 flood control district employees.

A STATE AID program has been proposed by Gov. Jerry Brown utilizing the estimated \$5 billion current state surplus. He has proposed to the Legislature that \$4 billion in direct aid be transferred to local governments and \$1 billion be placed in an emergency loan fund.

The \$4 billion would be divided \$1.6 billion to \$1.8 billion to counties for welfare system costs, \$2 billion to local school districts and \$2 billion to \$4 billion to cities. The governor's proposal recognizes that counties and schools are more dependent upon property taxes as their primary source of revenue.

The largest unanswered question is how the state legislature will divide up the allowable 1 percent property tax funds between counties, schools, cities and special districts: The Legislature has convened a Senate/Assembly conference committee to address this issue, hoping to resolve it prior to the July 1 deadline.

Bill to Set Hospital Lid Shapes Up

WASHINGTON, D.C.—Efforts to get a "totally voluntary" hospital cost containment program enacted into law were set back last week in the House Commerce Committee which is drafting a compromise version of legislation the Administration sent to Congress last year.

The compromise bill calls for mandatory federal controls should a voluntary approach fail to reduce cost increases by 2 percent annually over two years.

OPPONENTS OF the bill had hoped to pass a substitute amendment offered by Rep. James Santini (D-Nev.).

Santini's amendment, which failed 22-20, proposed a completely voluntary effort by hospitals to control costs and would have set up an 11-member commission to study the escalation of hospital costs.

Santini charged that the bill amounts to price controls and would contribute to a deterioration of health care. Supporting his amend-

See PANEL, page 3

STREAMLINED PROGRAMS

LEAA Gets Facelift

WASHINGTON, D.C.—The White House announced last week a new program of federal assistance to state and local governments for improvements in their criminal justice systems. The new Law Enforcement Assistance Administration (LEAA) would replace the current LEAA program when authorization expires at the end of fiscal '79.

According to Administration spokesmen, the new program would:

- Cut red tape and paperwork by eliminating many comprehensive planning requirements;
- Provide a formula distribution, or entitlement of funds, to major counties and cities;
- Eliminate waste in the use of federal funds by limiting expenditures for equipment and administrative costs, and eliminating expenditures for construction and salary increases;
- Increase citizen participation in the formulation of local priorities for expenditure of funds.

The proposed bill was developed

after a year of extensive study and debate and represents a compromise among many competing interests. Some of the changes gained by several interest groups include:

- More autonomy for major local jurisdictions in the form of entitlements, or definite amounts of funds, for eligible units of local government. Eligible governments—counties over 250,000 and cities over 100,000 in population—may prepare three-year applications and receive a predetermined sum of money, unless the state council can show cause for rejecting the application.
- Fewer comprehensive planning requirements for state agencies and decategorization of formula grant funds (no earmarking for specific functions except for juvenile justice programs). However, state agencies still maintain final approval authority over local applications.
- A block grant approach in which state governments can control the

flow of federal funds to local programs to avoid wasteful duplication of programs and assure consistency with state priorities.

- Autonomy for courts by maintaining a Judicial Coordinating Committee where judges can prepare applications independent of the legislative and executive branches.
- Formula funding for professional planning staff of eligible jurisdictions to analyze crime data, identify problems, conduct studies, prepare solutions and prepare applications for funding. Up to 7.5 percent of an eligible state or local jurisdiction's entitlement may be used for planning, coordination and administration.
- An independent research agency in the Department of Justice for academicians and researchers to conduct long-term research without conflict with federal assistance program objectives. (This is a compromise. See NEW, page 13)

Labor-HEW Funds Slashed

WASHINGTON, D.C.—In an almost unprecedented move, the House voted to slash an estimated \$400 million from Labor-HEW appropriations June 13.

The amendment calls for a 2 percent cut against "controllable programs," which means those programs where payment is not required by law.

The cuts are as yet unspecified. If the amendment should become law, it is expected that the President would decide what programs to cut.

On June 8, the House voted 290-87

to cut \$1 billion from the \$58 billion appropriated to Labor-HEW. Rep. Robert H. Michel (R-Ill.) offered an amendment that required the cut to come out of the estimated \$6-\$7 billion appropriated for efforts to reduce waste, fraud, and abuse.

This cut is not expected to have as much of an impact as the \$400 million slash.

Many observers believe that the House was heavily influenced by California's Proposition 13, which passed by a 2-1 vote in California. Proposition 13 limits property taxes

to 1 percent of full cash value; prohibits the legislature from levying a state property tax or property transfer tax; requires a two-thirds vote of the legislature to increase any state tax, and prohibits any increase in property tax even by public vote.

The Senate must now vote on its version of the appropriations bill. The differences between the two bills will then be worked out later this summer in conference. It is not known if the Senate version will contain a comparable appropriations slash.

—Diane Shust

Conference Message Desk

A message desk has been established for delegates and guests to NACo's 43rd Annual Conference as a central place for posting and receiving of messages.

The Southern Bell Message Center, (404) 223-8800, will be located on the third level of the Georgia World Congress Center opposite the main entrance.

Please leave this number with those who need to contact you during your stay in Fulton County. While attending the conference, please check the message desk frequently.

FULTON COUNTY ATLANTA!



NACo 43rd Annual Conference and Educational Exhibits July 8-12, 1978 at the Georgia World Congress Center

Delegates to NACo's 1978 Annual Conference can preregister for the conference and reserve hotel space by completing this form and returning it to NACo. Check if this is your **first NACo Annual Conference**.

CONFERENCE REGISTRATION

Conference registration fees must accompany this form before hotel reservations will be processed. **Enclose check, official county voucher or equivalent. No conference registrations will be made by phone.**

Refunds of the registration fee will be made if cancellation is necessary, provided that **written notice is postmarked no later than June 30, 1978.**

Conference registration fees:

\$95 member \$125 nonmember \$50 spouse \$30 youth (Make check payable to NACo)

Name _____ County _____
 Title _____ Telephone (____) _____
 Address _____
 City _____ State _____ Zip _____
 Spouse, if registering _____ Age of youths attending _____

HOUSING RESERVATION:

Special conference rates will be guaranteed to all delegates whose reservations are sent to the NACo office and are postmarked by June 24. After that date, available housing will be assigned on a first-come basis.

Hotel	Single	Double/Twin	Suites	Room type
1. Atlanta Hilton (NACTFO)	\$36-55	\$48-67	\$120 up	single _____ twin _____ double _____ suite _____
2. Hyatt Regency Atlanta (NACE)	35-49	45-59	110 up	Hotel preference _____
3. Marriott Motor	35-50	45-60	125 up	1st choice _____ 2nd choice _____ 3rd choice _____
4. Omni International (SOLD OUT)				
5. Peachtree Center Plaza (NACRC)	36-49	46-59	100 up	

Names _____
 Arrival date/time _____ Departure date/time _____
 Credit card company and number: _____

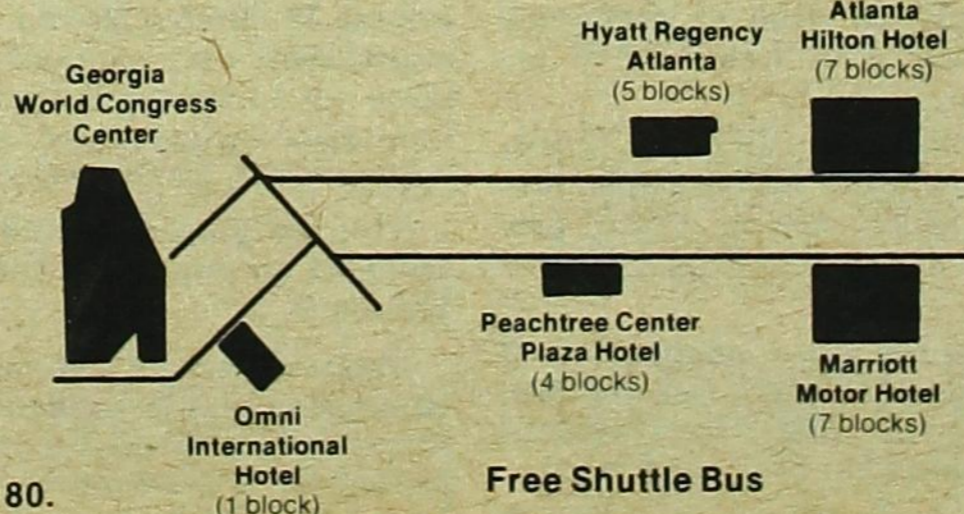
No room deposit required. Rooms may be guaranteed by credit card number.

Check here if you have a housing related disability.

Send preregistration and hotel reservation to:

National Association of Counties
 Annual Conference
 1735 New York Ave., N.W.
 Washington, D.C. 20006

For further housing information, call NACo Conference Registration Center: (703) 471-6180.



Tentative Program Schedule

- Saturday, July 8**
 Conference/Credentials Registration
 Noon to 4:00 p.m.
 Steering Committees
 Noon to 3:00 p.m.
 Affiliates
 Noon to 5:00 p.m.
 NACo Board of Directors Meeting
 3:00 p.m.
- Sunday, July 9**
 Conference/Credentials Registration
 9:00 a.m. to 8:00 p.m.
 Exhibits Open
 9:00 a.m. to 3:00 p.m.
 Affiliates
 9:00 a.m. to 5:00 p.m.
 Resolutions committee (NACo Board)
 10:00 a.m.
Opening General Assembly
 6:00 p.m.
Followed by NACo President's Reception
- Monday, July 10**
 Conference/Credentials Registration
 8:00 a.m. to 4:30 p.m.
 Exhibits Open
 9:00 a.m. to 4:30 p.m.
 Second General Session
 9:00 a.m. to 9:45 a.m.
 Workshops
 10:00 a.m. to 12:15 p.m.
 Exhibit Luncheon
 Noon to 1:15 p.m.
 Workshops
 1:30 p.m. to 4:30 p.m.
- Tuesday, July 11**
Annual Business Meeting
 9 a.m. to Noon
 Exhibits Open
 10:00 a.m. to 2:00 p.m.
 Exhibit Luncheon
 Noon to 2:00 p.m.
Annual Business Meeting (reconvened)
 2:00 p.m. to 4:00 p.m.
Special All Conference Event
- Wednesday, July 12**
 Workshops
 9:00 a.m. to Noon
 General Luncheon Session
 12:15 to 2:00 p.m.
 Workshops
 2:15 p.m. to 3:45 p.m.
Closing Banquet
 7:00 p.m.

ANALYSIS

Welfare Compromise Still Pending

WASHINGTON, D.C.—Despite agreement June 7 on the specifications of a New Coalition compromise bill, welfare reform principals remain doubtful that any welfare measure will be enacted this year. (The New Coalition is made up of governors, state legislators, county and city officials.)

The New Coalition specifications for a scaled-down bill are being drawn up in a bill drafted jointly by staff members from the Departments of HEW and Labor, House Ways and Means, and Labor and Education Committees, NACo and the National Governors Association.

Tentative cost estimates on the bill range up to \$12.5 billion, with fiscal relief close to \$3 billion. Alternative measures are being prepared to cut the cost to \$9-10 billion, reducing the fiscal relief estimate to \$2 billion.

THE FISCAL RELIEF will be achieved through establishing a federal minimum benefit of \$4,200 (65 percent of poverty level) with 90 percent federal funding, and federal match of 65 percent of state supplement up to the poverty level under the Aid to Families with Dependent Children (AFDC) program. (In two-parent families, the AFDC-U federal match would be available only up to 80 percent of poverty level.)

Rep. James Corman (D-Calif.) advised members of the special House welfare reform subcommittee, which he chaired, that there is virtually no chance that the subcommittee bill, H.R. 10950, will be considered by the House this year.

Although it appeared for a time that the bill could come back next year, he said, that has changed with the recent interest of Ways and

Means Chairman Al Ullman (D-Ore.) and HEW Secretary Joseph Califano in getting a compromise bill out this year. Although the President is vigorously pushing for welfare reform, Corman noted, there is little indication that the House leadership will push to get a bill through.

EFFORTS TO SLASH the HEW budget in the wake of California's Proposition 13 tax limitation (see HEW appropriations article) are a good indication that House members will be unwilling to vote for a large money bill at the end of the session just prior to congressional elections, many observers feel.

Additional problems are created for the welfare bill by the reluctance of some subcommittee members to compromise to the extent necessary to reduce costs to below \$10 billion,

the figure set in last week's meeting.

The lower cost of the bill will lose some votes as well as gaining some, Rep. Corman advised, as some supporters of welfare reform doubt that adequate reform can be achieved in the new low-cost bill. Rep. Charles Rangel (D-N.Y.) of the subcommittee objects to Ways and Means consideration of the compromise bill without additional hearings, which will be extremely difficult to schedule with less than 40 legislative days remaining.

Although the compromise measure is still expected to come before Ways and Means no date has been set and it is not known whether full committee hearings will be set.

The Ways and Means Committee never took up the subcommittee bill, which would likely have been amended to look much like the New

Coalition compromise. Further delay is sure to kill welfare reform, which is needed more than ever, since many citizens want property tax relief.

THE CALIFORNIA tax revolt sent a lot of messages to Sacramento and Washington. One of the clearest is that local welfare costs must not continue to be funded solely from property taxes. The tax revolt movement may well lead to reduced welfare benefits.

The welfare reform compromise offers solutions: a greater federal share of the benefit payments, resulting in property tax relief; some assurance that current benefit levels will be maintained; and jobs for welfare recipients.

It is clear that county officials will have to keep the heat on Congress if welfare reform is to pass.



COST CONTAINMENT MARKUP—Rep. James Santini (D-Nev.), foreground, offers an amendment to the House Commerce Committee at a recent hospital cost containment markup session. Seated in the background, from right, are Rep. Harley Staggers (D-W.Va.), chairman; Rep. John Moss (D-Calif.); and Rep. Paul Rogers (D-Fla.).

Panel Drafts Hospital Cost Containmentment

Continued from page 1

ment were the American Hospital Association, the American Medical Association and labor interests.

COUNTERING Santini's argument was the bill's author, Rep. Paul Rogers (D-Fla.), who said the bill would save \$30 billion over five years and that the public wants to see hospital costs contained.

NACo is a long-time supporter of the Administration's bill, since counties operate 10 percent of the hospitals in the United States. NACo favors incentives for hospitals to operate below the revenue limit imposed by a federal cap; discontinuing unnecessary beds and serv-

ices; and offer appropriate services on an outpatient basis at reasonable reimbursement levels.

NACo also supports strong language to require hospitals to maintain the present charity caseload so unsponsored patients are not "dumped" into county hospitals to reduce costs. Patients who require expensive care or who are not insured could be passed to the county hospitals, frequently thought of as a last resort for health care.

Rep. Henry Waxman (D-Calif.) echoed NACo's views by noting that a completely voluntary effort would enable the hospital industry to function as a private cartel with the

capacity to regulate itself.

"A voluntary control program without trigger mechanisms would not provide incentives to decrease the cost of hospitals. Instead, it would provide incentives to reduce costs by holding down hospital employee wages or encouraging hospitals to be selective in their admission of patients," Waxman said.

Accepted by the committee was an amendment, offered by Rep. Tim Wirth (D-Colo.), that would exempt states from federal cost controls if their own programs succeed in meeting the voluntary requirements set up in the bill.

—Lori Fein

Bergland Wants Rural Funds Cut

WASHINGTON, D.C.—Secretary of Agriculture Bob Bergland has urged the Senate Appropriations subcommittee on agriculture to review increases in rural development programs proposed by the House and to "reduce these funding levels to the greatest extent possible."

In testimony before the subcommittee June 9, Bergland suggested that funding levels should be limited to those recommended by the President for fiscal '79.

The Administration's budget request proposed modest increases in a number of programs while recommending no funding for some others.

For example, the Administration proposed \$265 million in grants and \$800 million in loans for the water and waste disposal program for fiscal '79. This was a \$15 million and \$50 million increase respectively from the previous year.

The House subcommittee recommended a level of \$300 million in grants and \$900 million in loans for the same program. It also voted to continue the rural planning and rural fire protection grant programs at \$5 million and \$3.5 million respectively in fiscal '79. The Administration had no funding request for either program.

The action of the House subcom-

mittee on agriculture represented the first time ever full funding has been proposed for the rural water and waste disposal grant program, the key component of the Rural Development Act of 1972.

The House subcommittee also provided increased funding for other rural development and rural housing programs as well as for the Farmers Home Administration (FmHA) itself. FmHA has historically been severely understaffed, and would receive increased personnel levels for its county FmHA offices for fiscal '78.

THE SECRETARY took issue with the House recommendations for providing \$400 million in budgetary authority over the President's request (not all in rural development). He stated that the proposed funding increases would hinder the Administration's attempts at holding down inflation and balancing the budget.

He opposed the specification of minimum personnel levels for FmHA as "restrictive provisions which would seriously impair my ability and that of the President to manage the Department of Agriculture."

The Senate Appropriations subcommittee on agriculture, chaired by Sen. Thomas Eagleton (D-Mo.), plans to act on fiscal '79 funding levels this month. The House subcommittee, chaired by Rep. Jamie Whitten (D-Miss.), has sent its proposals to the House Appropriations Committee.

The House subcommittee also provided a \$50 million in supplementary assistance for the current fiscal year for the water and waste disposal grant program. The waiting list for this program currently exceeds \$600 million.

COUNTY NEWS

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Water Projects Threatened

WASHINGTON, D.C.—President Carter has threatened to veto any public works appropriation bill which contains water projects he says Congress agreed to kill last year. At press time, the House was scheduled to vote on an appropriations bill which contains 41 water projects—seven of which the President feels are unsound.

Last spring, the President tried to kill a number of major water projects, but he eventually agreed to restore nine of them.

The President has also asked Congress to approve 26 new water projects, some of which are already in the above bill. Few of these projects are in the West and most are small. These are the first new construction starts for the Army Corps of Engi-

neers and Bureau of Reclamation recommended by a President in four years. The request also includes 25 unspecified Soil Conservation Service projects.

ELIOT CUTLER of the Office of Management and Budget said that the total outlays for fiscal '79—about \$70 million—will fit within the Administration's January budget request, and that all new projects meet the strict economic and environmental criteria announced recently by the President as part of his water policy.

Carter is asking Congress to provide budget authority for the full \$720 million it would cost to complete the projects rather than follow its traditional practice of piecemeal approval.

Cutler said, "This full-funding policy is a sharp departure from past practice, where a few dollars have been appropriated to start huge projects, committing vast sums in future year budgets." The Administration urges Congress to support this full-funding policy in this and future years.

"**THE CONGRESS** could, of course, give the appearance of cutting the budget while in fact increasing it, by rejecting full funding and starting more projects with smaller 1979 appropriations." Cutler has said that the present appropriations bill does just that, and has gone well beyond the President's budget for on-going projects.

"The President is both quality

conscious and budget conscious," Cutler said. "He will support construction of good water projects as long as they can be built within our budgetary limits."

Rep. Tom Bevill (D-Ala.), chairman of the subcommittee on public works appropriations, said that the House restored the seven projects that the President had killed after extensive hearings. "We picked the best," he said. "The President has the right to veto the bill if he wants, but it will be difficult to go back and study some of the new proposals this year."

NACo, in keeping with policy set last spring, supports passage of the House Appropriations Committee bill without deletion of any project.

Why Are You Running?

Candidates for 3rd and 4th Vice Presidents

Election Notice

NACo President William O. Beach announces the following order of business at the NACo Annual Business Meeting to be held on Tuesday, July 11 in Hall "C" of the Georgia World Congress Center in Fulton County, Ga.

- 9 a.m.—Adoption of credentials report, report of parliamentarian, bylaw amendments, voting on amendments to the *American County Platform* and resolutions.

- 2 p.m.—The election of NACo officers and directors. The election process will begin at 2 p.m. whether or not the resolution process has been completed. If the resolution process is not finished, it will be finished after election of the officers and then the directors.



Spellman

John Spellman
County Executive
King County, Wash.

I am running for NACo third vice president because I believe in the importance of strong local government. The county is a basic unit of government, closest to the people, and best able to carry out their will and meet their needs.

NACo is important not only because it assists individual counties in learning how to better serve their people, but also because it assists individual counties and their state associations in having a strong, united, national voice which is capable of shaping and improving federal programs.

Despite the efforts of NACo, counties are frequently ignored or considered only as afterthoughts in congressional action. To combat this tendency, it is essential that NACo have strong leadership from its elected officials, to guide NACo staff, and to present a strong, effective advocacy for counties both with the Administration and Congress.

As a NACo member I have helped obtain our victories in revenue sharing, law and justice, and manpower programs. I am convinced that as NACo vice president and eventually president, I can provide the strong leadership necessary to preserve these gains and to advocate the further advances we need.

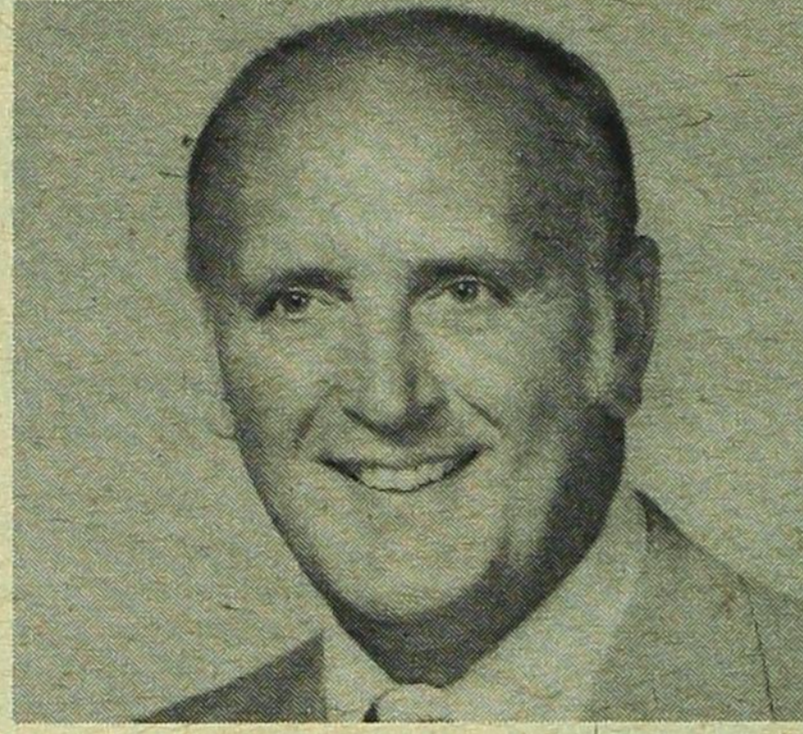
A personal note. Lois and I are lifetime residents of Seattle. I am a lawyer by background and was elected county commissioner in 1967. In 1969 I was elected as the first county executive in King County and last fall was re-elected to a third term. Besides past service on the NACo board, I was chairman of the NACo Criminal Justice and Public Safety Committee (five years) and the Elected County Executives group. I am currently on the Washington State Association Board and on the NACo Ways and Means Committee, Rural Affairs Committee, and Land Use Committee (vice chairman). Locally I am the chairman of a two-county manpower consortium and was invited by President Carter to the White House on May 23 for a dinner meeting to discuss private sector initiatives and unemployment from the county viewpoint.

In the 1980s county government is going to come into its own. This has already occurred in my home area. NACo is the proud home of county government and it is going to face

critical new challenges in the years ahead. I would like to help lead NACo during a part of that challenging time.

Richard Conder
Commissioner
Richmond County, N.C.

In answer to the question "Why are you running for fourth vice president of NACo?" my answer is relatively simple. I have a very keen interest in county government and a strong desire to serve NACo. In addition to having a strong desire to serve, I feel that I have the background, experience and qualifications needed to be a NACo officer.



Conder

I have been a county commissioner for 16 years—the last 14 consecutive years as chairman of my board. In fact, I have just been re-elected for another four-year term on my board which will ensure continuity of my office in NACo should I be elected in July at Atlanta.

I am a graduate of East Carolina University with a degree in accounting. I worked for a CPA firm for two years and then entered banking. I have 18 years of banking experience as a senior executive. I have a graduate degree from the School of Banking of the South at Louisiana State University. This education and experience relates well with local government and gives me broader insight in dealing with common problems.

I served as president of the North Carolina Association of County Commissioners in 1973-74. That year I led North Carolina to 100 percent membership in NACo—an accomplishment that we still enjoy today.

To further enhance my experience, I have served as a NACo director since 1975. Prior to that time, I served as the initial chairman of NACo's Committee on the Future.

In 1977, NACo President Bill Beach appointed me as a member of the New Coalition. As a member of that committee, I have met with state and local government officials in Washington on several occasions to discuss problems of common interest, attempting to find solutions to our problems such as welfare reform, federal budget input, and other joint federal, state and local problems.

County government is the sole vehicle by which all local citizens are reached. We can no longer sit back and wait on "Uncle" to provide services to our people. County government must continue to be aggressive, innovative, yet prudent. We have urban problems—we have rural problems. I feel that I can relate to both.

In summation, I respectfully request your support for fourth vice president in Atlanta, July 11.

Jack Simmers
Commissioner
Polk County, Fla.

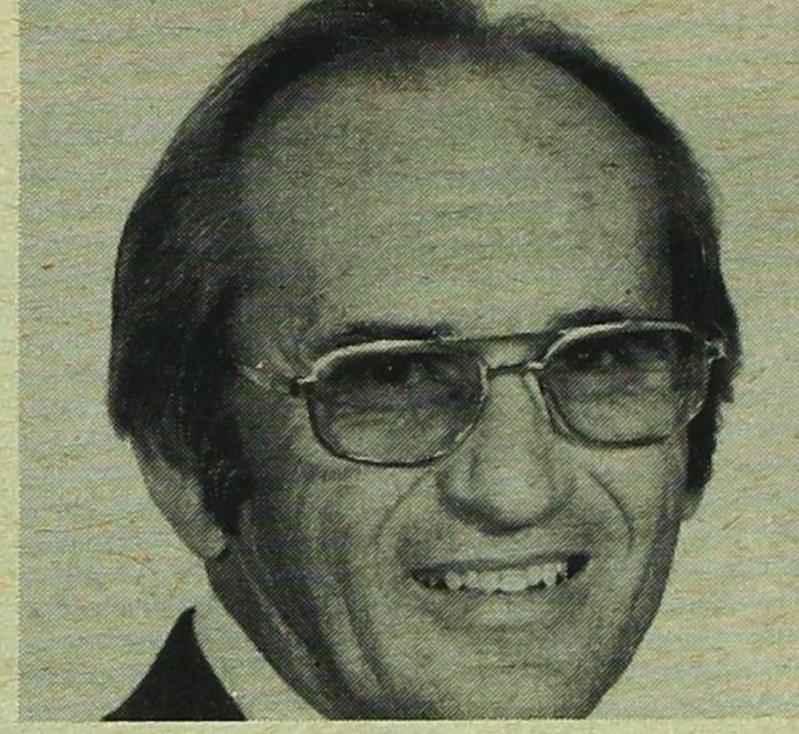
NACo currently has a major campaign underway to encourage national leaders to "THINK COUNTY."

Many of us have been striving for this understanding for a long while. It is vitally impor-

tant that we all get behind this effort. However, of equal and perhaps greater significance is the fact that we in the county family have leaders who not only think county, but talk and act county. My candidacy for fourth vice president is based on my commitment to county government.

It has been my pleasure to serve both my constituents and county government locally, regionally, at the state level and nationally. My experience has convinced me that we in county government must take an aggressive and positive stand for the future of local government.

I have seen dramatic results when that has been done. It has occurred in my own county,



Simmers

Imperial Polk; our five-county area where I chair the regional planning commission; at the state level where I have served as our association president and board member; and at the national level where I have been a member of the NACo board and now serve as second vice president of the National Association of Regional Councils.

In addition to my commitment to county government and desire to serve my fellow county officials, there are several other reasons why I would like to serve as your vice president.

As the Carter administration moves toward a national policy, the relationship among urban, rural and suburban governments will become all the more important. In Florida, we have distinct regions with extreme diversity in people and size of jurisdictional areas. My county is the geographical center of all this diversity. The 275,000 citizens of Polk County represent a cross section of Florida. Growth has been of concern to us; 50,000 people have arrived in the last five years. We have neighboring counties which vary in size from 18,000 to 650,000.

I have experienced what it takes to achieve a harmonious relationship among all these factors. Rural and urban, city and county needs must be met and blended. At the national level, this blending is going to become increasingly important along with the accompanying fiscal relationship. NACo needs to lead local government through these problems.

As the fiscal squeeze on counties, created by taxpayer resentment and state and federal cutbacks, gets tighter, our solutions are going to require statesmanship and commitment. NACo will be called upon to help fill that need.

Government at the county level continues to become more complex. Changes are necessary in what we do and how we do it. Elected officers need to be involved in that change. We need to understand alternatives and make the decisions. NACo must continue to provide leadership on this front.

Also, on a matter of equity, no Floridian has ever served as president of NACo. In fact, the last NACo President from the Southeast was Georgian Gil Barrett five years ago. We need leadership from our part of the country.

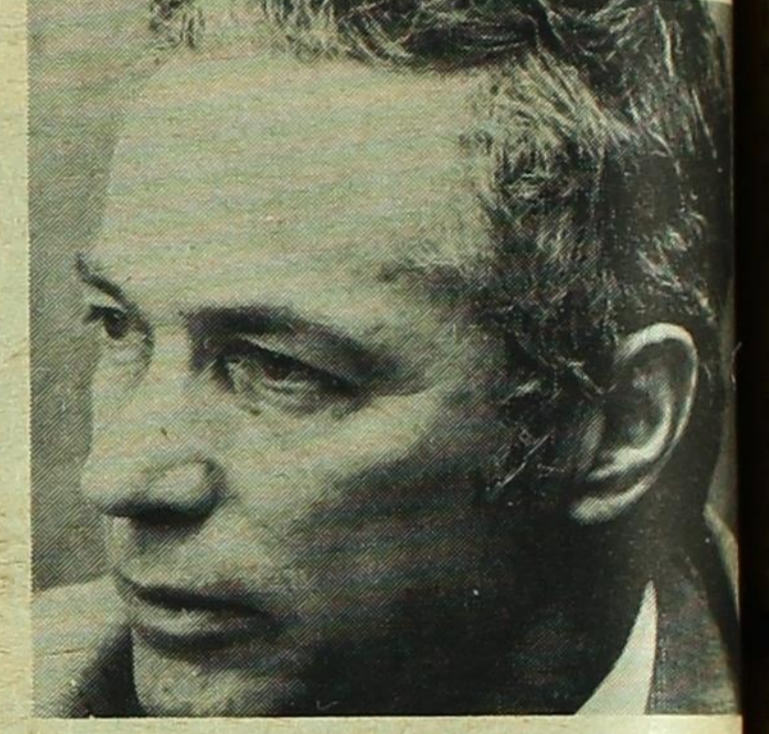
I am convinced that my record, experience, and participation qualify me to serve as your vice president.

I am committed to see that we in county government think, speak and act. I have the support to help me lead from my community,

my county, my region and my state. Together we can keep county government on our progressive path and I want to help you do that.

Seth Taft
Commissioner
Cuyahoga County, Ohio

County governments today are administering many fine government programs with federal help. However, there are programs that concentrate funds on our central cities, while ignoring or treating our counties as second class citizens. These are not addressing the needs of the people in the area. NACo is an organization that can make the legislature



Taft

responsible see this. I believe I can make a substantial contribution to this effort. That's why I'm a candidate for fourth vice president.

As a county commissioner from Cuyahoga County (Greater Cleveland, Ohio), I have witnessed changing needs in my own county. Increasingly in recent years people have moved out of the central city to the surrounding suburbs. In 1947 Cleveland's tax base was 75 percent of Cuyahoga County's. By 1977 it had dropped to 27 percent. While the city struggled to provide basic services, Cuyahoga County operates the principal public hospital system, the principal public welfare and social service programs, the area agency on aging, a justice center for city and county courts and jail, and has established programs for the disposal of solid waste, assistance during disasters, increased job opportunities and economic development.

Counties are assuming major responsibilities in local government programs. National programs must give recognition to this fact so that resources can be steered to counties. As county officials we must organize and be supported to do our job most effectively. I believe my leadership can make that goal a reality.

This spring I lobbied for changes in President Carter's new urban policy program so that the important role counties play might be recognized. Since beginning my NACo membership in 1970 I have served as a member of the Urban Affairs Committee, chairman of the federal budget impact subcommittee of the Taxation and Finance Steering Committee (1975-76), vice chairman of the Taxation and Finance Steering Committee (1977-78), and a member of the New Coalition of elected state, county and municipal officials. I have delivered testimony before congressional committees on countercyclical assistance, welfare reform, and the federal budget's impact on counties, and have lobbied for the renewal of general revenue sharing.

NACo faces money challenges in the years ahead. Counties must receive proper recognition for their important role in problem-solving, and the money needed to continue to do so. We must be organized as an association to lobby effectively for this status. County commissioners in Ohio know I've done it in my own county—they've unanimously endorsed my candidacy for fourth vice president. I'd like the chance to do more for NACo. I hope to meet you in Atlanta and I hope you'll vote for Seth Taft for fourth vice president.

TRAC Tax Revolt Action Center

TRAC Mobilizes NACo Resources

At the end of its first 10 days in operation, the County Tax Revolt Action Center (TRAC) has provided direct assistance to California counties hard-hit by the June 6 approval of Proposition 13, which limits property taxes to 1 percent of market value and is expected to reduce significantly local government revenues.

Under the direction of NACo Executive Director Bernard Hillenbrand, TRAC has sent all California county board chairmen the two in a series of bulletins on the expected impact the Jarvis-Gann amendment will have on specific locally administered programs.

The first bulletins deal with employment layoffs, unemployment insurance (CETA) and public transportation implications, respectively. An edited text of both bulletins appears in this issue, and *County News* will continue to publish them as further bulletins are issued.

A third TRAC bulletin, which will address the effects of a property tax reduction on general revenue sharing, will be issued this week.

NACo has created TRAC in anticipation of the national implications of the California tax revolt. While initially designed to provide immediate answers and assistance to the 58 California counties, TRAC's long-range plans include monitoring property tax limitation efforts in other states and disseminating information on how federally funded service programs will be affected by such efforts.

In connection with TRAC's "clearinghouse" function, *County News* readers are encouraged to send in local newspaper clippings, magazine articles, copies of analyses or statistical material on property-tax reduction efforts, or other pertinent information.

Employment

Public Employee Layoffs/UI

Fifty-two counties in California provide unemployment insurance (UI) to their employees through a special pooling arrangement organized by the County Supervisors Association of California. The other counties provide UI coverage either through the state's "public employees" fund or by direct contribution.

Regardless of the financing option selected by counties, if layoffs are required, the earlier termination occurs the less will be the potential county financial liability. According to California state law, any unemployment insurance claims filed before Aug. 1, 1978 will be based on services performed during calendar year 1977. Any UI benefits paid that are based on services before Jan. 1, 1978 are a federal, rather than a county, liability.

CETA

Current Law. Wherever a CETA enrollee is in a position similar to a regular job affected by a layoff or "bumping," the CETA enrollee must be laid off or transferred to another job.

The California Association of Prime Sponsor Administrators (CAPSA) estimates that 100,000 of California's 76,000 CETA public service workers could be affected. CAPSA has estimated the impact on other programs, such as the summer jobs program for economically disadvantaged youth is certainly in trouble. Many youth are traditionally given jobs in public agencies; after June 6, they could lose CETA's "maintenance of effort" protection. Furthermore, few regular employees could be rehired into CETA jobs, because they would have to meet CETA eligibility requirements. After Oct. 1, all PSE jobs will require a family income limit. Moreover, there is normally a negotiated percentage cap on rehires under CETA.

Possible Legislative/Regulations Changes. Possible "California amendments" to federal CETA legislation could be devised. To have a chance for success, the situation would

have to be very tightly defined. Two suggestions are:

- Allow the establishment of a new maintenance of effort service level after July 1. This would permit CETA jobs and projects in areas eliminated in new budgets. CETA enrollees would still be laid off on day one, but jobs could be recreated subsequently. *Disadvantages:* no relief for regular workers; local layoff and call back procedures probably would supersede the federal law in practice.
- Waive the requirement that CETA workers be laid off if regular employees are. This would void the federal requirement for an initial layoff. *Disadvantages:* same as above.

CAPSA and state EDD staff propose a combination of the above items. NACo urges they consult with CSAC and the California League of Cities and try to develop a consensus within these groups before approaching their congressional delegation.

County Options Right Now. Layoff or transfer of all CETA enrollees in affected jobs seems unavoidable. Labor Department Regional Administrator Bill Haltigan said in late May that each county's personnel policies/union agreements would define "affected" CETA jobs.

For example, if a "clerk/typist I" has bumping rights only within his or her department, CETA-funded "clerk/typists I" can stay on in other departments. If bumping rights are countywide, no CETA enrollee in that classification can stay on if one regular employee is laid off or must "retreat" to a lower job classification or has his or her hours reduced.

The only way to avoid CETA layoffs is to transfer enrollees to jobs that don't interfere with regular employees' "retreat" rights, e.g., private nonprofits.

Counties also have the option of applying to the Labor Department for a formal decision that a "financial crisis" exists. CETA funds could then be used, subject to DOL approval, to recall regular employees who met CETA eligibility requirements:

- Title II and half of Title VI-sustainment vacancies; 30 days' unemployment.
- Title VI projects and half of Title VI-sustainment; 15 weeks' unemployment and family income not above 70 percent of the BLS lower living standard budget (\$7,320-\$8,120 for a family of four in California).

Staff Contact: Jon Weintraub

Public Transportation

According to California Department of Transportation estimates, the average percentage of public funding supporting public transportation programs in the state amounts to approximately 83 percent of expenditures.

These expenditures are made up from the following sources:

	Percent
• Direct property taxes and local general funds	15.4
• Passenger revenue (fares)	20.0
• State Transportation Development Act funds (1/4 cent of local 1-1/4 cents sales tax)*	18.1
• Federal funds	29.2
	82.7

*The State Transportation Development Act (TDA) contains many mandates on use of local sales taxes. Major constraints are a local maintenance of effort requirement for continuation of local tax support and a 50 percent local match requirement. The state's maintenance of effort requirements in turn cause major consequences on the use of federal Urban Mass Transportation Administration (UMTA) funds for public transportation. This is due to yet another maintenance of effort test and federal matching requirements. The federal government treats state transportation development act funds the same as local taxes.

Many of the major municipally run public transportation systems such as San Francisco Municipal, San Diego Transit Corp., Alameda-Contra Costa Transit District and Sacramento Regional Transit District rely on property tax revenues to varying degrees to provide some of the state's Transportation Development Act (TDA) 50 percent match. These same funds are also a major component of the maintenance of effort.

Because federal Urban Mass Transportation Administration funds are heavily dependent on local revenue sources and are used for operating purposes, the maintenance of effort is the most critical financial state and federal requirement.

The following illustration demonstrates the impact if the state's federal maintenance of effort is not met.

Estimated Maintenance of Effort Impact on Alameda-Contra Costa Transit District

Type of Revenue	Amount (millions)
Property Taxes	\$21.16
Passenger	17.74
State Transportation Development Act Revenue	7.28
Federal Funds	4.47
	\$50.66

Expenditures

Operating Expenses	\$56.95
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If the level of local general funds and/or property taxes drops below the average of the last two-year level, which can be assumed in both cases with the passage of Proposition 13, certain public transportation systems will lose their total state and UMTA funding. It should be noted that passenger revenues *cannot* be counted in the maintenance of effort requirement.

With the loss of state and federal operating funds, it is estimated that the Alameda-Contra Costa Transit District would have to either increase fares by 126 percent or cut back service 39 percent.

On a statewide basis it is estimated that about \$50 million of UMTA operating funds currently being used would revert back to UMTA for redistribution to other public transportation projects and \$13.5 million in additional authorized UMTA funds would be unclaimed. Also, there would be \$48 million of State Transportation Development Act (TDA) funds lost to transit operation because of the state maintenance of effort requirement.

California is considering the following options to reduce the impact of Proposition 13:

Except for the San Francisco Bay area, UMTA funds could continue to be secured by changing the State's Transportation Development Act to eliminate the state's maintenance of effort and matching requirements. In San Francisco, it is estimated that an additional \$20 million of state funds would be needed to prevent the loss of federal funds. However, according to the state, there is little state transportation funding available for this purpose. The state is also prohibited from using state highway account funds for this purpose. Currently, there is approximately \$12 million of transportation planning and research funds authorized but not appropriated for transportation facilities.

Since California public transportation systems could lose significant amounts of local financial support and are doubly affected by Proposition 13 because of the loss of federal funds, the state is considering the following actions to provide state financial support.

- Passage of state legislation to eliminate the state maintenance of effort requirement;
- Passage of state "Surface Transportation Act" to allow the state to render financial assistance;
- Changing the State Revenue and Taxation Code (Section 7102) formula to 4-3/4 percent vs. 5 percent and appropriate funds for public transportation assistance;
- Amending the state constitution to change the State Highway Account provisions on the November ballot to allow these funds to be used for other than highway purposes (either for any transportation purpose or for any purpose, i.e., general fund).

UMTA is considering changes to the federal maintenance of effort requirements and certain labor protective requirements associated with federal public transportation projects.

Staff Contact: Tom Bulger



EXPLAINS TRAC—Los Angeles County Supervisor James Hayes, right, welcomes NACo's Executive Director Bernard Hillenbrand to Los Angeles. Hillenbrand was in California to help assess the impact of Proposition 13 on local government and to explain the creation of the Tax Information Center.

New Aircraft Noise Deadline Hit

WASHINGTON, D.C.—In a joint statement before the Senate aviation subcommittee, NACo and the National League of Cities (NLC) said that the airline industry should not be given until 1990 to comply with current aircraft noise deadlines.

Testimony presented by Councilman Walter H. Rockenstein of Minneapolis, Minn. strongly opposed extending aircraft noise compliance dates past the already stringent deadline of 1985 for all aircraft. Basically, Rockenstein said that Title III of the bill is an airline re-equipment proposal and not a program for noise reduction at the source.

THE BILL, as introduced, would provide \$20 billion in loans for airlines to replace aircraft which do not comply with Federal Aviation Administration (FAA) regulations Part 36 Stage III, approved in 1977. These regulations require that all existing aircraft comply with noise standards by 1985.

Rockenstein said the Senate bill simply provides a federal incentive to the airlines to buy what they would have had to purchase anyway to meet the 1985 compliance deadline set by the FAA. Nothing in S. 3064 encourages airlines to buy the quieter aircraft now available or proposed, he said.

Both NACo and NLC proposed providing federal incentives to aircraft operators to retrofit, re-engine or replace aircraft that do not comply with the Jan. 1, 1978, Part 36

Stage III regulations. Additionally, NACo and NLC recommended that this incentive should come in the form of a substantial direct payment to the airlines for the cost of retrofitting, re-engineing, or replacement, and that those funds should come initially from the Airport and Airway Development Trust Fund or a similar financing mechanism such as the provision in Title III of H.R. 11986, the House companion bill.

This bill would impose a two percent "excise tax" on airplane fares to pay for retrofit and replacement.

The current airplane fare tax is 8 percent for retrofit and replacement. The current airplane fare tax is 8 percent. The House "excise tax" proposal would not increase this tax but simply direct that 2 percent be used for aircraft noise abatement measures.

ON THE ISSUE of noise, NACo and NLC recommended an accelerated planning program tied to deadlines for noise reduction measures by the airlines. The initial planning process would remain voluntary under

the bill; however, a recommendation was made that local governments as well as airport operators be eligible for planning grants.

Eligibility for local governments is important so that local officials can be included early in the planning process and thus be in a position to make required decisions on noise reduction.

NACo and NLC supported increased authorizations for the Airport Development Aid Program (ADAP). Increases totalling \$260 million for fiscal '79 alone were

requested because of the current backlog of the \$933 million in grant requests within FAA and because of "excessive" surpluses in the Airport Airway Trust Fund.

The bill is expected to go to committee markup in the next few weeks. As soon as the Senate's Airport Noise bill is reported out of committee, Rep. Glenn Anderson (D-Calif.) companion House bill, H.R. 8729, which includes aircraft retrofit with no deadline extensions, will be sent to the full House.

Local Energy Funds Out of House Bill

WASHINGTON, D.C.—The Administration's recommendation for increased funding of energy conservation programs for local government buildings has not been included in the House appropriations bill. The local government buildings section, known as the Mikulski amendment, is contained in the proposed National Energy Act.

The Administration had originally requested only \$25 million for fiscal '78 and \$10 million for fiscal '79 even though authorization levels had been set at \$32.5 million for each year. But in an April 18 letter from Department of Energy Secretary James Schlesinger to Rep. Sidney R. Yates, chairman of the House Appropriations

subcommittee on Interior, full funding of \$32.5 million was requested for fiscal '79.

Following the department's letter, the subcommittee informed DOE that a budget amendment would be needed before consideration would be given to increasing appropriations. DOE prepared the required amendment, but the Office of Management and Budget failed to complete its review in time for com-

mittee consideration.

The issue now moves to the Senate where it will be considered by the Appropriations subcommittee on Interior, chaired by Sen. Robert C. Byrd (D-W.Va.). Sen. Byrd has tentatively agreed to sponsor an amendment which would provide for full funding in fiscal '79. The subcommittee will be meeting for the first time June 20 and it is essential that every member of the subcommittee be contacted and urged to support full funding for fiscal '79. A list of sub-

committee members is provided below.

- Robert C. Byrd (D-W.Va.)
- Ernest F. Hollings (D-S.C.)
- Birch Bayh (D-Ind.)
- J. Bennett Johnston (D-La.)
- Walter Huddleston (D-Ky.)
- Patrick Leahy (D-Vt.)
- Dennis DeConcini (D-Ariz.)
- Quentin Burdick (D-N.D.)
- Ted Stevens (R-Ark.)
- Milton R. Young (R-N.D.)
- Mark O. Hatfield (R-Ore.)
- Henry Bellmon (R-Okla.)

Amendment Will Leave County Historical Buildings Uncovered

WASHINGTON, D.C.—Preservation of significant state and local historic buildings may be jeopardized by a staff amendment to the fiscal '79 appropriation for the Historic Preservation Fund.

The amendment, concerning the \$60 million appropriation, requires that "none of the funds in this appropriation shall be used for state and local government buildings still in use for governmental purposes."

As it reads, the restriction probably applies to a broad range of buildings, including local libraries, court-houses, and town halls.

THE AMENDMENT went unnoticed by House members through subcommittee and full House Appropriations Committee consideration of the Department of Interior fiscal '79 budget, of which the fund is a part.

It is hoped that the provision can be stricken when the full House considers the Interior appropriations bill, H.R. 12932, this week.

The Historic Preservation Fund is a program administered by the Heritage Conservation and Recreation Service (HCRS) which provides

matching funds to state and local organizations for the restoration, acquisition, or preservation of buildings with historic or cultural significance. NACo, along with HCRS, is opposing the restriction.

REASONS CITED by HCRS for restoring eligibility of state and local government buildings include:

- Many local governments would be unable to restore important buildings without federal support;
- Restored government buildings ensure broad public access, use, and enjoyment;
- Local government is likely to carefully maintain and protect restored structures;
- Restoration of public buildings is likely to trigger a private restoration effort in the same locale;
- Public buildings are often the best examples of a region's architecture;
- State and local governments are frequently the only bodies who can afford the matching funds.

Among those buildings in danger is the Monroe County (Miss.) Courthouse, built in 1814. Despite being top priority of the county and State Department of Archives and History, enactment of the federal appropriation with the present restriction would probably doom the project.

House Energy Unit Hears County View

WASHINGTON, D.C.—The subcommittee on energy and power of the House Interstate and Foreign Commerce Committee recently held hearings on local energy policies and local government's relationships with the Department of Energy (DOE). The subcommittee was concerned with three areas in particular:

- What energy needs and opportunities have been identified at the local level?
- To what extent are existing federal and federally supported policies and programs responsive to local needs and opportunities?
- What policy and program changes are worth consideration?

During two days of testimony, approximately 20 witnesses from local governments and DOE addressed these concerns.

Appearing on behalf of NACo, Commissioner Harvey Ruvin, Dade County, Fla., struck a responsive chord in the subcommittee when he called for shifting the focus of federal energy programs from the state level to the county and city levels.

Ruvin provided the subcommittee with a number of examples, based on his experience in Dade County and the experiences of other counties, of how local governments are in the best position to achieve national energy goals.

Among the tools available to local

governments Ruvin identified were: land use and transportation planning; waste management; building codes; regulatory and local legislative functions; and education and community leadership. These tools combined with local governments' proven initiative, effectiveness and visibility provide an opportunity for massive energy savings and public education, he said.

Federal Loan Guarantees For NYC Voted in House

WASHINGTON, D.C.—The House of Representatives by a vote of 247-155 approved legislation providing federal loan assistance to New York City. The bill, H.R. 12426, will make \$2 billion in long-term federal loan guarantees available to the city.

The Senate Banking Committee, chaired by Sen. William Proxmire (D-Wis.) has completed four days of hearings on companion legislation. The committee is expected to meet shortly to mark up its proposal.

The current program of seasonal financing assistance to New York City is set to expire on June 30. Reauthorization of the program is necessary to enable the city to meet its obligations and achieve its target

of a balanced municipal budget by 1982.

The House-passed bill provides long-term, 15-year, federal guarantees for city issued bonds. It does not require the expenditure of any federal funds nor does it involve direct federal loans to New York City.

The Senate Committee is expected to consider the provision during deliberations.

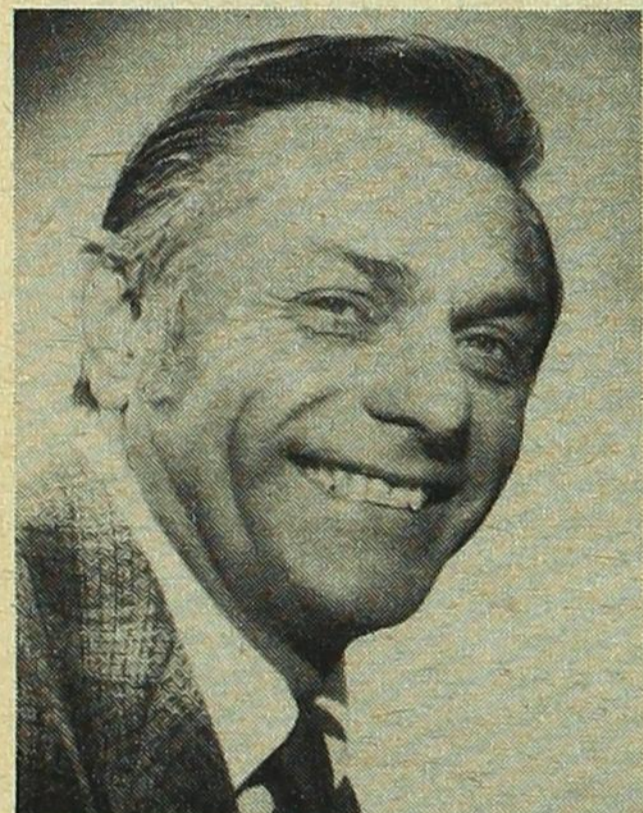
New York Sens. Jacob Javits and Daniel Patrick Moynihan have sponsored the Senate legislation. The Administration has also proposed a bill providing long-term guarantees.

—Elliott A. Almon

Clerks Corner

Tally Clerk Announced

Vaughn L. Smith, clerk-treasurer of Carson City and Ormsby County, Nev., will serve as tally clerk for



Smith

NACo's Annual Business Meeting July 11 in Fulton County (Atlanta), Ga.

NACo President William O. Beach appointed Smith on the recommendation of the National Association of County Records and Clerks (NACRC).

The tally clerk tabulates and certifies the results of roll call votes determining national county policies and electing NACo's officers and directors.

Smith is serving his second term as clerk-treasurer of the consolidated government of Carson City and Ormsby County. A member of the NACRC board of directors, he also is on the NACRC Elections Committee. He is a past president of the Nevada County Fiscal Officers Association; he is a director and past president of the state employees' federal credit union; and he is a member of the Nevada Land Use Planning Advisory Council.

Gov. Honors Colo. Clerk

COLORADO SPRINGS, Colo.—Gov. Richard Lamm declared May 1 "Harriet Beals Day" in recognition of her 33 years of service to the El Paso County Clerk and Recorder Office. In making the proclamation the governor said, "Harriet Beals is one of the most loved and respected public officials anywhere in Colorado as evidenced by the overwhelming votes of confidence she has received in election after election."

Beals has served as El Paso County clerk and recorder since 1958 and previously as deputy clerk from 1945 to 1958.

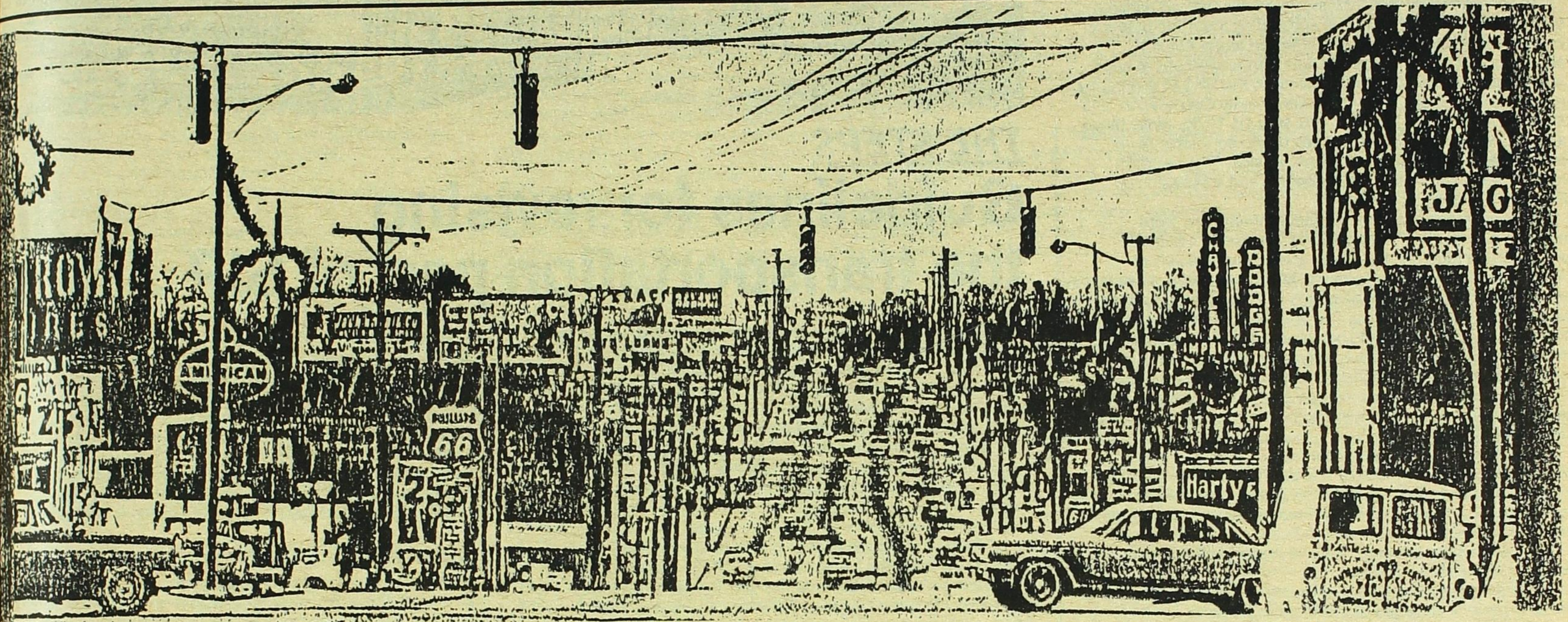
"I have decided not to seek the nomination this election year. I will retire at the end of my term of office," Beals said. "The demands and challenges of campaigns and the demand of service in the office have had a price but have been most satisfying and rewarding."



Beals

Counties & Clean Air

Report of NACoR's Air Quality Project



Transportation/air quality planning

Counties and other local governments have been presented with an important new opportunity—and challenge—for air quality planning in the area of transportation. Of the 105 major urban areas (over 200,000 residents) in the United States, only Honolulu meets the air quality standards for photochemical oxidants and carbon monoxide, which are largely produced by automobiles and other forms of transportation. In concentrations exceeding the standards, these two pollutants are hazardous to health.

Accordingly, plans for cleaning up the air in nonattainment areas, which include over 600 counties, must be strengthened significantly. Under the Clean Air Act amendments of 1977, the involvement of counties and other local governments is required for revising and carrying out the plans.

Planning and implementation of a transportation/air quality program carries both a challenge and a threat. If an acceptable program is not developed to meet a series of deadlines, certain federal sanctions will be imposed. These are required by the '77 amendments, and include a prohibition on construction of new pollution sources and the cutoff of federal funding for clean air and transportation needs.

The plan to be revised is the "State Implementation Plan" (SIP). This highly detailed document describes every aspect of a state's air pollution control effort: monitoring, modeling, emissions limitations for specific sources of pollution, transportation control measures, and many other steps. Counties and other local governments in cooperation with states are charged with revision of only the transportation portion of the SIP. As the name of the plan indicates, air quality planning has traditionally been carried on at the state level. Turning primary responsibility for transportation-related planning over to counties and other local governments marks an important recognition that only these governments can successfully adapt federal requirements to local conditions. Furthermore, it is recognized that only local planning and consultation can build the political support necessary to implement controversial transportation control measures.

The planning schedule

The initial SIP revision is due at the Environmental Protection Agency (EPA) on Jan. 1, 1979—a tight deadline for many areas. Revisions must be designed to achieve all air quality standards by Dec. 31, 1982, although an extension until 1987 is available for transportation pollutants. The '79 revision must emphasize a commitment by both state and local officials to a continuing process of analyzing and implementing transportation measures to reduce air pollution.

To receive extensions from Dec. 31, 1982 to Dec. 31, 1987, areas must show in the '79 revision that they cannot meet the '82 deadline, even with the use of all "reasonable available control measures." (RACM is discussed later in this supplement.) Extensions are not automatic. Requests must document an inability to meet the '82 deadline and must include

(among other things) commitment to a vehicle inspection and maintenance program and to improvement of public transportation. Requests must be part of the '79 revision. If an extension is granted, a second SIP revision must be submitted by July 1, 1982.

By July 30, 1980, states, with active county and other local participation, must submit a comprehensive analysis of at least the 18 transportation measures listed in Section 108 of the Clean Air Act. These include a broad range of measures for reducing vehicle emissions and vehicle use, and all are considered "reasonably available" to each carbon monoxide and oxidant nonattainment area. Areas that will meet the standards by 1982 can choose which measures to analyze; areas that delay until 1987 must analyze all 18 measures. Analysis must evaluate the costs and effectiveness of alternative transportation measures, so that measures can be grouped to form an attainment strategy for each area.

Don't quit in the first inning

Contacts with the full range of governmental organizations (county, city, regional and state) responsible for transportation control planning suggest that many are discouraged by the apparent difficulty of preparing SIP revisions for 1979. Potential sanctions and lack of planning funds can produce an atmosphere of panic and rebellion in responsible organizations. There is, however, much reason for optimism. Both the Clean Air Act and EPA regulations aim at the establishment of a continuing planning process for attainment of the carbon monoxide and oxidant standards. Obviously, rushed planning and adoption of transportation control measures can produce intense public opposition. This was the situation created by the 1970 Clean Air Act, and it is precisely the situation that EPA wants to avoid.

While EPA will "keep the pressure on" and demand good faith efforts, it understands the futility of demanding the impossible. Local governments (through lead planning organizations) should make efforts to define the problem, analyze transportation control measures, establish legal authority and commit resources by 1979. If it is impossible to perform one or more of these tasks, a short explanation of why, and a work plan for proceeding in the near future may suffice, especially where the lead agency keeps touch with the regional EPA office. Attainment of air quality standards is a critically important local goal for the protection of public health, and both Congress and EPA recognize that planning and implementation of effective programs takes time.

Need for fresh start

Transportation controls for air quality protection are not new, but first-round failures emphasize the need for the current procedures, requiring local input from the start.

The 1970 Clean Air Act required transportation control plans for areas that could not rely solely on stationary source controls and federal new car emission standards to meet air quality standards. Despite the dramatic and often disruptive changes

that transportation control requires, these areas were forced to develop plans on an extremely tight schedule. Most areas could not respond in time, and this left EPA to impose plans. Federally imposed controls met with substantial local opposition—even hostility—in many cases. And while a number of successful programs are in effect today, EPA's attempts failed in many other areas.

EPA's transportation control plans failed for several reasons. Information on the costs and effectiveness of transportation measures was sketchy at best, and EPA, as well as state and local governments, lacked experience in planning and implementing transportation measures. The intense pressure of the deadline also allowed little time to coordinate transportation plans with existing planning processes, institutional frameworks, and budgets. Finally, imposition of plans by a federal agency, while it had no alternative under the law, was probably the greatest problem. EPA's forced plans were clumsy and unworkable, but also created strong political opposition.

The new requirements for transportation control planning are designed to avoid earlier shortcomings.

- They call for a continuous process of planning and implementing transportation measures by Dec. 31, 1982.
- They require EPA to publish information on the costs and effects of measures and on those most appropriate for local use.
- They require meaningful involvement of local governments in the first, and subsequent, stages of planning, and they call for coordination among different levels of government, existing planning programs, and private citizens.

Major Dates of SIP Revision Process

Feb. 7, 1978 (historical)	• Jointly Determined Division of Responsibilities
	• Lead Planning Organization Designated by Local Officials
April 1, 1978 (historical)	• Governor Certifies or Designates Planning Organization
Jan. 1, 1979	• State Submits Revised Plan to EPA
July 1, 1979	• EPA approves or disapproves SIP. If SIP is not approved, sanctions take effect.
July 30, 1980	• Suggested Date for Completion of Comprehensive Alternatives Analysis
July 1, 1982	• Second State Submittal of Revised Plan If Extension Granted
Dec. 31, 1982	• Standards Attainment Deadline Where No Extension Granted
	• Initiation of Extensive Transportation Measures by States with Extensions
1983—Dec. 31, 1987	• Standards Attainment Deadline Where Extension Granted

THE PROCESS

Proposals for Intergovernmental Cooperation

Planning and implementation of a Transportation Control Plan (TCP) consist mainly of identifying measures that will achieve the required pollution reduction and putting them into practice. In order for this procedure to be effective and politically acceptable, however, dozens of agencies and groups at each level of government must be involved. To this end, EPA recently proposed regulations for "Intergovernmental Cooperation" (43 *Federal Register*, pp. 21466-21470, May 18, 1978). While these are only proposed regulations, their basic requirements are likely to remain the same in the final version. They set forth requirements for preparation, adoption, and submission of implementation plans.

The regulations also spell out requirements that were mandated by the 1977 Amendments. Section 174 of the amendments requires that states and elected officials of affected local governments jointly determine which part of the transportation plan will be planned and implemented by state, local, and regional agencies. The preferred approach under Section 174 is for the plan to be prepared by an organization of elected officials of local governments—if possible, an organization already responsible for transportation planning, or air quality maintenance planning, or both. Designation of most lead agencies has already been completed in accordance with the April 1, 1978 deadline.

Once designated, the lead agency must carry the show (under the EPA/Department of Transportation Guidelines) by developing a work plan to involve and consult with other agencies in the area which have transportation and/or air quality responsibilities. This task should include:

- Documenting existing roles and responsibilities for transportation and air quality;
- Defining formal and informal working relationships among these programs and agencies that are required for transportation control planning and implementation; and
- Developing means of maintaining these necessary relationships and means of establishing them where they do not already exist.

The last two activities must be done in coordination with the agencies involved.

The lead agency should also develop procedures to involve elected officials in transportation/air quality decision-making. This will help to assure that programs, once devised, will receive legal authority. Procedures for involving elected officials should include:

- Providing information about measures and groups of measures under consideration;
- Providing more detailed information as programs develop;
- Obtaining commitments from officials to support programs; and
- Advising officials of proposed modifications as these may become necessary.

The lead agency should take roughly the same steps to seek public participation in and acceptance of the transportation/air quality program.

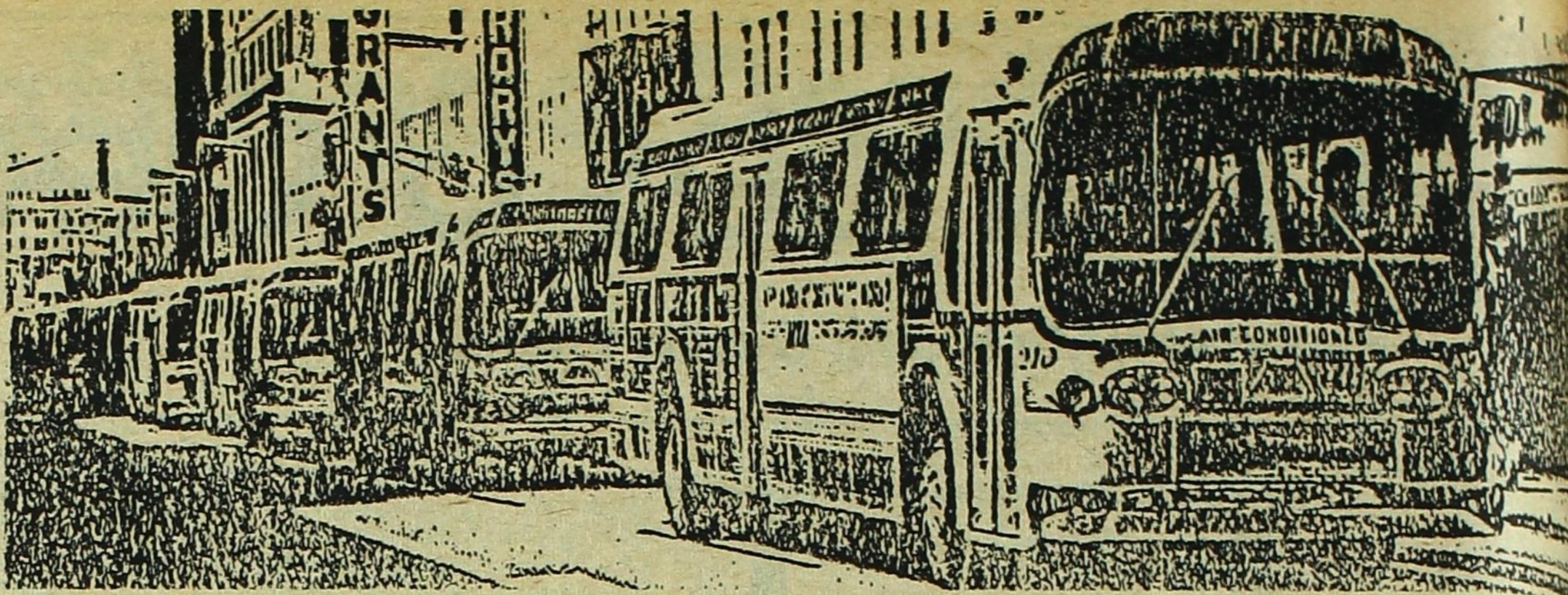
Transportation/air quality planning should also be integrated with existing, related programs. This integration will probably result from coordination with agencies responsible for these programs, but the lead agency should also develop a working knowledge of programs for Urban Transportation Planning and Transportation Improvement (both under Title 23 of the Code of Federal Regulations, Part 450) and programs for Air Quality Maintenance Planning (AQMP) where applicable. AQMP is quite similar to the planning required for SIP revision, and areas that have undertaken AQMP should have little trouble in assembling a SIP revision. Remember, however, that all air quality planning programs are tied to specific pollutants, and one area could conceivably be required to carry on several planning programs—each for different pollutants.

Both the Transportation/Air Quality Planning Guidelines and the proposed EPA regulations for Intergovernmental Consultation stress creation of a continuous planning and consultation process to deal not only with transportation planning, but also with preparation of other control measures for nonattainment areas; procedures for preconstruction reviews of direct sources of air pollution; measures for prevention of significant deterioration of air quality; air quality maintenance measures; and delayed compliance orders for stationary sources that cannot, for some acceptable reason, meet the deadlines for compliance with an applicable SIP.

This process is required by Section 121 of the 1977 amendments to the Clean Air Act. To fulfill this requirement, the lead agency in each of these air quality planning situations must involve, where appropriate:

- Relevant state agencies (i.e., air pollution, transportation, energy, community planning, and solid waste management);
- Elected officials of local governments;
- Federal land managers, where federal lands are affected;
- Affected local and regional agencies; and
- Public interest organizations with a major interest in the program.

This coordination and consultation, although time consuming, will help assure that effective and acceptable plans are developed and implemented. Time invested in the early stages of plan development will pay off in rapid acceptance of the plan, first by the state, and then by EPA.



THE STEPS

Guidelines for revising the transportation part of SIP

Once intergovernmental coordination is established, the lead agency must oversee the development, adoption, and application of specific measures designed to attain the air quality standards for photochemical oxidants and carbon monoxide by either 1982 or 1987.

The first group of steps define the problem. First, the nonattainment area and the area that will be subjected to transportation control measures must be identified. (Due to transport of pollutants by wind, these areas may not be the same.) Second, an inventory of current emissions must be prepared to show the extent to which current emissions exceed the standards. Third, population growth and other emissions-producing growth (for the period until 1982 or 1987) must be projected, and added to the current emissions. This shows the degree by which the standards would be exceeded in future years without compensatory reductions, and the amount by which emissions must be reduced to attain the standards by the applicable deadline (1982 or 1987).

The amount by which the standards will be exceeded at the time of the deadline may then be reduced by any reductions from federal new car standards or from stationary source controls. Any remaining emissions must then be reduced down to the level of the standards by transportation control measures.

These calculations define the **offset policy**: emissions must be reduced to the level of the standards not only in light of current emissions, but also in light of predicted growth. Growth in emissions must be *offset* by emissions reductions.

Finally, if standards will not be met by federal new car emission and stationary source controls, a package of transportation control measures must be developed to make up the difference. Each measure must be analyzed to determine its contribution to emissions reduction. Measures must then be implemented in phases that will assure attainment of the air quality standards by the applicable deadline (1982 or 1987).

Evaluating control measures

Each of the 18 control measures (see accompanying article) must be analyzed to determine its feasibility and its contribution to emissions reduction. An area that can attain the standards by 1982 can pick and choose which measures to analyze, but an area requiring until 1987 must analyze all 18. Other measures may be developed at the option of the lead planning agency. Evaluation requires a balancing of costs and benefits. Each measure should be evaluated in terms of its:

- Impact on improving air quality, and other environmental effects (both positive and negative);
- Energy consumption;
- Effects on employment, business activity, land use patterns, regional and urban development, and other community goals;
- Ability to obtain funding;
- Capital and operating costs;
- Specific impacts on the local economy, by sector (public or private), income group, geographic area, and social group;
- Travel impacts, mainly in terms of convenience and service to commuters and other travelers;
- Political feasibility (public acceptance);
- Institutional feasibility, in terms of the ability of existing or easily created agencies to carry it out; and
- Other important local community values.

Four different types of documents related to the transportation part of the SIP revision are required to be submitted, depending on the attainment deadline. First is a revision that will provide for attainment of the air quality standards by Dec. 31, 1982. This revision is due Jan. 1, 1979. Second is a revision that can justify an extension for attainment until Dec. 31, 1982, also due on New Year's Day, 1979. (The first and second documents are alternatives.) This is a comprehensive analysis of alternative transportation control measures, with July 30, 1980 "suggested" as the date for submittal. Finally, a second revision due on July 1, 1982 is required of areas which have been granted extensions. Special requirements for each document are discussed below.

Revision providing for attainment by 1982

Beyond defining the problem, as discussed earlier, this revision must show that all measures necessary for attainment

of standards are adopted in legally enforceable form. This can be by statute, regulation, ordinance, or other legally enforceable document. Where adoption of all necessary measures is not possible by 1979, a schedule for expeditious development, adoption, submittal, and implementation of these measures is sufficient. This must include analysis, or commitment to analysis, of any of the 18 measures listed by the 1977 amendments and required to attain the standards. As with all SIP revisions for nonattainment areas, reasonable further progress toward attainment must be shown on an annual basis.

Revision providing for attainment by 1987

Additional steps are required for revisions that can justify extension of attainment until 1987. (Again, extensions require a demonstration that standards cannot be attained even with implementation of all measures reasonably available by 1982.) First, all 18 transportation measures must be scheduled for analysis. Then, additional requirements include:

- A weighing of benefits and social costs prior to issuance of a permit for the construction of a stationary source with the potential to emit 100 tons or more of any pollutant per year;
- A schedule for implementing a vehicle inspection and maintenance program that the governor has endorsed and committed the state to achieve; and
- A commitment to establish, expand, or improve public transportation to meet basic needs; and a commitment to use available funding for this purpose.

Comprehensive analysis of alternatives

July 30, 1980 is EPA's suggested deadline for analysis of the 18 transportation control measures, and either their acceptance for implementation or their documentation as infeasible or unnecessary. This provides an extension for those who cannot complete their analysis, under either type of revision, by Jan. 1, 1979.

Second revision for areas with 1987 extension

Areas that receive extensions must submit a second revision by July 1, 1982 that schedules the implementation of control measures to attain the standards as "expeditiously as practicable" but not later than 1987. (Measures must be implemented by Dec. 31, 1982.)

Progress reports

Once SIP revisions are submitted, EPA will require annual progress reports on phased introduction of control measures and attainment of standards. Specifically, reports must discuss progress toward meeting schedules originally submitted for development and implementation of transportation control measures; contribution of these control measures to attainment of the standards; growth of vehicle emissions; and an updated inventory of vehicle emissions. The annual report should be coordinated with other reports required by transportation planning programs. Annual reports are important because the growth sanction must be imposed at any time that planning and implementation of transportation control measures does not proceed expeditiously.

Funding

The 1977 amendments authorized appropriation of \$75 million to cover 100 percent of the additional costs of developing a revised SIP for a nonattainment area. These funds would be earmarked for counties and other local governments, but have not yet been appropriated. President Carter requested appropriation of \$25 million of these funds in his March 1978 urban policy statement, and it is expected that this amount will be appropriated for fiscal '79.

Some funds have been made available to local governments through the general appropriations to fund state air pollution control agencies (about \$2 million). In addition, certain funds for existing transportation programs have been earmarked for air quality planning, but this has had little impact on local planning. Counties and other local governments should communicate their need for planning funds to NACoR's Clean Air Project, the White House, EPA, and Congress. It is important to detail how funds would be used.

Feedback Loop B
Feedback Loop A

THE BUILDING BLOCKS

The 18 transportation control measures

The transportation control measures (TCMs) are the building blocks of transportation control planning. The 1977 amendments to the Clean Air Act set forth the following 18 measures, and require EPA to provide information documents on their air quality effectiveness; their effect on transportation systems and services; and their environmental, energy, and economic impact:

- Motor vehicle emission inspection and maintenance programs;
- Programs to control vapor emissions from fuel transfer and storage operations and operations using solvents;
- Programs for improved public transit;
- Programs to establish exclusive bus and carpool lanes and statewide carpool programs;
- Programs to limit portions of road surfaces or certain sections of the metropolitan areas to the use of common carriers, both as to time and place;
- Programs to reduce emissions by improvements involving new transportation policies and transportation facilities or major changes in existing facilities;
- Programs to control on-street parking;
- Programs to construct new parking facilities and operate existing parking facilities for the purpose of park and ride lots and fringe parking;
- Programs to limit portions of road surfaces or certain sections of the metropolitan area to the use of nonmotorized vehicles or pedestrian use, both as to time and place;
- Provisions for employer participation in programs to encourage carpooling, vanpooling, mass transit, bicycling, and walking;
- Programs for secure bicycle storage facilities and other facilities, including bicycle lanes, for the convenience and protection of bicyclists, in both public and private areas;
- Programs of staggered hours of work;
- Programs to institute road user charges, tolls, or

differential rates to discourage single occupancy automobile trips;

- Programs to control extended idling of vehicles;
- Programs to reduce emissions by improvements in traffic flow;
- Programs for the conversion of fleet vehicles to cleaner engines or fuels, or to otherwise control fleet vehicle operations;
- Programs for retrofit of emission devices or controls on vehicle and engines, other than light duty vehicles;
- Programs to reduce motor vehicle emissions which are caused by extreme cold start conditions.

Each measure must be analyzed by the lead planning agency and either implemented or rejected as unfeasible, with documentation. Some measures are grouped, so discussion does not strictly follow the list. (To date, EPA has published information documents on vehicle inspection and maintenance programs, transit improvement, preferential lanes, and carpool programs.)

Motor vehicle inspection and maintenance programs

require owners to submit their vehicles to periodic inspections of emission control systems. This can be conducted in the same way as vehicle safety inspections. Inspection and maintenance programs (I/M) are currently operating in Arizona; California; Chicago; Cincinnati; Hamilton County, Ohio; New Jersey; Nevada; Portland, Ore.; and Rhode Island. As noted earlier, an I/M program is required for areas which receive an attainment extension until 1987.

I/M programs can achieve exhaust emission reductions of up to 24 percent for hydrocarbons (oxidants) and 37 percent for carbon monoxide, depending upon vehicle type and stringency of testing. Effectiveness of an I/M program depends on the frequency of testing.

Programs to control vapor emissions from fuel transfer and storage operations can significantly reduce hydrocarbon (oxidant) pollution. They involve use of devices to capture emissions from evaporating gasoline and other volatile solvents, and to return these vapors to the storage tank, which saves energy as well. Devices to recapture vapor emissions have been installed on the fuel nozzles of large gasoline stations in the District of Columbia.

Programs to improve public transit may not have a significant impact, in themselves, on air quality improvement. They are, however, an essential ingredient in a comprehensive program which includes measures to restrict the use of private automobiles. Convenience of public transit is an important factor in the acceptability of these more controversial measures.

Preferential treatment of high-occupancy vehicles, both buses and carpools, involves setting aside certain lanes, either all of the time or during "rush hours," so that these vehicles can travel more rapidly than other traffic. This measure is primarily effective in reducing concentrations of carbon monoxide, particularly during peak travel hours. Reductions are low, as compared to cost where new lanes are constructed. Again, however, speeding bus transit provides a convenient alternative when measures are implemented that restrict private vehicle travel.

Programs to restrict parking are among the more controversial measures. Department of Transportation studies indicate, however, that this control can have a dramatic effect on traffic flow. Variations include: the location of parking, the total amount of space allocated in a particular area for parking; the cost of parking; and the length of time that parking is permitted. Where adequate public transit is available, parking controls can divert travelers to this alternative.

Park-and-ride programs which provide parking at public transit terminals at the fringes of an urban area are gaining increasing popularity. Particularly when coupled with central city parking restrictions, park-and-ride programs can divert many drivers to public transit. While the costs of fringe parking facilities is low compared to in-town facilities, parking fees low enough to attract substantial numbers of drivers to this program will often be insufficient to cover costs. Accordingly, subsidies are frequently required. (Many existing programs, for example, offer free parking.)

Programs to limit certain city streets to pedestrians and bicycles have not been widely implemented, but frequently offer the collateral benefit of revitalizing inner-city areas. Blocking off certain city streets or blocks acts primarily to make vehicle traffic more difficult, and is, thus, similar to parking restrictions used to discourage driving private vehicles.

Employer participation in programs to encourage carpooling, vanpooling, mass transit, bicycling, and walking is likely to be voluntary, but some incentive is available. Employers participating in these programs can benefit from reduced parking facilities and worksite congestion, and by improved public relations.

Enhancing bicycle use via secure storage facilities and bicycle lanes has good potential. Commuter bike lanes are on the increase. For example, extensive commuter lanes have been established in Seattle, Wash.; Davis, Calif.; Chicago, Ill.; and Ann Arbor, Mich. A Philadelphia study indicates that modest investment in lanes and storage facilities would shift 5 to 10 percent of auto commuters to bicycles.

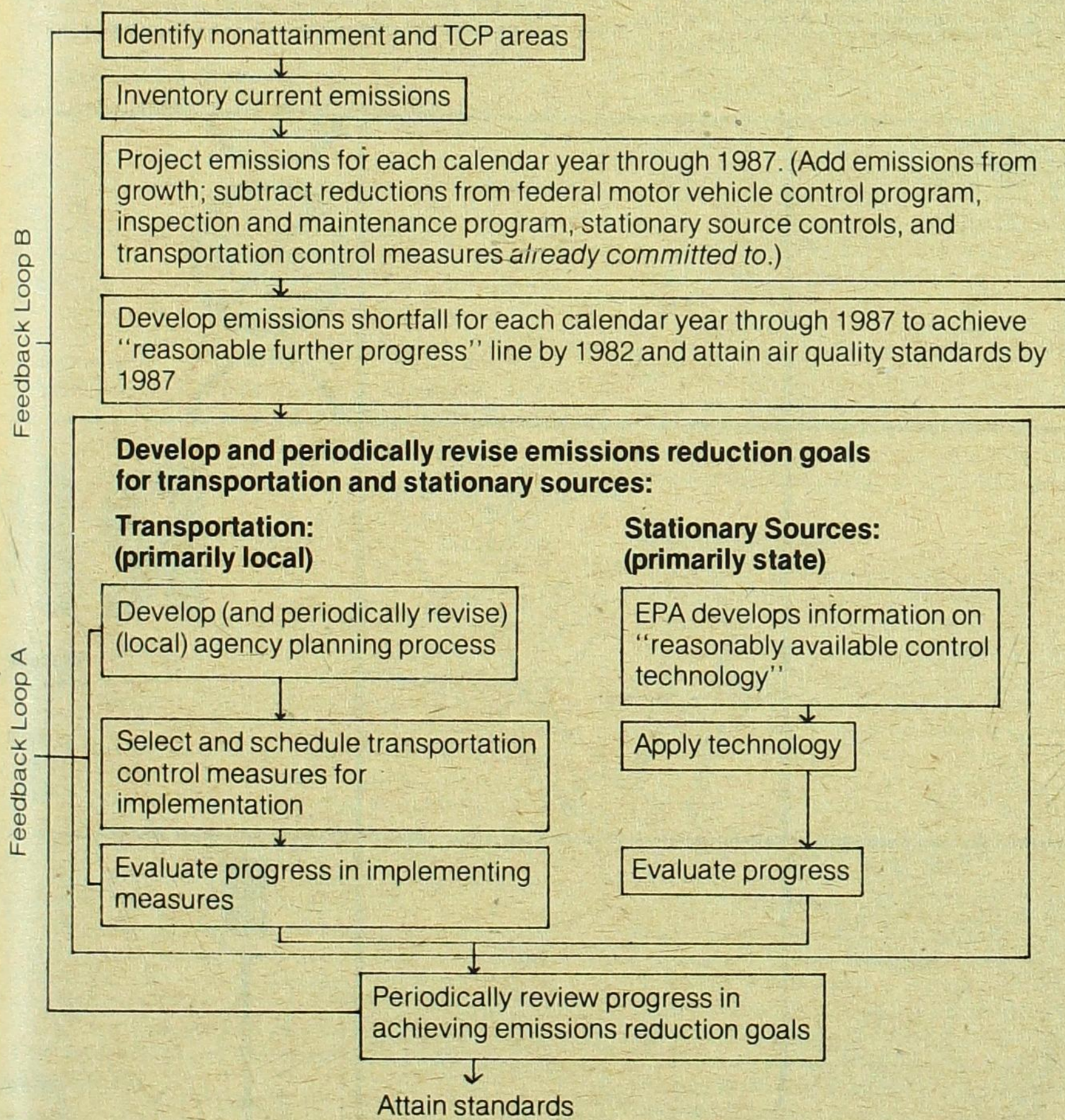
Staggered work hours can reduce traffic congestion, and pollution concentrations, at low cost. In addition, this measure can reduce transit crowding, thus reducing the cost of peak hour service and making transit commuting more pleasant.

Road user charges and other economic approaches are flexible measures that can reduce congestion and shift commuters to public transit or carpools, and achieve other goals. Depending upon their design, they may be subject to a number of limitations, however, and should be carefully analyzed. For example, tolls are prohibited on federally funded highways.

Traffic flow improvements are popular with drivers, and can reduce pollution and save energy—as long as they do not greatly increase the popularity of auto commuting. These measures, including improved traffic signal timing, lane reversals to accommodate the main direction of traffic flow, off-street loading, and removal of on-street parking, are particularly appropriate for areas without major transit systems. Even where public transit is available, removal of on-street parking can also encourage would-be drivers to use it.

Note that Section 110 of the Clean Air Act as amended in 1977 limits EPA specifically from requiring an indirect source (a facility that attracts motor vehicle traffic) review or certain TCMs. This section also permits the governor of a state to suspend certain existing TCMs, such as reduction in the supply of on-street parking spaces.

Flow Chart for SIP Revision to Meet Oxidant and Carbon Monoxide Standards by 1987



There are two "feedback loops." **Loop A** recognizes that implementation of transportation control measures will be highly dependent on the planning process developed by the lead agency. This planning process is dependent on to develop public and political acceptance of the measures. The process should be continually evaluated and revised in light of the success of

implementing the measures. **Loop B** emphasizes that the SIP must be periodically evaluated and revised in light of its success in maintaining reasonable further progress toward 1987 attainment. If progress for any year falls below the level required, the SIP must be strengthened to compensate for this shortcoming.

THE PROGRESS

Designation of lead agencies and steps toward a revised SIP for 1979

Lead planning agencies have now been designated for nearly all areas that have not attained the oxidant and/or carbon monoxide standard. The present lack of federal planning funds, authorized by Section 175 of the Clean Air Act, but not yet appropriated by Congress, has created pervasive problems. In at least one case, a designated lead planning agency has sacrificed the lead role opportunity, and rejected designation. In many other situations, lack of funds has retarded planning, particularly since technical resources are required in the early steps to define the nonattainment problem.

Typically, the designated agency is a regional council representing the counties and cities of a major urban area. Where county boards of supervisors or other county agencies have been designated, as in about 15 percent of the cases, this has often been for areas with fewer than 200,000 inhabitants. (Major exceptions are found in Florida and New Jersey.) These smaller areas are not required to prepare transportation control plans. They are broadly classified as "rural," and are expected to direct their efforts to control of stationary sources with a potential to emit more than 100 tons of hydrocarbons (a substance that produces oxidants under certain weather conditions) per year.

A survey of several county lead planning agencies for "rural" areas suggests that (1) some of these agencies are not aware that they are not required to do transportation control planning, and (2) others that are aware are finding that a transportation control plan is required to deal with their problems.

Jackson County, Ore.

Jackson County, Ore. is a good example of the second category—and a good case study of the problems less populated areas can have in attaining air quality standards. The Jackson County Board of Commissioners is the designated planning agency for the area. The county lacks air quality and growth projection data. It lacks planning funds, and will probably not be eligible for Section 175 funding (earmarked for major urban areas). It suffers from extremely adverse weather conditions. Because it is in a valley, it experienced an air inversion during at least part of every day in 1977. Its largest urban area, Medford (population 90,000), has diffuse settlement patterns which do not lend themselves to effective mass transit or carpooling programs. (It does, however, have a small bus

system.) Finally—the punch line—it has a severe air pollution problem. During 1977, Jackson County exceeded the oxidant standard on 77 days.

Despite these adversities, Jackson County officials are reasonably optimistic about submitting an acceptable SIP. They are coordinating with the Oregon state departments of transportation and environmental quality to obtain an updated model of their transportation situation, an emissions inventory, and a preliminary list of reasonably available control measures. When these are available, they will be used to determine the motor vehicle contribution to air pollution, and control measures will be presented to a citizens advisory committee for evaluation and selection. County officials expect to implement programs for vehicle inspection and maintenance and for improved traffic flow. Officials are keenly aware that they have neither the funding nor the other planning resources that are available to major urban areas. They are also aware that they are not technically required to prepare a TCP, but, seeing the need for one, they are making do.

All but one of the major urban areas in this country have failed to attain the standards for either oxidants or carbon monoxide, and these areas include parts or all of hundreds of counties. Where, as in the majority of cases, counties are not the lead planning agencies, county officials still have an important role to play. Officials should work to see that, as required by the Clean Air Act and EPA regulations, they have a strong voice in developing the transportation control plan, as well as other ongoing air quality planning. They should not only insist that their county's interests be considered by the lead planning agency, but also that the state pay attention to the lead agency's recommendations.

First to submit a SIP Revision

The Delaware Valley Regional Planning Commission (DVRPC) is the first lead planning agency to submit a preliminary SIP revision. Its experience suggests the simplicity of preparing a '79 revision, as well as the tack which local governments should take in this matter.

A DVRPC official stressed that it was fortunate the EPA and Federal Highway Administration (FHWA) regional officials (Region III) spelled out in April 1978 exactly what they wanted in a SIP revision. (Other lead planning agencies and affected

governments should press their regional EPA and FHWA offices for a precise statement of requirements.)

The final DVRPC 1979 SIP revision will include an inventory of existing emissions and a projection of growth for the area. The state air pollution control agency will perform an analysis of emissions reductions necessary for the required level of progress towards attaining the standards.

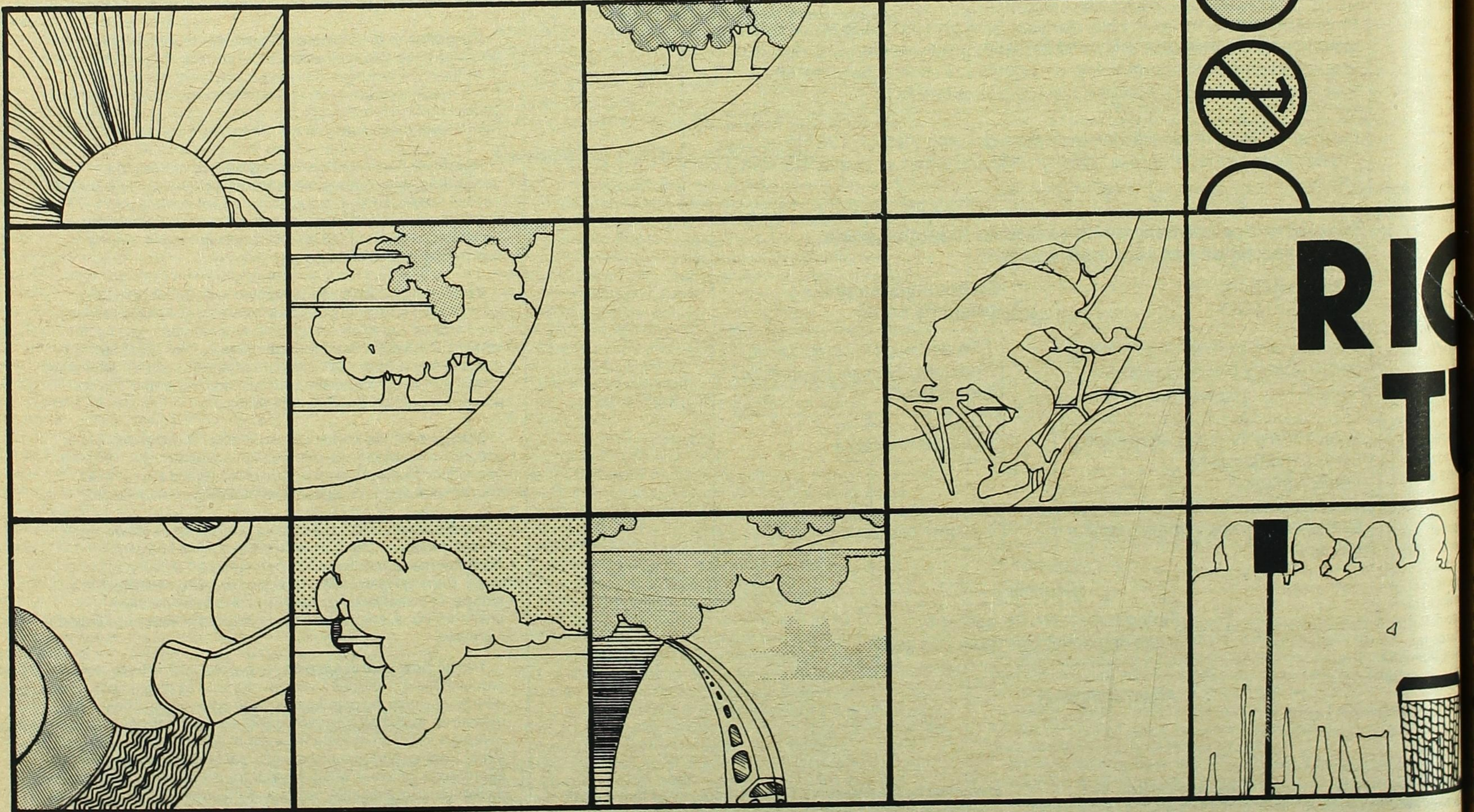
Once the problem is defined, DVRPC will outline a schedule for analysis of reasonably available transportation control measures. Since an extension until 1987 will probably be requested, vehicle inspection and maintenance will be required. The state will set up this program. DVRPC officials emphasized that close cooperation with the state is essential, since the state air pollution control agency often has technical resources that are not available to the lead planning agency. Cooperation should obviously be accompanied by a clear representation of local interests.

Conclusion

This supplement aims at encouraging every county with carbon monoxide and/or oxidant problems to play a strong role in attainment planning. A few points bear stressing:

- The 1979 SIP revision, while requiring mobilization of local resources and commitment to a process for attaining the air quality standards, is only the first step in a series of planning and implementation efforts.
- Affected local agencies, particularly the lead agency, should press regional EPA and Department of Transportation offices to spell out their requirements for '79 SIP revisions.
- Intergovernmental cooperation, involvement of local elected officials, and public participation are critical to the success of transportation control planning.
- Attainment planning can affect not only air quality, but also growth, transportation systems, and the local economy.

This supplement was developed by Ivan J. Tether, NACoR Air Quality Project, in cooperation with the U.S. Environmental Protection Agency.



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Counties & Clean Water

Drinking water contaminants:

Setting standards in the absence of hard facts

EDITOR'S NOTE: The Safe Drinking Water Act of 1974 sets standards for maximum levels of contaminants permitted in the water we drink. The act also mandated an investigation by the National Academy of Sciences into the health effects of these contaminants. The NAS study was intended to guide the Environmental Protection Agency (EPA) in revising its National Primary Drinking Water Regulations, through recommendations for safe contaminant levels for a great number of substances. However, in almost every case, NAS found it impossible to do on the basis of current research results.

The following article describes some of the research methods used by scientists to determine health effects of drinking water contaminants, and explains some of the reasons why the NAS found it so difficult to come to definitive conclusions.

This article is condensed from a presentation given by Dr. Jonathan Mann, Public Health Officer for the state of New Mexico, at a workshop for county and city officials in Albuquerque this spring. The workshop, entitled "Safe Drinking Water: Local Government Responsibilities" was sponsored in part by NACoR and the New Mexico Association of Counties, in cooperation with the U.S. Environmental Protection Agency.

by Jonathan Mann, M.D.
State of New Mexico Public Health Officer

The Safe Water Drinking Act sets standards for a number of contaminants in drinking water which local governments as water suppliers must meet. To understand the health basis for the legislation, it is important to realize how we have learned what we know, why we don't know what we don't know, and why we may never know all that we would like to know.

What is waterborne disease?

To many people, waterborne disease means intestinal disease. Most of the "traditional" waterborne diseases cause irritation of the intestinal tract which results in diarrhea, nausea or vomiting. The illness usually occurs within a few days or one week after exposure to the contaminated water.

We used to think that if you drank the water containing the harmful bacteria, you would automatically get the disease. Our level of sophistication and understanding of disease in general has now increased. We know that there are a lot of variables involved in what looked like a simple equation. First, there are differences among people—what they drink, how much they drink, their age, sex and prior health history. Second, we now recognize that the relationship between exposure and illness is never straightforward, even for the "traditional" bacterial diseases we understand relatively well.

When we examine a more complicated situation, involving chemicals in the water supply, some of the problems we experience in evaluating health impacts become quite evident.

Everyone is different

For example, the concept of "how much is too much" may vary depending upon the specific population exposed. Acceptable lead standards have gone down as we have learned more about the effects of lead on different population groups. Adults can be exposed to a certain amount of lead with little detectable harm because their nervous systems are already mature. However, in a young child in the process of active growth, exposure to even very small amounts of lead may lead to difficulty in the development of the nervous system. This is one situation in which we have been able to make a distinction between an age group that is more susceptible to a particular type of exposure than the population as a whole.

If the acceptable lead standard were set on the basis of the effects in adults or in the aggregate or "average" population, we would be doing harm to infants, young children and the unborn. Particularly susceptible segments of the population must be taken into consideration when establishing exposure levels, even though they may constitute only a small portion of the entire population.

Chemicals in the body

Any one of the alphabet chemicals—DDT, PCB, PPB—tend to become concentrated in certain portions of the body. The body stores them in the body fat, away from where they can do harm. However, these chemicals can be released from storage, leak back into the blood and be carried to the parts of our body which may be more sensitive to toxic effects, such as the nervous system, liver or reproductive system.

What body defense mechanisms are brought into operation? We know that the body's adaptability is complex and that a tolerance to certain potentially dangerous materials can be achieved over time. At this time, people who have been exposed

to high levels of these chemicals may look as healthy as nonexposed persons, even when tested with sophisticated laboratory techniques. However, we really don't know what a long-term exposure to these chemicals might do.

Latency

With the "traditional" waterborne diseases, the factor of prolonged latency—involving effects which occur long after the exposure took place—did not have to be considered. If you drink water contaminated with bacteria and don't get intestinal illness within a relatively brief period, you are not going to get ill, because the incubation period for bacterial illness will have passed. However, with many chemicals, there may be a 10, 20 or 30-year period from the time of exposure to the time that adverse health effects begin to appear.

This causes major problems in our ability to determine a cause-and-effect relationship. For example, if Red Dye #2 may cause cancer in humans with a latency of 20 years, a high rate of a particular cancer might appear in the future. At that distant time, how many of those people with the cancer are going to remember whether they ate maraschino cherries and red candies? This information may be impossible to obtain and the relationship between this chemical and human cancer may never be conclusively established. All we may know is the experimental evidence from animal testing that suggests that Red Dye #2 may be harmful to health.

Threshold

Another important concept is the threshold effect. Is a little bit of a carcinogen not cancer-causing? Or will even the smallest amount of a carcinogen cause the disease?

It has been argued that a threshold exists below which even the most toxic substance would be harmless. However, research methods do not enable us to establish a safe or acceptable level of exposure to a carcinogen below which we are sure no one in the population exposed will get cancer. Even if the statistics tell us the risk of developing cancer is very small, the extrapolation of risk into the total human population over many years may culminate in a very large figure.

We know that cigarette smoking causes cancer. We also know that the less you smoke and the less you inhale, the less risk you have. This nevertheless implies that small amounts of carcinogenic material probably cause cancer. But what is a small amount? It obviously must vary greatly from person to person.

Are chemicals either carcinogenic or noncarcinogenic? It may depend upon the route and extent of exposure. Exposure of the skin is different from exposure by ingestion, because the body may handle the chemical in a different way.

These factors of individuality, latency and threshold make it exceedingly difficult to establish standards for chemicals in drinking water that will protect human health.

Animal testing

Why don't we know more about these chemicals? In the absence of human testing, we must rely on laboratory experiments on animals and extrapolate from these tests to human health. In this type of experiment, we expose a living system such as the guinea pig or rat to a particular chemical and try to determine the effects. We usually focus on whether cancer develops or whether defects appear in the offspring.

However, in order to reach conclusions within a relatively short period of time, the animals are exposed to large quantities of the particular substance. We try to accelerate natural processes so that we can watch them in the laboratory, a bit like time-lapse photography. However, this compression effect inevitably imposes a tremendous bias into our study because nature is not like that. In real life, there is an adaptation process in which time plays an essential part.

It really is an artificial situation to give an animal an enormous amount of a chemical in a short period of time; it would be inappropriate to assume this is analogous to what happens when a human being is exposed to smaller amounts over a much longer period. What this approach would ignore is both the tremendous adaptability of the human organism and the constant interplay between the organism and the environment. Another problem with this type of study is the question of extrapolation from animals to man. Are the mechanisms that result in cancer to answer this question?

The adaptability concept is crucial here, too. Is the way an animal adapts to exposure to a chemical the same as the way a human adapts?

There are also other effects, difficult to measure in animals but very important to people. Examples would include the psychological elements that create our sense of well-being or successfully integrate our personality. We really don't know how to measure the sense of well-being in animals.

Although many experiments are done with animals like rats

and guinea pigs, new methods are being developed that may help us understand some of the longer-term effects of chemicals on living systems. These methods utilize bacteria, which multiply rapidly. Following exposure of microbes to potentially toxic agents, the organisms are monitored in the laboratory. Changes that appear only after 15 to 30 generations can be observed in days among bacteria. In mammals, similar follow-up would take a long time, but in bacteria generations rapidly succeed each other.

As exciting as that research opportunity might be, the relationship between microbes and man may be even more tenuous than that between other mammals and man.

Studies on humans

If scientists were only concerned with getting answers, and not with ethics, they would perform human experiments. But the only truly accurate human experiments are of the generally unethical kind. Thus, in a good experimental model, you would deliberately expose people to differing doses of a toxic substance. Then, you would have to ensure that the members of the study led virtually identical lives (i.e., exposure to the same environmental and chemical environment) so that when they died or developed adverse health effects, it would be possible to attribute the disease to the chemical. Obviously, this is neither practical nor ethical.

However, this does not mean that we cannot learn from studies of human populations. Quite the contrary. How did we find out that nitrates cause health problems in infants or that fluoride is good for the formation of strong tooth enamel? We looked at areas with high levels of these particular substances in their water and compared the health status of people exposed to high levels with those who live in areas with low levels. This information can then be used to detect health effects of substances and sometimes this data is sufficient to serve as the foundation for establishment of standards.

So many chemicals are ubiquitous in our environment. For example, most people are exposed to saccharin in a variety of foods and drinks over a period of time. In an epidemiologic study of saccharin consumers, you must compare controls (those not exposed) with the group of persons who have been exposed. If virtually all of us are exposed to saccharin, or if we are unsure about the amount each person has consumed, there may be no good control group. Thus, if we have an epidemic of a type of cancer in 25 years, what will we blame it on? Saccharin? DDT? Fallout? Everyone may have been exposed to at least some of all these things, which may severely hamper our ability to determine which factor or factors caused the cancer.

Setting standards

What does all this imply for those who must decide whether or not to regulate exposure of human populations to a particular chemical found in our water supplies?

Since we don't currently know what we would like to know and recognize that we may never be able to know this information, establishing standards in many cases becomes a matter of philosophy.

Should we wait 20 years to observe the effects of chemicals present in drinking water now, or should we set standards based on our current best guess?

We can't know if some of the new chemicals will cause genetic defects nor will we be in a position to know for generations. Should we wait until the defects appear to limit human exposure to the chemical?

Most people are willing to accept the kind of preventive philosophy that says: "In the absence of knowledge, let's be cautious."

Those who will want to thank us for restricting chemical contaminants in the water now in the interests of protecting future health are our children's children.

Here in the United States we have a water supply of good quality. The effective separation of sewage and water and the drinking-water treatment technologies in use constitute a major difference between this country and the underdeveloped nations. Our good drinking water has contributed to our longevity and our quality of life.

The argument has been made that as our interest and ability to test for chemicals in water increases, the maximum allowable levels of these chemicals in water will continue to decrease. The argument has also been made that limiting many of these chemicals in our water is too expensive compared to the statistical and hypothetical benefits.

What we must do is strike a balance. We must protect human health where it is feasible to do so, despite the inadequacies of existing knowledge. We cannot defer decisions until absolute knowledge is attained, for this will probably never occur. We do not want to frighten people about drinking-water contaminants, yet we need to inform them. We do want to let people know that there are many questions about these chemicals and their health, including those for which there may never be answers.

'FIND AND FIX IT' PROGRAM

Infiltration: plugging the leaks

Millions of gallons of fresh water flow daily through cracks and broken joints into the collection pipes of most sewage systems in this country. This situation, called infiltration, not only deprives communities of important groundwater reserves, but of an equally critical resource—sewage treatment capacity. The infiltration of fresh water can constitute 20-40 percent of the total flow reaching some treatment plants, an enormously inefficient use of a valuable capital investment.

The Washington Suburban Sanitary District (WSSC), which covers Montgomery and Prince George's counties in Maryland, has recently begun a program called "Find It and Fix It" to deal with serious infiltration problems in its sewage collection system.

WSSC collects 147 million gallons of sewage each day from Montgomery and Prince George's through its 3,300 mile network of pipe. Of that total, 52 MGD (million gallons per day) or 35 percent is fresh water infiltration, nearly all from groundwater sources.

Under the terms of an interstate compact, WSSC sends its sewage into the District of Columbia's treatment plant at Blue Plains. This plant also received 131 MGD from the District itself.

The infiltration component of this flow is between 30-40 MGD or about 27 percent, although during wet weather infiltration can reach 70 MGD. Together, the WSSC and the District flows approach the total 309 MGD capacity of Blue Plains, yet only about 64 percent of the flow is sewage.

"Find It and Fix It" is an attempt to use the Blue Plains capacity more efficiently at a time when the Metropolitan Washington area is experiencing a major housing boom with the resultant demand for increased sewer service. A recent state agency decision to lift a long-standing moratorium on sewer hookups in the area is an added incentive to Montgomery and Prince George's county officials.

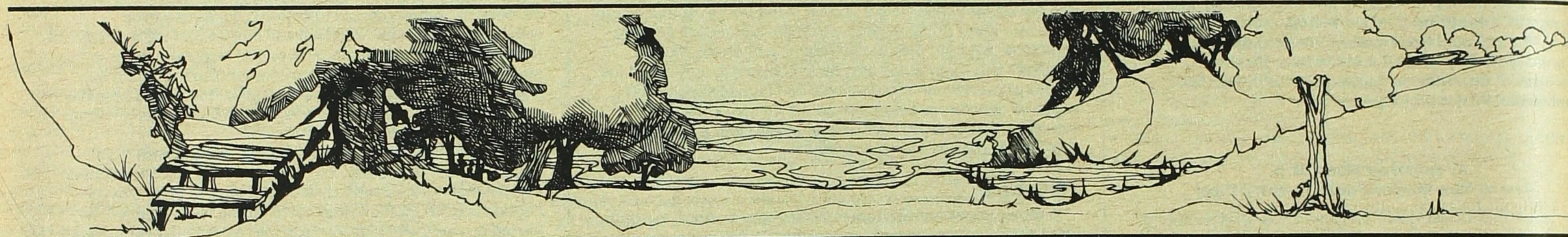
WSSC has estimated that 20 MGD of infiltration could be eliminated by pipeline repair and improved maintenance at a cost of \$12 million. This expense is eligible for 75 percent funding through EPA's wastewater treatment program, if the cost of plugging the leaks is cost-effective—that is, less than treating the water as sewage.

Poor maintenance and delayed replacement of deteriorated pipes are the main causes of infiltration in most systems and particularly for the District of Columbia. Many of the sewers

serving the nation's capital were first installed in the 1880s in marshy tidal flats with high water tables. The pipes used were not designed to withstand heavy automobile and truck traffic, nor has there been a consistent emphasis on maintenance and replacement.

In the past 10 years, District officials say that the maintenance budget has only been approximately 10 percent of what was needed. As a result, infiltration into the District's pipes is extensive throughout the system and could cost \$60 million to repair. Despite this, repairs will still be cost-effective by EPA's definition; construction of new treatment capacity would cost at least twice as much.

While repairs and replacement of pipes to cure infiltration problems would appear to be an efficient use of public funds, the repairs themselves often present other problems. Reconstruction in densely populated areas often involves tearing up busy streets, and locating the leaks themselves can require specialized equipment which can fit into the pipes. Montgomery and Prince George's counties have used special measuring equipment, cameras and grouting machinery in their program.



Clean lakes: EPA lends a hand

Lakes and reservoirs across the country are becoming cleaner, thanks, in part, to the Environmental Protection Agency's Clean Lakes grants. This program, less well known than the multibillion dollar wastewater facilities construction grants program, has awarded about \$20 million in the last two years to local governments, states and lake management associations.

The funds, to be matched by state and local contribution, are used to pay for cleaning up fresh-water lakes which have become polluted or are experiencing other problems affecting their usefulness. EPA is giving special attention in awarding these grants to projects having a high potential for increased recreation use.

In order to consider lake cleanup alternatives, the ecology of lakes must be well understood. The effects of pollution are different on lakes than on flowing streams, and methods are available for lake restoration that are not suitable for streams.

Lake ecology delicate

Although each lake is a unique system, the ecological life-cycle of a lake can be described in general.

Rivers and runoff contribute organic substances which contain the essential nutrients of plant life. The nutrients are absorbed by algae which is eaten by tiny aquatic animals, in turn eaten by larger animals such as fish. Death and defecation of the lake life further contribute to the pool of organic substances.

In a clean lake, the supply of incoming nutrients is small enough to limit algae growth. However, when pollution adds too much organic material, algae can grow uncontrollably. When the algae dies and sinks, the decay produces even more nutrients. A great proportion of dissolved oxygen, essential for all lake life, is then devoted to the decomposition of algae on the bottom of the lake.

This limits algae growth to the upper sunlit layers, and the algae forms large green mats on the surface. At this stage, most other aquatic life has disappeared due to lack of oxygen. Eventually, even the algae dies and fills the lake. The grave of a dead lake is a peat bog.

This process is called eutrophication, and continually occurs in nature. Natural eutrophication may take thousands of years, whereas excessive pollution could condense that time to as little as a decade.

Controlling lake pollution

There are two basic methods of lake restoration—restricting nutrient flow into the lake, and providing in-lake treatment. Reducing the sources of pollution may be the only remedy needed. However, the more costly lake treatment methods often are necessary to achieve significant water quality improvement.

When pollution can be identified as coming from one or several "point sources," construction of a collection and diversion system can be one way of restricting lake contamination, although this method is relatively expensive. The relative contribution of these point sources in relation to other sources must be considered. For example, if agricultural runoff is a major pollution source, diversion of water from a storm water culvert may not make a significant improvement in water quality. Also, the environmental costs must be analyzed, because the diverted water must be discharged somewhere else.

Often, much lake pollution comes from unconfined or "nonpoint" sources. Some examples are construction activities which may cause mud to run into the lake, agricultural runoff which contains pesticides and fertilizers, or runoff from urban areas.

Measures to control the flow of sediment or pollution into the streams and lakes are called "best management practices" and are often nonstructural. For example, contour plowing can control soil erosion on farms, and periodic street sweeping can prevent the worst pollutants from reaching surface water.

Constructing dikes or planting cover crops can also help control sediment coming from the lake shore itself.

Or a local government may choose to buy land easements for buffer zones to protect a lake used for recreation from increased sedimentation.

In-lake methods of cleanup

Often, one of the worst sources of pollution is the lake bottom itself. Decaying organic matter from algae blooms may continue to deplete oxygen no matter how much incoming water-pollution is controlled.

Dredging a lake may be a solution to this problem if it is determined that the lake bottom is the major source of pollution. However, it may be less costly to cover selected portions of lake bottom with plastic sheeting, clay or sand to prevent the exchange of nutrients from the sediment to the water.

Another method of controlling lake bottom pollution is to draw down the water level and let the sediment dry out.

The lake water itself may be treated to inactivate algae nutrients. This could be especially valuable in lakes where the water tends to remain for long periods of time. It can be done by adding materials to the lake itself, or by pumping water out to treat it. The costs of these measures can be high, and control of pollution inflow must be part of this type of project to achieve significant water quality improvement.

Adding clean water from another source can dilute the effect of pollution in a lake. Obviously, availability of other water is an important factor to consider.

After other pollution control measures have been taken,

aeration of the water can accelerate water quality improvement. Aeration treats the symptoms rather than the causes of lake eutrophication, so it should not be used as the only cleanup method.

Counties and clean lakes

The results of one of the first clean lakes grants awarded are now in. About two years ago, the Snohomish County (Wash.) Metropolitan Municipal Corporation was given federal funds to clean up two lakes. The lake watershed is used for recreation but also for logging and mining. The lakes are also sources of both industrial and drinking water.

Streambanks along creeks had been eroding, washing mud and asbestos into the lake, reducing its life-support ability. The lake restoration project built rock structures and dikes along banks to stabilize eroding lakeshore and planted trees and grass in erosion-prone areas. Although further monitoring will be necessary to determine long-term success, preliminary analysis has indicated that the major sources of pollution have been eliminated.

An additional benefit has been the increased cooperation among the public entities responsible for resource management in the area.

In Minnesota, clean lake funds as well as state and local money is being used to save the dying 90-acre Hyland Lake in a Hennepin County Park Reserve.

The lake, near downtown Minneapolis, supports little life. It is gradually dying because there is no outlet to carry algae-producing nutrients that enter the lake in runoff from nearby residential areas.

The park reserve district has drained the lake to give the sediment a chance to dry out. Plans include building a water outlet, setting ponds to treat runoff before it enters the lake, and a deep well to provide fresh water to dilute pollutants. The project will be completed in the fall of 1978, and the expected result is a lake that will support fish and provide improved recreation.

Future funding

A three-year study by the New England Council for Water Center Directors found that lake deterioration is a major problem in that region. Development in lake areas has caused increased pollution, and air-borne pollutants from distant industries are contaminating even remote lakes.

This dramatizes the need for increased attention to lake restoration, and the federal government is responding by raising financial support for the clean lakes program. Approximately \$2.3 million is available for fiscal '78, and the Administration is requesting \$12.5 million for fiscal '79. The program is authorized at a level of \$60 million.

LOCAL PROGRAMS EXAMINED

How to Assist Victims of Crime

WASHINGTON, D.C.—This gathering of a variety of experts in the field of victim assistance met in Racine, Wis. to explore what services are being provided to victims of crime by county governments across the nation.

The progress report on victim services was guardedly hopeful: although things are better, there is still a long way to go. Despite the publicity in recent years, programs to help crime victims are still the exception. Most successful victim/witness assistance programs are presently located in urban areas, with little being done in rural counties.

The participants at the Wingspread conference, held April 13-15, shared knowledge and experience—and in the end came up with some specific suggestions for counties trying to establish victim assistance programs.

THEIR ADVICE can be summed up this way: use what fits, and keep it simple. There is no right victim assistance program model, no one way to do it. Even though most victim assistance programs have been started in urban areas, the rural counties also recognize the need to help victims of crime, but the models that have been developed are not useful to them. A larger geographical area and smaller fiscal budget make it difficult for rural counties to develop a program that would benefit the entire county.

To work, victim services must be linked to available community-county services, not patched on Band-Aid style. Developing support from the community leaders and social service agencies, before the program is started, is also essential.

One of the problems experienced most often after a program was started was convincing county social service agencies that crime victims do qualify for the agency's services.

Washington, D.C. attorney Richard Lynch warned against trying to do too much too quickly. "You can find a number of simple ways to change the system that are going to have quite an impact," he suggested. "We have found that the most successful victim assistance programs started small and then expanded. The worst thing that can happen is to banner a new super-duper victim assistance program and then do nothing. It's very easy to let rhetoric run away with reason."

SOME OF his recommendations:

- Make it a policy to notify every witness involved with the district attorney's office of the progress and final disposition of the case. This could be done at very little cost to the county.

- Have courts use photographs of property as evidence, instead of the property itself.

- Provide bus tokens for witness transportation to court; provide free parking near the courthouse for witnesses; or use existing county agencies to provide escort services for witnesses.

- Catalog all county agencies and the services they provide.

- Use county agencies which already exist, but have not been tapped before.

A community-county approach to victim services was sounded throughout the conference. In part, that approach reflected a key concern: the federal horn of plenty is drying up, at least as far as victim assistance programs are concerned. Rather than trying to hit the federal jackpot, counties starting victim assistance programs would do better to seek broad-based local funding, speakers said. By using existing county agencies, programs could be started at a fraction of the cost of a federally funded model program, which the county will have to pay for or give up when funding ends.

"THE COUNTY is the only viable level of government to initiate victim services where none exist," said John Dussich, executive director of the National Organization of Victim Assistance.

In Iowa, the State Association of Counties came up with a novel and effective way of skirting that problem. A section of the Iowa state code gives county supervisors the authority to define "people in need."

By passing a resolution defining crime victims as people in need, counties could open up a whole range of existing county services to victims of crime—hospitals, mental health centers, counseling agencies, and emergency relief money. The cooperation of law enforcement agencies would be utilized to identify crime victims within 48 hours after a crime was committed. A number of counties have adopted this model suggested by the state association.

THE PARTICULAR plight of the elderly was also discussed; but, as several speakers pointed out, statis-



WHAT LOCAL GOVERNMENTS CAN DO—Dick Lynch, attorney, Washington, D.C. and Dave Lowenberg, director, Pima County (Ariz.) Victim/Witness Program, discuss local government involvement in victim services.

tically the elderly have the lowest victimization rate of all age groups. More than being victims of crime, the elderly are the victims of fear, it was noted.

Spouse abuse surfaced as another area of concern among the participants. Participants felt that many women are bona fide victims who are being neglected by the criminal justice system. "Many of these women are so badly destroyed, their self-concept, their ability to support themselves that they have to totally re-vamp their lives," noted Margaret Gates, codirector of the Center for Women Policy Studies in Washington, D.C.

If we are going to provide services to victims of crime we must seriously consider the services that are needed to help the battered spouse, she said.

Although the focus of the conference was on the county, Minnesota Department of Corrections official Joseph Hudson hit a vital nerve when he talked about a state legislative effort to provide funding for victim services.

Legislation under consideration would levy a fine of between \$5 and \$30 against each convicted felon. The money would go to counties to fund

victim assistance programs. This might provide the stable funding base that most victim assistance programs lack, Hudson said. The bill would also require counties to develop plans for victim service programs.

Also at a state level, restitution is being used in some cases as a condition for parole, Hudson added. At the county level, restitution is a condition for probation in roughly 20 percent of all property damage convictions. Community service work is also being used as a form of restitution, he said.

IT IS APPARENT that there are many specific groups of victims who need the services that can be provided through existing county agencies. It was noted, however, that fragmentation of effort was creating competition among the different programs for services and money. The general consensus of the group was that if all victims are to be served fairly and effectively there must be a coordinated effort on the part of the local government to link these programs and form a cooperative network to help the victim.

Setting up separate programs for rape victims, witnesses, battered spouses, and victims of violent crimes is necessary to provide the specialized services that each clientele needs. But as Joanne Richter, coordinator for the Broward County (Fla.) Sexual Assault Treatment Center, said, "Counties could create a crime victim ombudsman whose job would be to see that county agencies

did provide help to victims of crime; to get the victim at the head of the line."

"The ombudsman could be the coordinating link for all the specialized victim assistance programs eliminating competition and duplication of services between the groups and also to try to make sure help was provided on a long-range basis for all programs," she said.

WHAT DOES it all add up to?

Victim assistance is as much an attitude as any specific program. Jo Beaudry, coordinator of the Milwaukee County Project Turnaround, suggested that great strides would be made simply by reeducating the police and courts to be considerate of the victim as they deal with a crime.

For too long in American jurisprudence the victim was only an object, the cause for a criminal complaint, she said. In a strange way the criminal fit into the justice system where the victim did not. The police and courts were created to take care of the criminal before conviction, the prisons to handle them afterwards. Who was assigned to help the victim? she asked.

A mini-version of the Wingspread conference will be repeated at the annual conference in Atlanta, Ga. The panel session, entitled County Services for Victims of Crime, will highlight the most important ideas and concerns that were gleaned from the conference attendees.

—Wendy Gressman
NACoR



WHO HELPS THE VICTIM?—Programs which assist victims of crime were spotlighted during a recent conference in Racine, Wis. Seen during a workshop session are, from left, Joanne Richter, coordinator of the Sexual Assault Center in Broward County, Fla.; Jeanne Malchon, commissioner, Pinellas County, Fla.; and JoAnn LeFils, executive director of the Emergency Shelter Program, Inc. in Hayward, Calif.

New Proposals for LEAA

Continued from page 1

tween those who wanted criminal justice research taken out of the Justice Department and those who wanted the research office as part of the federal assistance program.)

- Federal leadership in the establishment of priorities and dissemination of information through a national priority program which provides incentive grants to state and local governments that implement select programs.

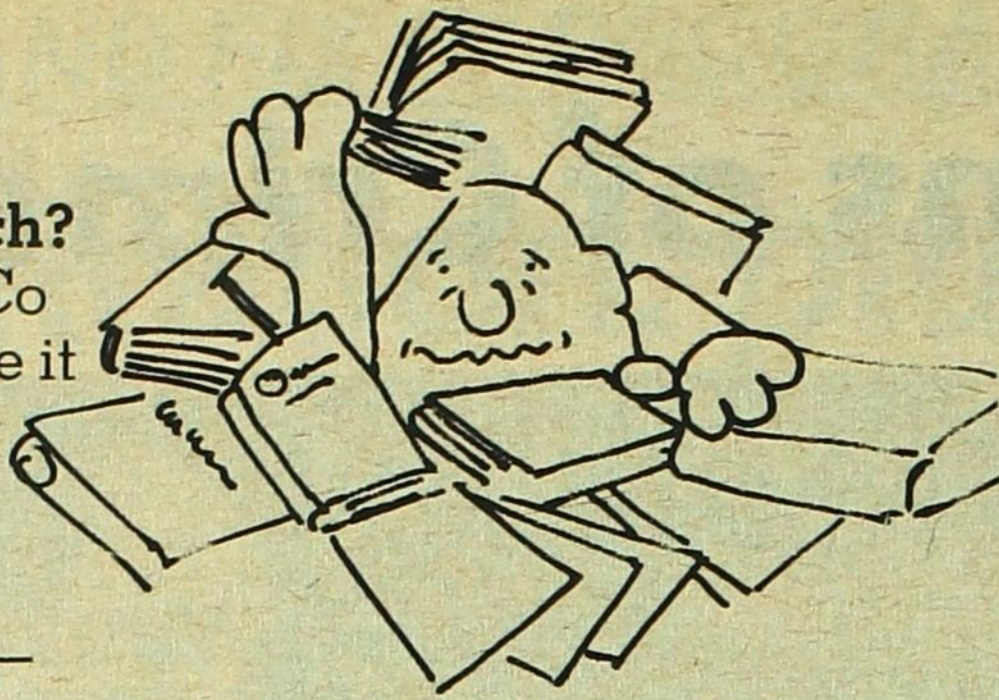
NACo is reviewing these changes to determine their effect on delivery of assistance for improving local criminal justice systems.

One NACo concern is the coordination of county and city programs. An entitlement for cities will focus attention on the police component of the system while an entitlement for counties would emphasize other components. To encourage coordination, NACo is seeking 1) financial incentives for county/city coordinating councils and advisory boards and 2) county/city parity on the population eligibility criteria. Both counties and cities of 100,000 population should receive entitlements.

These issues will be discussed at a workshop scheduled for 1-3 p.m. on July 10 at the NACo Annual Conference in Atlanta.

—Duane Baltz

Is it all too much? Let NACo minimize it for you.



MINI-MANAGEMENT PACKETS

Sponsored by the National Association of County Administrators

Mini-Management Packets are designed to help county officials keep up-to-date on the issues and actions that affect the administration and management of the county. The packets are a collection of studies, reports, newspaper and magazine articles, directories, surveys and bibliographies on a wide range of subjects. The information is current. Cost covers reproduction, mailing and handling.

BARRIERS TO SOLAR ENERGY USE (#13)

Increased interest in the use of solar energy has implications for building codes and zoning and land use planning. This packet contains articles, model codes and ordinances, and legal research to help local governments develop codes which provide such assurances as rights to sunlight and thus encourage greater use of solar energy. (95 pp.)

Price \$3.00 Quantity _____ Total Cost _____

PAYMENTS-IN-LIEU OF TAXES (#12)

The 94th Congress approved NACo-supported payments-in-lieu of taxes legislation that recognizes the tax immunity burden of certain federally owned and tax-exempt public lands. Amendments to the act are now pending which would add other categories to the entitlement lands. This packet gives background on the issue and analyzes the proposed amendments, as well as listing the amounts provided to each county under the first payment made in 1977. (13 pp.)

Price \$1.20 Quantity _____ Total Cost _____

RIGHTS OF ALLEGED DISCRIMINATORY OFFICIALS (#11)

What rights does (or should) an employer have when it is alleged that he/she has committed a discriminatory act? A university study group has looked into the question of due process and made some recommendations. They also surveyed the attitudes of key executives on the question. Both the recommendations and the survey are included in this report. (5 pp.)

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NATIONAL FLOOD INSURANCE PROGRAM (#10)

National Flood insurance enables owners of flood-prone property to purchase flood insurance at rates made affordable through a federal subsidy. Report includes information of federal legislation, procedures for qualifying and applying for NFI, and floodplain regulations. (35 pp.)

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DOT to Hold Hearings on Handicapped Transit Regs

WASHINGTON, D.C.—The Department of Transportation has proposed a phased-in program to make the nation's transportation system more accessible to the handicapped, and has announced that hearings will be held July 26 here to receive public comments on the proposals.

Many of the suggested changes are planned to take place in three years. The more costly capital changes could be accomplished in a 12, 20 or 30-year period at a cost of \$1.7 billion in 1977 dollars, the department estimated.

THE PROPOSED new regulations are designed to ensure that handicapped persons are not discriminated against in transportation programs receiving DOT financial aid.

Under the proposal, which implements Section 504 of the Rehabilitation Act of 1973, recipients of DOT financial assistance would be required to make existing and new transportation facilities accessible to handicapped persons through such means as ramps, lifts, elevators, and special equipment.

In brief, the department is recommending these new regulations:

- All new fixed transportation facilities, including airports, railroad terminals, mass transit stations and highway rest areas, must be accessible to the handicapped.

- Existing fixed facilities must be made accessible within three years, except for a five-year period for intercity rail terminals and three options for mass transit stations of 12, 20 or 30-year changeovers.

- New intercity rail, commuter rail, and light rail passenger cars must be accessible within one year of the rule's issuance. New buses, acquired before Oct. 1, 1979, will be required to be accessible to the handicapped if it is determined during the rulemaking that such a requirement is feasible. (A previous decision by Secretary Brock Adams already mandates an accessible bus—Transbus—after Sept. 30, 1979).

- Existing intercity, commuter and rapid rail systems must have at

least one passenger car per train accessible within three years for intercity railroads and within five years for commuter and rapid rail.

- Existing light rail and bus systems must have a level of accessible regular service to the handicapped generally equal to half of the peak hour service and all of the off-peak service within 10 years for light rail and six years for bus systems.

- Airports, railroad terminals and railroad lines must provide limited assistance to handicapped passengers, except for unmanned rail terminals and airports boarding fewer than 10,000 passengers per year.

- Transportation industry employers receiving DOT aid would be required to make "reasonable accommodation" to the needs of their handicapped employees.

PERSONS WHO wish to testify must submit their requests postmarked by July 6, stating name, whether they represent an organization, telephone number during the day, any particular area of interest and the length of time required (a maximum of 10 minutes). Requests should be submitted to the Office of Environment and Safety, Room 9422, U.S. Department of Transportation, 400 Seventh St., S.W., Washington, D.C. 20590.

Additional information and comments concerning these regulations can be obtained from Tom Bulger at NACo, 202/785-9577.

Written comments may be submitted until Sept. 6 to the U.S. Department of Transportation, Docket Clerk, Docket No. 56, Office of the General Counsel, Room 10100, 400 Seventh St., S.W., Washington, D.C. 20590.

Countercyclical Aid Action Waiting on Treasury Data

WASHINGTON, D.C.—House and Senate subcommittees are currently analyzing the Administration's countercyclical supplementary fiscal assistance program and are waiting for more detailed data to be supplied by the Treasury Department. The proposal would authorize a two-year program of assistance to local governments at \$1.04 billion annually.

The current program, authorized by the Intergovernmental Antirecession Act of 1977, expires Sept. 30. This program, which operates when national unemployment exceeds 6 percent, provides assistance to counties, cities, and states whose unemployment is above 4.5 percent over the last quarter. Allocations are based on a formula incorporating unemployment and revenue sharing.

The Administration proposal would delete any national trigger. It would offer communities that are not eligible in the unemployment criteria

to receive assistance based on a combination of having a lower than national average of growth of per capita income, employment, and population. Furthermore, the allocation formula would no longer be determined solely on unemployment but would also utilize the three additional criteria just noted. Also states would be ineligible for the program.

NACo testified before the House Government Operations subcommittee on intergovernmental relations and human resources and the Senate Finance subcommittee on unemployment compensation, revenue sharing, and economic problems in early May and stressed the importance of this program to county governments. NACo also noted the importance of having detailed information from Treasury on the effect of the major changes proposed in the program.

—Elliott A. Adams

Matter and Measure



ATTENTION: OKLAHOMA ENGINEERS

The National Highway Safety Advisory Committee's state-federal relations subcommittee is planning a field trip to Oklahoma City June 28-29. Subcommittee members will discuss the impact on Oklahoma of the new management concept envisioned in the highway safety legislation pending before Congress.

Additional information may be obtained from the NHTSA Executive Secretary, Room 5215, 400 Seventh St., S.W., Washington, D.C. 20590, 202/426-2872.

TRAFFIC IMPROVEMENTS SEMINAR

A one-day seminar entitled "Traffic Improvements—Legal Aspects and Liability," sponsored by the Institute of Transportation Engineers, will be conducted July 13 at the Brown Palace Hotel in Denver, Colo. To receive a course description and registration form, contact Mark R. Norman, Director of Professional and Educational Affairs, Institute of Transportation Engineers, 1815 North Fort Myer, Arlington, Va. 22209, 703/527-5277. 527-5277.

UMTA PUBLICATION

The Urban Mass Transportation Administration (UMTA) has published a guide to 285 research reports generated by UMTA's University Research and Training Grant Program. Entitled "Abstracts for University Research Projects," the report provides a listing of abstracts of published reports of research projects on such topics as elderly and handicapped transportation, labor relations, land use, and transportation system management.

This document and all referenced reports can be purchased through the National Technical Information Service, Springfield, Va. 22161. NTIS order number is UPP-35-78-1.

CONCRETE PAVEMENT RECYCLING

The U.S. Department of Transportation has announced a demonstration project to encourage the use of recycled portland cement concrete pavement by state highway agencies.

According to officials of the Federal Highway Administration, such recycling would help conserve natural resources, reduce costs, and lessen environmental problems.

Information on Demonstration Project No. 47, Recycling Portland Cement Concrete Pavement, may be obtained from FHWA, Region 15, Demonstration Project Division, 1000 North Glebe Rd., Arlington, Va. 22209, 703/557-0522.

DOT MARITIME OFFICE

Transportation Secretary Brock Adams has announced the establishment of an office of maritime affairs to deal with policy issues related to water transportation. The office will coordinate DOT programs with those of other federal and state agencies and the maritime industry.

MOPED LAWS

A publication entitled "State Laws on Mopeds and Motorized Bicycles" is now available from the U.S. Government Printing Office, Washington, D.C. 20402. The document covers state laws applicable to mopeds and motorized bicycles as of Jan. 1, 1977. Some subjects include: registration, compulsory insurance, inspection, licenses, and helmets.

The report, which is Volume 7, Number 2 in the Traffic Laws Commentary series, is dated January 1978, 51 pages and costs \$2.20 per copy.

Commentary

Merits of 'Sunbelt Vs. Frostbelt'?

by Neal R. Peirce

WASHINGTON—Politicians from both sides of the Mason-Dixon Line have taken to decrying the competition between the "Sunbelt" and "Frostbelt" for federal funds and blaming journalists for a media-splashed "second war between the states."

There's some hypocrisy in the politicians' charges. Often those who denounce the interregional rivalry the most vigorously are those who carry on with the hottest rhetoric.

But it is true that the media have helped feed the flames of the struggle. It was *Business Week*, in a 1976 cover story, that coined the phrase "second war between the states." And this column, in June 1976, first reported nationally on a *National Journal* study that documented a multibillion dollar annual flow of funds, through federal taxes and outlays, out of the Northeast and Midwest and into the South and West.

SUCH STORIES contributed to the mounting concern Northeastern and Midwestern political leaders already had about the economic future of their region. A Coalition of Northeast Governors and congressional Northeast-Midwest Economic Advancement Coalition sprung into being to fight for Northern interests. In response, the Southern Growth Policies Board became the leading lobby for the Southern cause.

But should the Sunbelt-Frostbelt rivalry be put down as unseemly chattering? Overtly or covertly, regions have been scrapping for their own interests through all of U.S. history. A strong case can be made

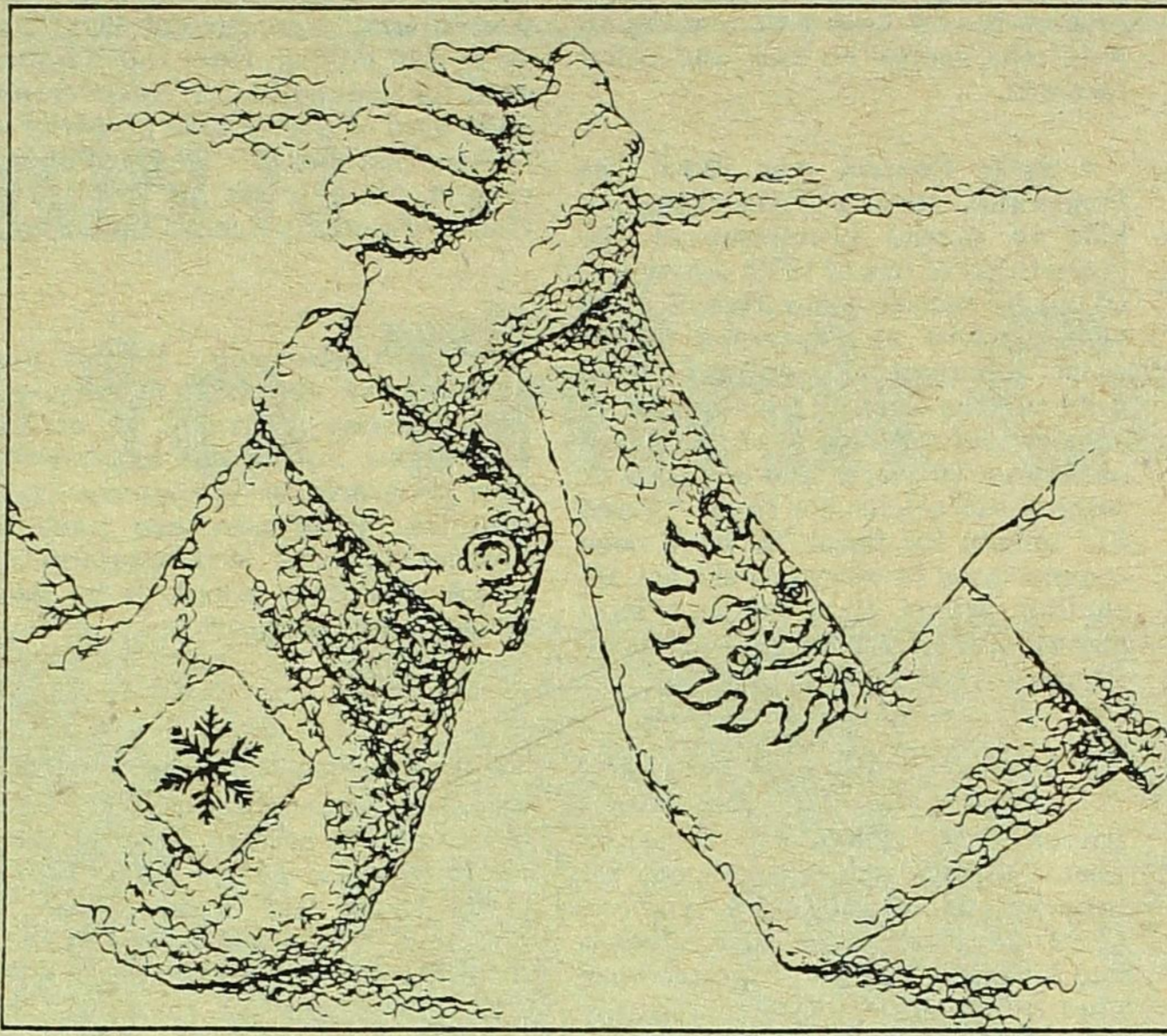
that the current interregional debate and rivalry has brought many more pluses than minuses, serves the national interest and doesn't deserve condemnation at all.

Before the media began to highlight the issue, Northern leaders were literally asleep at the switch. The problems of New York, Philadelphia, Detroit and Cleveland were familiar enough. But they were not aware that a truly regionwide pattern of eroding manufacturing bases, rising property taxes and severe out-migration, exacerbated by a federal spending preference for other regions, was under way.

Their region's newly recognized decline has prompted the Northerners to fight for changes in the formulas for federal aid programs. Last year, they chalked up a major victory—much resented in the South—by revising the formula for the community development block fund grants. The new formula doesn't cut aid to Sunbelt or Western cities, but by factoring in such elements as the age of housing, it provides millions of additional dollars for declining older cities, mostly in the North.

NOW THE Northerners are preparing to fight for a better break on a broad range of national grant programs, including aid to elementary and secondary education, Medicaid, vocational rehabilitation, and housing assistance. To counter such efforts, the Southern Growth Policies Board has set up a Washington office (soon to be expanded to eight staffers) to mobilize Southern congressmen to fight these efforts.

Yet in the process, Southerners have raised a point little heard in the recent celebration of Dixie's



economic growth: the fact that millions of Southerners still live in abject poverty, the bitter long-term fruit of the Civil War and past Northern exploitation. Much of that poverty is rural, but there are deep pockets of deprivation in the booming Sunbelt cities as well.

Northerners, in their haste to shift federal aid formulas to benefit their declining region, need to be reminded of continuing Southern poverty. In time, compromise aid formulas which reach both problems—Northern decline and Southern poverty—may emerge. In fact, the first glim-

merings of negotiation between the Northeast-Midwest Coalition and the Southern Growth Policy Board have already begun.

THE BIG DOLLAR lead in overall federal outlays enjoyed by Sunbelt and Western states is based overwhelmingly on military installations and defense contracts. With just under half the country's population, the South and West receive 78 percent of military jobs and 66 percent of defense dollars. Such findings have prompted Northeastern and Midwestern congressmen to fight with

new vigor against military base closings in their region and to force the Defense Department to channel more contracts to areas in economic distress.

Even some Southern leaders privately acknowledge the North deserves a better break in defense spending. But the Pentagon will be slow to make changes. The North's greatest benefit from the current debate may be a realization that all the changes imaginable in federal spending won't salvage the economies of the region's older industrial states unless they put their own houses in order.

Some Northern states have already moved to freeze or cut back high taxes, which act as strong deterrents to business development and new job creation. To make the tax savings possible, welfare has been tightened up and some social services trimmed. And the message is beginning to sink in across the North that until the region begins to emulate some of the close business-government cooperation that has helped the South move forward so rapidly, economic recovery may be limited.

THE ACADEMY FOR Contemporary Problems recently pinpointed the issue in a report that said Northern economic development was hamstrung by "a set of antagonisms" between business, labor and government "destructive to the long-run interests of all." Now, Academy President Ralph Widener reports that in Philadelphia, Buffalo and some Northeastern and Midwestern states, labor and business leaders, in alliance with the public sector, are beginning to study fresh ways of cooperation to stimulate economic growth.

Rep. Michael Harrington, (D-Mass.), founder-chairman of the Northeast in galvanizing to attack its problems of decline. "Smug insularity and complacency have held on rather grimly," he says. "We don't have a lot of Bert Lances or John Connallys in our region—rather, a lot of conservators of money." Neither Northeastern governors nor congressmen, he believes, have yet moved aggressively enough to tackle regional energy problems or to line up support for the huge investments necessary to repair decaying water and sewer lines, highways, bridges and tunnels.

Such prickly challenges to the North to harness public and private capital for economic recovery, unheard before the current Sunbelt-Frostbelt debate, could bear positive results. And by raising the Southern poverty issue, Sunbelt leaders may also create a climate in which that region's states increasingly address their own severe social problems.

There are dangers in Sunbelt-Frostbelt rivalry—particularly the Southern fear, already expounded by Georgia Gov. George Busbee and other Southern leaders, that the North may be seeking to reassert its dominance over the South, to force that region into an inferior position, "to once again retard our growth and development—precisely at the time when we are just beginning to stand on our own feet."

Northern leaders believe the Southern economy is already so strong and self-sufficient that couldn't happen, even if they tried. But having resurrected open regional rivalry, the Northerners would do well now to soften their rhetoric and pick their battles with care. And to remind their Southern friends of the obvious: that the U.S. economy is now so interdependent that no region can long prosper if another is in the throes of prolonged decline.

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Letters to NACo

To the Editor:

I read with interest that NACo lobbied successfully for the House vote to restate a \$3.15 billion cut made earlier to HEW's budget. This was done even though it has been reported that between \$6.3 and \$7.4 billion of HEW funds were misspent because of fraud and abuse.

I have always had an image of NACo as being economically and business oriented, with an emphasis on the proper and ethical approach to spending public money.

It is now quite obvious that I have acquired the wrong image of NACo. It appears that NACo looks at these programs strictly from the money standpoint, with an emphasis on keeping in competition with the cities, to be sure that they don't get one little penny more than the counties. With this sort of NACo action noted above, local governments won't survive.

—R. Edward Duncan
Executive Director, Associate AIP
Lord Fairfax, (Va.), Planning District Commission

Dear Mr. Hillenbrand:

Just a note to extend my appreciation for the fine job done by your staff in putting on the jail assembly program in Minneapolis. We in Hennepin County were pleased to have had the opportunity to host this conference and feel that the end result was productive for those who attended. The conference went on without any apparent problems and your staff was helpful throughout attendance.

We look forward to an opportunity when we can host similar functions on a variety of issues here in our community.

—John E. Derus
Chairman,
Hennepin County Board of Commissioners

Dear Mr. Hillenbrand:

We would like to take this opportunity to express our appreciation to NACo for the excellent coverage of congressional legislation in your weekly *County News* publication.

Your May 1 Comparison of the Proposed Countercyclical (Antirecession) program to the current program was especially informative. We do rely a great deal on your timely analysis, tracking, and update of the complex congressional legislation.

We commend you on your fine publication.

—Charles E. Hill
Management and Budget Director
The City of Phoenix

To the Editor:

I subscribe to *County News* because I am particularly interested in all human services in rural areas. I am presently employed to direct a project to provide information and technical assistance throughout Oklahoma on removal of architectural barriers.

I was very pleased to see the article on page 13 in the May 1 issue of *County News* which made special mention of the accessibility features of the Atlanta meeting. This is most helpful in encouraging handicapped persons to participate fully in the important events of our time. I commend you for highlighting this service.

—Norma Walker, Ph.D.
Director
Architectural Barrier Information Center
East Central University
Ada, Okla. 74820

Editor's Note: Please let Dr. Walker know about any successful county programs.

Dear Bernie:

I enjoyed the article in *County News* about the photo exhibit of county courthouses on display at NACo. I've long felt this was a source of history in art and architecture of great interest. Too bad one of the many photographers didn't spend some time in Kansas.

The Kansas Association of Counties has put together a booklet, "Kansas Courthouses—1976," in which we pictured all 105 of the Kansas county courthouses. The photographs are mine and some did not reproduce as well as we had hoped, but I would like for you to have a copy.

I'm sure that everyone has noticed, from time to time, a general similarity in courthouses. An interesting observation in Kansas relates to the buildings in Marion, Osborne, Riley, and Thomas counties. They are all built from an identical blueprint. All are of white stone with the exception of Thomas which was built of red stone. A fifth building in Harvey County, also of the same blueprint, was built of brick and was replaced in 1965 by the present structure. The oldest building still being used as a courthouse and possibly the most beautiful of all, is the Chase County courthouse.

We are investigating the possibility of hosting the exhibit on behalf of KAC.

—Fred D. Allen
Executive Secretary
Kansas Association of Counties

Washington Briefs

• **Welfare Reform.** Compromise bill expected this week. See page 3.

• **Lobby Registration.** Senate Governmental Affairs Committee markup not scheduled yet. Support gaining for Sen. Jim Sasser's (D-Tenn.) amendment to exclude associations of state and local elected officials such as NACo from registering under the bill. House-passed bill (H.R. 8494) requires elected officials' associations to register.

• **Labor-HEW Appropriations.** HEW appropriations cut by \$1.4 billion on House floor. See page 1.

• **Hospital Cost Containment.** House Commerce Committee voting on amendments to compromise version of cost containment proposal.

• **CETA Reenactment.** House and Senate committees reported out bills last month (H.R. 12452; S. 2570). Floor vote in House not expected until late June or July. Final law not likely before late August or September.

• **Transportation.** Both S. 2440 (highways) and S. 2441 (public transportation) await full Senate action. Both bills have been delayed in the Senate because of the labor reform bill. The House (H.R. 11733) highway and public transportation bill also awaits approval by the House Ways and Means Committee. This has created an awkward situation for the House, which was scheduled to take up the DOT fiscal '79 appropriations bill at press time. The House Appropriations bill (H.R. 12933) is expected to be similar to the House Public Works authorizing legislation, but Appropriations has provided considerably less funding.

• **Coastal Zone Management.** Final House action is expected this week on fiscal '79 appropriations for the coastal zone management program. The House Appropriations Committee last week approved an appropriations level of \$57.2 million, a \$6.3 million increase over this year. No additional funds were included for the coastal energy impact program; however, it is expected that \$200 million in unspent CEIP budget authority will be available for outlays in fiscal '79.

• **Land and Water Conservation Fund.** The House Interior appropriations bill (H.R. 12932), including a recommended \$645.8 million for the Land and Water Conservation Fund, awaits final passage by the full House this week.

• **Agricultural Land Retention Bill.** Full House Agriculture Committee markup on H.R. 11122 was postponed again last week. Consideration may be continued this week. The bill would establish a program of demonstration grants for state and local governments to carry out agricultural land retention programs and would establish a congressional and presidential commission to study availability of land.

• **Clean Air, Water and Solid Waste Appropriations.** Action by the Senate appropriations subcommittee postponed indefinitely.

• **Energy Impact.** The Senate subcommittee on regional and community development will begin markup of the Hart-Randolph bill, S. 1493, this week. The Administration is proposing an amendment which would weaken the strong local role currently contained in the bill. In addition, an attempt will be made to raise funding levels above the currently proposed \$150 million.

• **National Energy Act.** Although House and Senate conferees have agreed to a compromise on natural gas pricing, congressional staff predict it will take two months to write the report on this and other sections.

• **Noise Control Act.** Both the House and Senate will be considering bills to extend provisions of the Noise Control Act of 1972. As reported out by Senate committee, S. 3083 also contains an expansion of the quiet communities program which calls for the federal government to provide information and technical assistance to states and counties. A total of \$15 million for fiscal '79 and \$17 million for fiscal '80 have been appropriated to carry out the act, including grants to state and local governments for planning and identifying sources of noise pollution.

• **Intergovernmental Personnel Act Appropriations.** The House passed H.R. 12930, the Treasury, postal service and government appropriations bill, on June 7 by a vote of 297-98. The bill included \$20 million for fiscal '79 IPA programs operated by counties, cities and states. This level represents the amount adopted by the full committee and the President. NACo supported \$30 million level. The Senate subcommittee concurred with the House bill. Counties should contact members of the Senate Appropriations Committee.

• **Labor Law Reform.** Senate scheduled to continue debate on H.R. 8410, which passed the House last year. Three unsuccessful attempts were made last week by proponents to get the votes (60) required to invoke cloture. If the Senate votes to invoke cloture, the opponents of the bill are expected to continue the filibuster by offering amendments during floor consideration. The bill applies to the private sector and is aimed at streamlining union certification hearings before the National Labor Relations Board and would set new penalties for employers who violate the rights of employees.

• **Civil Service Reform Act of 1978.** NACo continues to press for amendments to the research and demonstration portions of S. 2640 and H.R. 11280. NACo is urging support for expansion of the Intergovernmental Personnel Act (IPA) to include authorization of general management improvements and a change in the federal match requirement to 66 percent of project cost. The Senate Governmental Affairs Committee began markup of a new committee print developed by staff. The House Post Office and Civil Service Committee will begin markup this week. Additional changes are expected in H.R. 11280. The bill is expected to pass this year after some controversial provisions are resolved.

• **Countercyclical Assistance.** House and Senate subcommittee currently considering legislation to extend countercyclical supplementary fiscal assistance for two years at \$1.04 billion annually. Administration supported bill (H.R. 12293, S. 2975) would make significant changes in eligibility and formula for distribution of funds and eliminate national trigger and state eligibility. No date set for markup. See page 14.

• **Differential Investment Tax Credit.** Administration has sent proposal to House Ways and Means Committee to provide additional 5 percent in investment tax credit for private sector investment in "distressed areas." Credit, which would be in addition to existing 10 percent credit, would be available up to \$200 million annually for fiscal '79 and '80. No date set for committee action.

• **Small Issue Industrial Development Bonds.** Program would permit increased size of small issue industrial development bonds in "distressed area" from current \$5 million up to \$20 million. Only those issues used for acquisition or construction upon land or depreciable property in "distressed areas" would be tax exempt. No date set for hearings in House Ways and Means Committee.

• **Rural Housing.** House and Senate have approved increases in rural housing programs, as well as major new subsidized homeownership program for low-income rural families. Programs are part of broader housing authorization bill which should be voted on by both houses this month.

• **Employment Tax Credit.** Administration proposal would provide tax credits to private sector employers to hire low income young people (ages 18-24) and handicapped individuals. Credit will be one-third of employer's Federal Unemployment Tax Act wages up to \$2,000 for initial year of employment and one-fourth of those wages up to \$1,500 for second year. No date set for House Ways and Means Committee hearings.

• **Taxable Bond Option.** Administration-proposed taxable bond option (TBO) currently before House Ways and Means Committee with other items in tax reform package. Congressional and administration officials meeting to reach compromise in series of proposals.

• **Rural Development.** House and Senate have both passed the Agricultural Credit Act of 1978, providing increases in water and waste disposal grants for rural counties. H.R. 11504 increases the authorized grant level from \$300 million to \$400 million; S. 1246 increases the level to \$1 billion. Both bills raise the ceiling on amount of grant from existing 50 percent level to 75 percent of project cost. The bills now go to House-Senate conferees to work out differences.

• **Rural Appropriations.** Senate Appropriations subcommittee on agriculture is scheduled to act this month on FmHA/rural development funding for fiscal '79 and supplementary assistance for current year. House subcommittee recommended highest funding level to date for key rural programs. Agriculture Secretary Bob Bergland appeared before Senate subcommittee and urged funding only up to President's requested level. See page 3.

• **New York City Financing.** House passed legislation by 247-155 to provide \$2 billion in federal long-term bond guarantees to New York City (H.R. 12426). Senate Banking Committee has completed hearings and is expected to act on companion measure shortly. See page 6.

• **Rural Development Policy Act.** House Agriculture Committee referred H.R. 10885, Rural Development Policy Act of 1978, back to subcommittee on family farms, rural development and special studies for a number of changes. Subcommittee is expected to amend the legislation and report it back to full committee this summer.

• **Government Liability Under Civil Rights Law.** Supreme Court reached a landmark decision removing absolute immunity of cities for liability under Section 1983 of Civil Rights Act of 1871. Decision in *Monell vs. Department of Social Services of City of New York* establishes that such units of local government may be liable for acts of employees but does not define the contours of their liability. Legislation currently being considered in House (H.R. 4515) and Senate (S. 1246) that would hold units of local government to be liable in four specific circumstances. No action scheduled in House. Senate judiciary subcommittee has held hearings but has not scheduled markup.

STATUS REPORT:

Administration's Urban Policy Initiatives

Initiatives Sent to Capitol Hill	Implementing Agency	Status
• \$1 billion Supplemental Fiscal Assistance Program (2 years); H.R. 12293, S. 2975	Treasury	Hearings in House May 4; Senate May 3.
• \$200 million Intermodal Transportation Program; H.R. 11733, S. 2441	DOT	Approved by Senate, House committees.
• \$150 million increase in Section 312 Rehabilitation Loan Program; H.R. 12433, S. 3084	HUD	Approved by House committee May 4; approved by Senate committee May 10.
• \$50 million increase for Community Health Center Program; H.R. 12460, S. 2474	HEW	Approved by House committee May 3; approved by Senate committee May 10.
• \$40 million Urban Volunteer Corps Program; H.R. 11922, S. 2617	ACTION	Approved by House, Senate committees week of May 5.
• \$150 million Urban Parks and Recreation Program; H.R. 12536, not yet introduced in Senate	Interior	Approved by House committee May 10; Senate hearings June 26, 27.
• \$150 million increase in Title XX Social Service Program; H.R. 12817, S. 3148	HEW	House subcommittee approves modified version.
• \$20 million "Livable Cities" Arts Program; H.R. 12859, not yet introduced in Senate	HUD with National Endowment for Arts	
• \$15 million Neighborhood Self-Help Program; H.R. 12858, not yet introduced in Senate	HUD	
• \$10 million Community Crime Control Program	LEAA/ACTION	Needs appropriation.
• Differential Investment Tax Credit for Business will be considered as part of tax reform	Treasury	
• \$1.5 billion Employment Tax Credit for Business will be considered as part of tax reform	Treasury	
• \$200 million State Incentive Grant Program (2 years); H.R. 12893, not yet introduced in Senate	HUD	Senate hearings June 27.
• \$3 billion Labor Intensive Public Works Program (3 years); not yet introduced in House or Senate	Economic Development Administration	Senate hearings June 15; July 12, 13; House hearings June 27, 28, 29.
Initiatives Undergoing OMB Clearance		
• National Development Bank (Includes \$275 million for Urban Development Action Grants and \$275 million for EDA's Title IX)	Interagency (HUD, Commerce, Treasury)	
Initiatives Not Requiring Congressional Action (done through Executive Order)		
• Location of Federal Facilities in Central Cities	GSA	Order being drafted.
• Targeting of Federal Procurement in Labor Surplus Areas	GSA	Order being drafted.
• Community Impact Analysis for New Legislation	OMB	Order being drafted.

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