

This Week

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Vol. 11, No. 36

COUNTY NEWS

"The Wisdom to Know and the Courage to Defend the Public Interest"

September 17, 1979



NACo's Energy Efforts Heat Up

Francois Pushes Congress to Act to Stem Inflation

Unless meaningful energy legislation is immediately enacted by Congress, the nation faces higher fuel costs, more uncontrolled inflation, and the prospect of a deep recession, NACo President Frank B. Francois told news reporters during a special NACo news conference Sept. 12 in Washington, D.C.

Speaking to more than a dozen Washington energy editors and reporters prior to a reception in his honor, Francois said that if the energy situation remains uncorrected "it can destroy the economic lifeblood of our nation, and threaten the very fabric of our society."

The NACo president pointed out that while county officials across the country have been working hard to solve the energy crisis at the local level, Congress has been virtually idle. Declaring Sept. 12 as "Energy Day," Francois said, "If we do not move swiftly—with great resolve, determination, and strength—then the years ahead promise to be the worst economically in our history."

Francois explained that energy costs have nearly doubled this past year, causing inflation to soar to an



annual rate of nearly 14 percent. He said there were four direct connections between energy-caused inflation and county government:

- The increased—and increasing—cost of county government services;
- A reduced ability of citizens to pay taxes as higher fuel costs and inflation take bigger and bigger bites out of paychecks;

See IMMEDIATE, page 3

EMB Clout Broadened

Rep. James Santini's amendment to exempt state and local substantive laws from the authority of the President's proposed Energy Mobilization Board failed to gain approval last week of the majority of members of the House Interstate and Foreign Commerce Committee.

The committee then went on to approve its version of the energy mobilization legislation which permits the board to waive all federal, state and local laws, as well as procedures, in order to expedite the construction of priority energy projects.

Although the White House publicly stated its opposition to the committee's approach, Administration lobbyists appeared active in securing the bill's approval.

The House now has two Energy Mobilization Board proposals which have been approved by two different committees and which differ in a number of ways, one of the most important to counties being the waiver provision.

The House Interior Committee has approved a bill similar to the President's original proposal which would empower an Energy Mobilization Board to cut through red tape and eliminate duplicative hearings and application requirements for important energy projects without overriding state or local substantive laws.

During a meeting last week of the New Coalition's Energy Task Force, made up of state, county and city officials, members voted to send a telegram to the Commerce Committee, requesting support of the Santini amendment. (See page 3.)

At a White House meeting later in the day the concerns of the task force were again forcefully brought to the President's attention. Carter reiterated his public position on the board and noted that Administration support of the Commerce Committee

See EMB, page 5

Relief for the Poor Urged

Citing the immediate need for a program to help low-income Americans with their energy bills this winter, the New Coalition of state, county and city officials called on Congress to move swiftly with such legislation, even if this means acting independently of the President's proposed energy package.

President Carter has asked Congress to approve a phased decontrol of oil prices and the imposition of a "windfall profits" tax, out of which a number of other programs could be funded, including assistance to those needy Americans suffering from the high costs of energy.

While the New Coalition reiterated its support for the President's energy program at a White House meeting last week, members pointed to the question of timing for the low-income assistance portion of the plan. They were concerned that linking low-income assistance with the tax might endanger the program for the coming winter.

If the windfall profits tax fails to pass, or is approved late in the session, it will be difficult, if not impossible, they pointed out, to ensure that many people will be able to pay their heating bills this winter.

"It could well be a question of choosing between food and fuel," said NACo President Frank Francois.

EARLIER IN the day the Energy Task Force of the New Coalition identified passage of a low-income assistance program independent of the windfall profits tax as an immediate need.

The result of a failure to pass such a bill would be felt by every social service agency in the country as well as thousands of low-income families, said Charlotte Williams, NACo immediate past president.

During the meeting with the President, the members of the New Coalition

See FUEL, page 5

Carter Quizzed on GRS

New Coalition Seeks Full Funds, Renewal Support

State and local officials meeting as the New Coalition called on President Carter last week to make clear to Congress that he supports full funding of the general revenue sharing program in the fiscal '80 budget hearing before both Houses.

While the White House assured assembled governors, county officials, mayors and state legislators support this year for the full \$3 billion, it would not commit to specific efforts to renew the program next year. Without reauthorization by Congress, the revenue sharing program will expire Sept. 30,

representing counties at the White House meeting were NACo President Frank Francois of Prince

George's County, Md.; Immediate Past President Charlotte Williams of Genesee County, Mich., Co-chairmen of NACo's Environment and Energy Steering Committee Harvey Ruvlin of Dade County, Fla. and Bay Haas of Mobile County, Ala. and NACo Executive Director Bernard F. Hillenbrand. Also discussed at the meeting were energy legislation (see related articles) and welfare reform.

THE LAST YEAR of funding for general revenue sharing has come under repeated attacks in Congress. So far, NACo and other public interest groups have succeeded in defeating all attempts to reduce the fiscal '80 appropriation, but new attacks could be mounted in the next few

weeks as Congress is pressed to vote on final spending amounts for the new fiscal year.

Promising that it would do anything necessary to make its support known to Congress for full fiscal '80 funding, the White House would make no commitment beyond that. As for the drive to renew revenue sharing, it was said that the President plans to make his position known late this fall, in conjunction with next year's budget presentation.

The case for renewing revenue sharing was made by several New Coalition members including NACo President Francois and Gov. Richard A. Snelling of Vermont.

Francois, on behalf of the New Coalition, See CARTER, page 3

Senate Dems Caucus on Budget, page 3



President Frank Francois, extreme left, and other members of the New Coalition met last week with President Carter at the White House to push for renewal of general revenue sharing.

WESTERN COALITION MEETING

Sagebrush Rebels Make Land Bid

RENO, Nev.—Cal Black, cochairman of the Western Coalition on Public Lands, opened this meeting of almost 300 state and county officials by welcoming delegates to the "colony" of Nevada. His reference to Nevada as one of the 13 western colonies reflects the concern of many westerners that the federal government owns and controls more than 60 percent of all the land in the West.

The federal government's role as landlord prompted the formation of the coalition and was also the theme for this meeting, according to Black, commissioner, San Juan County, Utah, and his cochairman, Alaska State Senator Robert Zeigler.

The Sept. 5-7 meeting was co-sponsored by the Western Conference of the Council of State Governments and NACO's Western Interstate Region. The Nevada Select Committee on Public Lands served as hosts to highlight the so-called "Sagebrush Rebellion" movement initiated by the Nevada Legislature to secure a transfer to the state of a portion of federal lands.

Nevada hosts Jack Petitti, Clark County commissioner, and Dean Rhoads, state assemblyman, described the frustrations of elected officials in the West who seek a stronger voice in the management of the public lands under their jurisdiction. Rhoads, and coauthor, Nevada State Senator Norm Glaser, talked about A.B. 413, known as the "sagebrush rebellion" bill, which calls for the takeover of federal lands by the state in Nevada.

The bill would give Nevada "equal footing with the original states," based on an 80-year-old U.S. Supreme Court case that decided Alabama was entitled to public lands within its boundaries at the time of the state's admission. Subsequently, for Nevada and the other western states, Congress established as a condition of admission that each state renounce all claims on public land.

It now looks as if the Nevada actions could force another Supreme Court review, said Petitti.



SAGEBRUSH REBELLION
Shown at the Western Coalition on Public Lands are, clockwise from left, Sen. Paul Laxalt (R-Nev.); Sen. Orrin Hatch (R-Utah); Frank Gregg, Bureau of Land Management; Sen. Don Clausen (R-Calif.); Cal Black, co-chairman of the coalition and commissioner, San Juan County, Utah.

At stake ultimately are some 460 million acres of public domain land administered by the U.S. Department of Interior's Bureau of Land Management, 60 million acres of which are in Nevada.

California Assemblyman Robert Hayes announced that his legislature has passed a similar bill which awaits the governor's signature. Other states are considering similar legislation.

THE NEW HATCH ACT

At the federal level, in what may be referred to as the new Hatch Act,

Sen. Orrin Hatch (R-Utah) and 12 cosponsors have introduced a bill calling for the congressional transfer of federal lands to the western states. To an overflow crowd, Sen. Hatch described the bill, S. 1680, that would set up a federal land transfer board to receive applications from the western states.

The bill would require states to set up their own land commissions. It would also protect existing leases and local government revenues prior to the effective transfer. The Western Coalition endorsed S. 1680 at its business meeting and through the NACO Western Interstate Region and the Council of State Governments, will be pushing for hearings on the bill.

Sen. Paul Laxalt (R-Nev.) received an enthusiastic response from delegates when he pledged support of the Coalition of Western Senators to help state and local governments in their efforts to gain transfer of federal lands to the states. He and Sen. Dennis DeConcini (D-Ariz.), as cochairmen of the Coalition of Western Senators, are cosponsors of S. 1680.

Sen. Laxalt also described the status of federal programs and legislation on energy and water issues that are affecting the development of the West. At its business meeting the western coalition endorsed S. 1308, sponsored by Sen. Gary Hart (D-Colo.) that would provide assistance to states and counties affected by all types of new energy development.

PAYMENTS-IN-LIEU OF TAXES

Rep. Don Clausen (R-Calif.), the ranking minority member of the House Interior Committee, spoke to delegates on the congressional intent of the Federal Land Planning and Management Act (FLPMA) of 1976. Explaining that the act establishes guidelines for the U.S. Department of Interior in the administration of federal lands, he urged states and counties to assist Congress in the close monitoring of the regulations and land use plans developed under the act to "make sure congressional

How much of the West is owned by the Federal Government?

State	Total Acreage	Federal Acres	% Federal
Alaska	365,481,600	352,407,733	96.4
Arizona	72,688,000	31,141,385	42.8
California	100,206,720	45,277,766	45.2
Colorado	66,485,760	23,983,198	36.1
Hawaii	4,105,600	405,530	9.9
Idaho	52,933,120	33,741,468	63.7
Montana	93,271,040	27,665,588	29.7
Nevada	70,264,320	60,820,253	86.6
New Mexico	77,766,400	26,102,088	33.6
Oregon	61,598,720	32,370,217	52.6
Utah	52,696,960	34,856,136	66.1
Washington	42,693,760	12,588,442	29.5
Wyoming	62,343,040	29,829,563	47.8
Subtotal (13 Western States)	1,122,535,040	711,189,367	63.4
All other States	1,148,808,320	49,225,444	4.3
U.S. Total	2,271,343,360	760,414,811	33.5

Source: 1976 Public Land Statistics, U.S. Department of Interior

intent is carried out." To carry out the policy established in FLPMA, Clausen was instrumental in the enactment of the payments-in-lieu of taxes program which returns \$108 million annually to counties to compensate them for tax-exempt land.

Clausen bestowed an honorary congressman award on C.A. "Tabby" Grant, former executive director of the Utah Association of Counties, for his long efforts to get payments-in-lieu enacted. A payments-in-lieu rally was held during the three-day meeting, where Clem Clemons, NACO chairman for payments-in-lieu, called on delegates to contact Congress for full funding of this important program.

WILDERNESS ISSUES

The meeting included presentations by Frank Gregg, director of the Bureau of Land Management (BLM) and Tom Nelson, assistant chief of the U.S. Forest Service, who described the status of land management and wilderness studies in each of their agencies. Gregg indicated that by adopting the Federal Land Planning and Management Act Congress has mandated changes in the management of public lands, some departures from multiple use and wilderness studies. He said BLM would coordinate these efforts with state and local governments, but that the congressional mandates will be carried out.

The coalition adopted a policy statement that federal land use plans and wilderness proposals must be consistent with officially adopted state and local land use plans. The coalition further is urging all states and counties to complete comprehen-

sive land use studies to help guide federal action.

ALASKA LANDS

The coalition took a strong position in favor of Alaska Lands legislation that would guarantee to Alaska the full conveyance of its statehood entitlement lands. This conveyance would reduce federal holdings in Alaska from 96 percent to about 70 percent of the total land in the state. Lt. Governor Terry Miller, Alaska reported to delegates on the status of this legislation.

The coalition plans future meetings on public land issues. County officials interested in these issues should make plans to attend the NACO Western Interstate Region Conference April 22-26, 1980 in Boise, Idaho.

Western Coalition Goals

The Western Coalition on Public Lands was formed in 1978 to represent state and county officials on public land issues in the 13 western states. States represented are Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. The coalition was formed at the urging of the Nevada Select Committee on Public Lands to support efforts for transfer of federal public domain lands to the respective states. The coalition advocates public land positions supported by the Western Conference of the Council of State Governments and the NACO Western Interstate Region.

The principal positions advocated by the Western Coalition on Public Lands include:

- Support for the transfer of federal public lands to the respective states;
- Expedient disposal of unmanageable and isolated tracts of federal lands;
- Full payments to counties under the payments-in-lieu of taxes program to compensate for the tax immunity of federal lands;

- Support for wilderness decisions based on the multiple use concept of public lands that would protect state designated road systems, prime commercial timber production, recreation uses, watershed, mineral, gas and oil resources, and decisions consistent with state and local land use plans;

- Support for Alaska Lands legislation that would guarantee the conveyance of statehood entitlement lands to the state of Alaska, ensure that resources of Alaska will continue to be studied, evaluated, developed and conserved;

- Support for a comprehensive energy impact assistance program for states, counties and communities impacted by energy development;

- Support for the goals of the National Forest and Rangeland Resources Planning Act to include range and forest land restoration and protection, water development, reforestation, and adequate research and management;

- Support for comprehensive state and local land use planning.

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Dem Caucus Delays Senate Budget Showdown

After a five-hour caucus of Democratic senators, the Second Budget Resolution (S. Con. Res. 36) was called off the Senate calendar last week. The caucus was called to try to reach a politically acceptable compromise on Sen. Russell B. Long's amendment, supported by NACo, to strike the "reconciliation" language in the Second Budget Resolution, Section 310 of the Congressional Budget Act of 1974 calls for reconciliation when the total of the 13 appropriations bills exceeds the

ceilings set by the Second Budget Resolution. When this occurs, the Appropriations Committees are supposed to reduce their spending levels to conform with the ceilings. However, the Senate Budget Committee is trying to force the reconciliation on selected appropriations bills only and single out certain expenditures. This would shift the balance of power to control spending from the Appropriations Committee to the Budget Committee. The political implications are im-

portant to note with 24 Democratic senators running for reelection, many of whom are reluctant to vote in favor of higher spending. Sen. Long's amendment has been supported by Sen. Warren Magnuson (D-Wash.), chairman of the Senate Appropriations Committee and Sen. Harrison Williams (D-N.J.), chairman of the Senate Labor and Human Resources Committee. Sen. Edmund Muskie (D-Maine), chairman of the Senate Budget Committee, is leading the fight to sustain the reconciliation process.

At stake in this fight are the funding levels for such county programs as assisted housing, CETA, health, and the LEAA. If Sen. Long's amendment passes, the levels already approved in the respective appropriation bills will stand. If the reconciliation measure is sustained, then approximately 9,000 new housing units would be lost, \$500 million would be cut from CETA public service jobs, \$200 million would be cut in health programs and \$100 million in LEAA. Meanwhile, the House Budget

Committee finished markup of its version of the Second Budget Resolution, calling for increased expenditures for countercyclical assistance, CETA public service jobs and unemployment compensation. Both the House and Senate versions of the Second Budget Resolution will be voted on this week with those votes being followed by votes on the conference reports on the various appropriations bills.

—Jon Weintraub

Carter Still Silent on GRS Renewal

Continued from page 1
Francois, pointed out that "we have been giving strong support to you on the enactment of an energy program, welfare reform and other issues, and we now need your help on the renewal of general revenue sharing."
He pressed for a statement from the President in support of the renewal of general revenue sharing at the earliest possible date, "so that we can divert more of our lobbying efforts toward enacting an energy program and other important legislation."
"We want you to understand that general revenue sharing is NACo's top priority," Francois noted, "and must have first call on the lobbying efforts of county officials until its enactment is assured."

the general revenue sharing program.

EARLIER IN THE day, coalition members met to discuss welfare reform, one of the first major issues to receive consensus support among the membership. NACo, along with other public interest groups, has sought welfare reform for several years and is lobbying for the Administration's welfare reform proposal, which consists of both a cash assistance bill and jobs legislation.

NACo Past President Williams noted the close relationship of an overall energy policy and jobs program to the total welfare picture, and maintained that if welfare reform is to remain a priority for NACo and its sister organizations, it is necessary to know whether it remains a priority with the Carter administration.

Francois pointed out examples of where counties continue to carry almost the entire burden of welfare costs, and urged the enactment of welfare reform in order to provide fiscal relief for these states and counties.

The White House affirmed its support for welfare reform to New Coalition members and asked the help of members to secure its passage in the House of Representatives.



COUNTY OFFICIALS AT THE WHITE HOUSE—Bay Haas, left, and Harvey Ruvin, cochairmen of NACo's Environment and Energy Steering Committee, and Charlotte Williams, NACo immediate past president, during New Coalition meeting with the President.

Immediate Energy Action Urged

Continued from page 1

- Increased unemployment at the very time county resources are declining from inflation;
- Limited additional financial aid for the near poor who are being made destitute by higher fuel costs.

"Conservation is not receiving the emphasis ... which it deserves."

To ensure that action is immediately taken on national energy legislation, Francois urged an all-out effort by county officials to gain meaningful federal energy laws which will reflect the best interests of county governments.

He urged strong support for President Jimmy Carter's energy package on Capitol Hill, but singled out six areas of the President's energy plan which county officials feel should be altered to bring about a more workable—and beneficial—energy policy for America.

Francois said that in the President's original energy message, the proposed energy mobilization board would only be empowered to establish decision-making schedules, waive procedural requirements, and waive application of laws put into effect after construction of a project had begun. Then changes took place, he said. He explained that some in Congress are now supporting a bill allowing for the waiver of all procedural and substantive law.

"NACo opposes any attempt to

allow an appointed federal body to override state and local substantive and procedural law," said Francois.

Concerning energy impact assistance, the new NACo president said that in view of renewed emphasis on energy production, many communities will be facing the prospect of rapidly escalating populations with attendant demand for new services. He explained that the Administration has shown some support to address this "boomtown problem," but that funds in the budget for the Economic Development Administration should be shifted from EDA to make the program more comprehensive.

Francois, discussing energy conservation programs, said that emergency building temperature restriction programs, and the proposed standby energy gasoline rationing plans, are two examples of mandatory conservation programs which can be dictated at the federal level, but which can only be implemented at the local level. "The federal government should only set targets," said Francois, "and then leave the mechanism for achieving those targets up to the state and local governments."

In a fourth major energy policy area, President Francois said that NACo supports the decontrol of domestic oil prices coupled with the imposition of a windfall profits tax, and the establishment of an energy security trust fund. "However," said Francois, "conservation is not receiving the emphasis in the proposed uses of the energy security fund which it deserves. Not only do we believe that conservation is the most

cost-effective way to 'produce' the energy we need, but it is the area in which state and local governments can be used to best advantage."

The NACo president also said that the Energy Management Partnership Act, and the Local Energy Management Act, are two excellent examples of how the Administration might make better use of state and local governments. But Francois also warned that it is essential that these

"NACo opposes any attempt ... to override state and local substantive law."

programs be sufficiently flexible to allow state and local government to take maximum advantage of unique circumstances in their areas.

Citing the last point in his NACo policy statement to the press, Francois said that early involvement of state and local government is essential in every aspect of nuclear waste disposal, from site selection to actual emplacement.

"Let me make clear that for all the reasons I have noted," concluded President Francois, "NACo's prime concern in the energy area is that a national energy program be enacted with no more delay. Our county officials well know that action this fall is a must if the nation is to avoid very serious problems next year, and in the years to follow."



PRESS GETS MEETING RESULTS—Frank Francois, center, NACo president, fields questions from reporters at the White House after his briefing with the President dealing with energy, revenue sharing and welfare reform.

Consensus Aired on Energy Issues

Energy Task Force of representatives from state and local government public interest groups identified four issues of concern in its energy proposals reached consensus on broad areas within each issue. The issues are the Energy Mobilization Board, the windfall profits tax, energy conservation and impact assistance.

The task force, chaired by Governor Julian Carroll of Kentucky, met in conjunction with its executive body, the New Coalition Task Force, which represents NACo, the National Governors' Association, the National Conference of State Legislatures, the National League of Cities and the U.S. Conference of Mayors. Its purpose is to work with the Administration to spell out the role of state and local governments in developing and implementing national energy policy.

and Energy Steering Committee: Bay Haas, commissioner, Mobile County, Ala., and Harvey Ruvin, commissioner, Dade County, Fla.

The task force also includes four governors, four mayors and four state legislators.

The task force did not discuss details of each proposal and specific areas of agreement or disagreement, but concentrated on broad policy areas in which state and local governments had an overriding and common interest.

However, task force members hope to meet in Washington again within the next few weeks to develop a specific consensus on each of the issues and plan for coordinated legislative efforts.

Following is a summary of each proposal and the consensus positions adopted.

ENERGY MOBILIZATION BOARD (EMB)

All of the organizations support the concept of an EMB and support expediting the federal permitting process. All agreed that state and local governments should work closely with a federal board to develop concurrent reviews, joint

hearings, consolidated data collection and other methods of reducing "red tape."

However, they also agreed that, with a few notable exceptions, state and local governments have not been the source of delay in siting major energy projects. Consequently, state and local governments should retain authority over final determination of decision deadlines as well as siting and permitting decisions without fear of federal preemption.

It was agreed that the bill sponsored by Rep. John Dingell (D-Mich.) should be strongly opposed because of its override provisions. For more details on the EMB proposal and its status, see story, page 1.

WINDFALL PROFITS TAX

In general, all organizations have endorsed the phased decontrol of domestic oil prices and the imposition of a windfall profits tax. The task force called for close cooperation with the Administration in allocating the funds to be developed through the tax. A deep concern was expressed over linking low-income assistance with passage of the windfall profits tax. For more details on this discussion and subsequent action, see story page 1.

ENERGY CONSERVATION

There was agreement among the task force members that conservation and renewable energy sources are the most economical way to immediately reduce U.S. dependence on imported oil and called upon the Administration to increase the share of the windfall profits tax revenues going to conservation and renewable resource applications.

The group noted that, by the Administration's own estimates, barrel for barrel it costs eight times as much to reduce oil imports through synthetic fuels production as through conservation and that synthetic fuels are twice as expensive as solar energy on a BTU-equivalent basis.

The task force also agreed that, in the area of conservation and



FORGING AN ENERGY CONSENSUS—NACo's representatives to the New Coalition's Energy Task Force joint the debate. From left are, Harvey Ruvin and Bay Haas, cochairmen, Energy and Environment Steering Committee, President Frank Francois and Immediate Past President Charlotte Williams.

renewable resources, state and local governments had been leaders for a number of years.

They added that, because of their direct access to the public, the Administration should make better use of the experience and ability of state and local governments in this area.

ENERGY IMPACT ASSISTANCE

The task force expressed great concern over the national push to develop more domestic energy resources and how this will affect the lives of people in the development areas. The "boomtown" problem, already great because of increased coal development, will only be exacerbated with the push to develop a

synthetic fuels industry.

All agreed that the anticipated population growth and increased demand for services will far exceed the capacity of state and local governments. The group called upon the Administration to support funding for the energy impact assistance program of the Farmers Home Administration.

Members saw a need for federal/state/local coordination, both for funding the costs of the "boomtown" effect and for planning the timing and location of energy projects. This approach would also require state and local input to the decisions of the Energy Security Corporation and the Energy Mobilization Board.

EMB Bills Conflict

Continued from page 1
bill was a matter of "legislative tactics."

Besides the split on the waiver provision the committees also differ on the number of projects which could be designated as "priority" energy projects.

The Interior Committee limited designations to 12 in any one year with no more than 24 projects pending certification at any one time. No limit on the number of projects was reported by the Commerce Committee. This is of particular concern to some western states with large coal and oil-shale deposits.

The process will now begin on reconciling the two House versions of the bill. Proponents of each of

the bills have vowed to take the dispute to the House floor if necessary. NACo's position was echoed by the cochairmen of NACo's Environment and Energy Steering Committee Bay Haas and Harvey Ruvin:

"NACo's voice must continue to be heard as the proposal works its way through the legislative process. We will continue to provide updates and we hope that county officials will continue to make our concerns known to their congressmen."

Also representing NACo on the Energy Task Force was NACo President Frank Francois and Immediate Past President Charlotte Williams.

—Mark Croke

Energy Mobilization Board

The following telegram was sent Sept. 11 to all members of the House Committee on Interstate and Foreign Commerce.

Dear Representative:

The Energy Task Force of the New Coalition, which represents the National Governors' Association, the National Conference of State Legislatures, the National Association of Counties, the National League of Cities and the Conference of Mayors, met this morning and discussed the Energy Mobilization Board proposal.

All of our organizations support the concept of an Energy Mobilization Board and support expediting the federal permitting process. We further agree that state and local governments should work in close consultation with a federal board to develop concurrent reviews, joint hearings, consolidated data collection efforts and other methods of reducing "red-tape."

However, we strongly oppose allowing this appointed federal body to override state and local substantive law. Consequently, all our organizations join in urging your support for the Santini amendment which would exempt state and local substantive law from the waiver provision.

National Association of Counties
National League of Cities
National Governors' Association
National Conference of State Legislatures
U.S. Conference of Mayors



ENERGY TASK FORCE—Chairman Julian Carroll, governor of Kentucky, leads debate on energy issues vital to states, counties and cities. From left are Ned Helms, center, National Governors' Association and Gov. Otis R. Bowen.

Fuel Aid Requested for the Poor

Continued from page 1

NACo learned the details of a program to make fuel deliveries easier in the Northeast. NACo has agreed to freeze prices for the duration of the winter, allow

more time for payment to Texaco from area suppliers, and has agreed that in an emergency and dependent on supplies, Texaco would deliver oil to anyone who needed it. Following the meeting, NACo President Fran-

cois sent a telegram to each of the major oil companies urging them to follow Texaco's example. (See box for text of the telegram.)

The Administration estimates that \$2.4 billion a year will be needed from the Energy Security Fund (created by revenues from the windfall profits tax) to meet the needs of low-income persons. The Congressional Budget Office (CBO) in its analysis of the President's energy proposal has estimated that, as low-income families pay a larger share of their income for more expensive oil, they will experience a 1.3 percent decline in real income by 1982.

THE EFFECT OF this will be even greater for families in harsher climates who are dependent on fuel oil for heat. Low-income persons also will suffer more heavily from the inflationary effects of decontrolled oil prices, especially when the CBO has estimated that decontrol will add between .6 and .8 percent to the level of prices and even more if OPEC continues to increase prices.

There was also a consensus by the New Coalition on the uses to which the tax should be put—strengthening public transportation, stimulating alternative energy development and assistance to low-income persons.

—Mark Croke

NACo's Message to Oil Companies

The National Association of Counties (NACo), representing over 300 of our nation's counties, has supported the Administration's efforts to decontrol crude oil prices. While our position on this issue has not changed, we are deeply concerned over the effect the resulting energy inflation is having and will continue to have on low-income persons. The availability of fuel oil this coming winter may be a second level concern when compared with the question of how people pay for the oil.

NACo is also concerned that fuel oil distributors and suppliers may not be able to finance the purchase of fuel oil from primary suppliers, and subsequent sales to users. If this should occur, then the use of existing fuel oil stocks may be severely crippled.

NACo is supporting Administration and congressional efforts to provide assistance to low-income persons, and we are lobbying to have a bill enacted as soon as possible. But people who face a choice between food and fuel may not receive help soon enough through this approach, and, in any event, the help offered by the federal government may not be adequate.

We believe strongly that the oil industry needs to respond to the problem. We were heartened and applaud this week's action by Texaco, regarding the policies it has adopted for fuel deliveries in the Northeast. NACo believes it is essential that all fuel oil suppliers immediately adopt similar responsible positions, and we strongly urge you to take action now in this direction.



Matter and Measure

FREIGHT MOVEMENT SEMINAR

The University of Wisconsin-Extension Office of Statewide Transportation Programs is sponsoring a seminar Oct. 8-9 in Milwaukee on freight movement in and through urban areas. The seminar will focus on various aspects of urban freight movement including: transportation planning issues, traffic engineering and business community involvement.

Some issues to be raised at the seminar include:

- Encouragement of urban land use to reduce freight transportation distances without adverse effects on other existing urban land use patterns.
- The impact of large vehicles transporting freight through urban areas during peak commuting periods of the business day.

For further information contact: University of Wisconsin-Extension, Division of Urban Outreach-Transportation, P.O. Box 413, UW-Milwaukee, Milwaukee, Wis. 53201, 414/963-4422.

DOT REPORT AVAILABLE

A report is available from the U.S. Department of Transportation entitled "Trends in Federal Domestic Transportation Programs, Revenues and Expenditures." In addition to expenditures, the present report includes revenues generated. Also included in this report is a detailed discussion on the historical evolution of Federal transportation revenue and expenditure programs by state, for the years 1957-1975.

Federal transportation expenditures and revenues are reported for only transportation capital and operating programs. The intent is to identify and include only those programs which provide some physical development and program funding to the various modal systems.

The cost of the 304-page report is \$11.75 and it may be purchased from: National Technical Information Service, Springfield, Va. 22161. When ordering, refer to report #DOT-P-10-78-46.

Md.-Pa. Bridge Alert

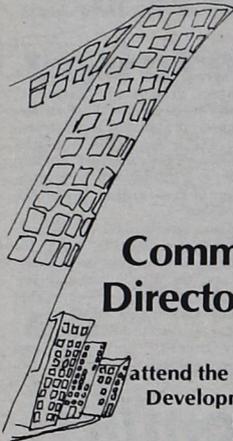
Oct. 3 and 4 are the dates for the National Association of County Engineers, Inc.-National Association of County Engineers bridge meeting for Maryland and Pennsylvania county officials. The meeting will take place at the Pittsburgh Hilton.

You should have received housing and registration information in the mail. If not, contact Marlene Glassman, NACoR Transportation Project Director at 202/785-9577. Registration will also take place on site at the Hilton Hotel starting at 11 a.m. on Wednesday, Oct. 3.

The meeting will bring you up-to-date on federal and state requirements implementing the \$4.2 billion federal highway bridge replacement and rehabilitation program.

Don't let your county miss out on its fair share of federal bridge funds. Use this opportunity to learn how county projects are selected for federal funding; inventory and inspection procedures; regulations on consultant agreements, design standards, environmental assessment and right-of-way acquisition.

In addition, you will receive a packet containing information on technical resources to help you implement bridge projects, and NACoR will learn your suggestions for improving program administration. If you have any questions, contact Marlene Glassman at NACoR.



ATTENTION Community Development Directors ... Elected Officials

Mark your calendars and plan to attend the National Association of County Community Development Directors' Fourth Annual Conference Nov. 13-16, at the Olympic Hotel, King County (Seattle), Wash.

The conference will take place at the stately Olympic Hotel in downtown Seattle, conveniently located near shops, restaurants, historic Pioneer Square, and the Kingdome, the West's only covered multi-purpose stadium.

The three-day meeting offers news about legislation ... affordable housing ... intergovernmental relations ... housing financing ... special workshops for elected officials ... tours of King County's projects. You can't afford to miss out!

CONFERENCE REGISTRATION NACo County CD Conference - Nov. 13-16, 1979

Name _____ Title _____ County _____

Address _____
City _____ State _____ Zip _____

Fee covers one reception, three lunches, Danish breakfasts each morning, conference materials and a tour of King County.

Enclosed is a check for: \$95 NACo member counties \$110 nonmember counties

Make check payable to NACo and send to: Accounting Department, NACo, 1735 New York Avenue N.W., Washington, D.C. 20006. Cancellations received by Nov. 2 will be fully refunded.

HOTEL RESERVATION FORM

Western International Hotels, The Olympic, Seattle

I am attending the NACo Community Development Conference November 13-16, 1979

Please reserve the following: Single: 1 person STD \$39 MED \$47 DEL \$59 Double/twins: 2 persons \$44 \$57 \$69

Plus 5.3 percent State Sales Tax

Note: If rate requested is not available next available rate will be assigned

Arrival Date _____ Hour _____ a.m. p.m. Departure Date _____

Name _____ Address _____

City _____ St. te _____ Zip _____

All reservations are held until 6 p.m. I am arriving after 6 p.m. Please hold my room on guaranteed payment basis.

My Credit Card Number is: Name _____ No. _____

Return to: The Olympic Hotel, Fourth and Seneca Street, Seattle, Washington 98101.

Note: Hustle Bus departs every 20 minutes from the Seattle-Tacoma Airport to Olympic Hotel - 20 minutes ride - Fare \$3.00

RETURN NO LATER THAN OCTOBER 8

ONE YEAR EXTENSION

Senate Votes IRAP

The Senate last week voted to extend the Indochinese Refugee Assistance Program (IRAP) for one year. Although NACo had supported a two-year extension, passage of this bill will save counties with heavy concentrations of refugees approximately \$100 million in fiscal '80.

California Sens. Alan Cranston (D) and S.I. Hayakawa (R) supported a measure to extend the program for two years, but were forced to revise their position during floor action on the bill.

The extension of IRAP means that counties will receive 100 percent federal reimbursement for welfare, health and social services costs for all refugees in the country. For those refugees entering the United States after Nov. 1, there will be a two-year

limit on full federal compensation.

Action now switches to the Judiciary Committee with many similar legislation taking place this week. NACo is pushing for a year extension of the program. Rep. George Danielson (D-Calif.) agreed to introduce an amendment in full committee that would extend IRAP for two years.

Danielson was able to insert the House bill a one-year extension for those refugees currently in the country and a four-year limit for those entering after Nov. 1.

County officials are encouraged to contact their representatives to support the extension of the program. Floor action should take place in the House within the next two weeks.

Air Quality Group Seeks Avenues to Involve Public

A plan designed to involve the public in a national air pollution study, culminating in a report to Congress on how best to achieve healthful air quality, was announced in the Sept. 5 *Federal Register* with an invitation for comment.

The National Commission on Air Quality Public Participation Plan details a strategy for ensuring that all interested parties can contribute to the commission's evaluation of the Clean Air Act, as mandated under the 1977 law.

Pinellas County (Fla.) Commissioner, Jeanne Malchon, one of the commission's 13 members, said, "Because our final report will affect national policy on air quality issues, it is essential that diverse groups participate in the commission's ongoing work and in the development of its report and recommendations to Congress."

The NCAQ Public Participation Plan proposes a variety of public forums, such as workshops, expert panels, ad hoc information groups, hearings, and possibly a national conference.

Malchon, long active in local and state government, said, "These events will provide opportunities for substantive dialogue among air pollution control interests."

"However, they are costly in terms of staff resources, the public's time and money, and logistical expenses. Choices must be made on how the commission allocates its public par-

ticipation resources and we are asking interested individuals and groups to help us make these decisions," said Malchon.

In particular, the commission is requesting comments on three items in the plan:

- Feasibility and value of a national conference on air quality.
- Policy on reimbursing members of the public for travel associated with commission activities.

- Merits of a mid-point evaluation of the NCAQ public participation effort, to be conducted by independent consultants.

The Public Participation Plan is divided into four sections: initial public contact; information seminar; consultation response; and evaluation. Copies of the plan are available from the National Commission on Air Quality, South Capitol St. S.W., 2nd Floor, Washington, D.C. 20003; telephone 202/245-6355.

The National Commission on Air Quality was established by Congress in Section 323 of the Clean Air Act (P.L. 95-95). The commission's task is to evaluate the act, examine alternative means of achieving healthful air quality and report its findings and recommendations to Congress.

Consisting of four members, the commission is chaired by Sen. Hart (D-Colo.).

Conflicting Rules Cause Headaches

For many years lawmakers have been trying to doctor the growing problem that has accompanied swelling federal aid. But mostly, they have attempted to bandage the sore spots without getting to the source of the problem.

Before the 96th Congress are two proposals which could go far in reducing the confusion, uncertainty and duplication of effort inherent in the federal grants-in-aid system. The Federal Assistance Reform Act (S. 878)—would streamline the intergovernmental grants program more cost conscious and acceptable. But perhaps the most significant gain would be in returning policy-making authority to the officials. The Federal Assistance Reform Act has such a tool built into it, called grant consolidation.

The proliferation of narrowly defined categorical grant programs—there are now over 500—has meant fragmentation and caused serious problems for those officials who have to administer them. Take the case of highway rehabilitation project

funded out of HUD's community development block grant program and Environmental Protection Agency money. The Department of Housing and Urban Development insists the housing be done prior to installing sewer lines. But how can housing be completed without sewer lines in place? The agencies wrestle with the problem while the local community waits.

Analysis

Another problem deals with narrowly defined functional activities which limit recipient discretion and do not allow for the tailoring of programs to meet the highly diverse needs of a recipient. The federal highway beautification program is a good example. The program was conceived to control billboards and junkyards along the nation's highways. Unfortunately no thought was given to other highway beautification needs, e.g., litter and erosion control, industrial and commercial screening, and other unique local problems.

It has been estimated that over 170 programs could be consolidated in such a way that only 25 to 50 programs would remain.

In planning for the fiscal '81 budget, the Office of Management and Budget has selected five program areas for consolidation studies: health services, human development, library resources, interstate highways and rural development. If these consolidations were approved, local and state governments would be given more flexibility to use federal money in ways that would best suit their own needs. Such consolidation would also eliminate program overlap and help reduce the paperwork associated with narrow categorical grants. Only one application form would be required for each consolidated program, reporting requirements would be reduced, and funding cycles should become more predictable.

The prospects of grant reform in the 96th Congress will be a major topic of the 15th Annual Federal Aid Conference, sponsored by NACo and its affiliate, the Council of Intergovernmental Coordinators. See registration/housing information this page. Contact Joan Paschal or Elizabeth Rott of the NACo staff for further information, 202/785-9577.

Who Could Pay Travel Expense

Under a proposed revision to Circular 74-4, "Cost Principles for Grants to State and Local Governments," travel expenses of chief executives could be charged against a grant under certain conditions. The proposal, which appears in the 1979 Federal Register and offers an opportunity for comment, would allow travel costs where they are directly related to the grant program and where prior approval for travel has been given by the funding agency.

Circular 74-4 now reads, salaries and other expenses of chief executives and governing bodies are not chargeable against federal grants. Those interested should submit comments in duplicate to the Financial Management Branch, Budget and Finance Division, Office of Management and Budget, Washington, D.C. 20503, no later than Nov. 5. Please include a copy of your comments to Joan Paschal at NACo.

Job Opportunities

Director, Somerset County, Md. Prime responsibility would be management of the county department, providing engineering expertise services to the recreation and park departments and grant applications where engineering is required. Bachelor's degree in civil engineering plus a minimum of five years experience in civil engineering and top level management and salary requirements to County Administrator, Somerset County Commissioners, 100 William Street, Princess Anne, Md. 21853. Closing date: Oct. 31.

Personnel Director, Kent County, Mich. Salary commensurate with training and experience. Implements and supervises all central personnel services, including employee recruitment, testing, training, classification, labor relations and affirmative action. Bachelor's degree in public and/or business administration plus five years experience. An equivalent combination of training and work experience acceptable. Send resume to: Kent County Personnel Department, 201 County Administration Building, 300 Avenue N.W., Grand Rapids, Mich. 49503.

Director of Environmental Health, Guilford County, N.C. Salary \$22,272-\$28,320. Responsibilities include prevention, surveillance, enforcement and technical consultation in the area of disease control, food and water sanitation, sewer treatment, complaint investigation and environmental development. Bachelor's degree plus eight years of environmental health experience, including three years in a supervisory position. Prefer advanced degree in field of environmental science, engineering or public health. Send resume to: Personnel Director, Guilford County Personnel Department, Box 3427, Greensboro, N.C. 27402. Closing date: Oct. 15.

Finance Director, City of Corvallis, Ore. Salary \$1,990-\$2,341 per month. Responsible for the administration and supervision of the city's financial management, including general accounting, data processing and city recorder areas. Bachelor's degree in accounting, finance, business or public administration; and four years of increasingly responsible experience in public finance work. Resume to: Director of Employee Relations, 501 S.W. Madison, Corvallis, Ore. 97330. Closing date: Sept. 28.

Director, Health Care Services Agency, Alameda County, Calif. Salary open. Requires five years senior level health care administrative experience. Prefer advanced degree in health related field. Position is responsible for administrative services, alcohol and drug abuse service, Mental Health service, Public Health service, and two general hospitals. Send resume to: Korn/Ferry International, Attn. Norman Roberts, 1900 Avenue of the Stars, Suite 2100, Eos Angeles, Calif. 90067. Closing date: Oct. 15.

Executive Director, Association of Local Government, Virginia. Salary \$34,000-\$41,000. Virginia Municipal League, Richmond, Va. \$360,000 budget, 13-member staff, 12-member governing body, five affiliate groups. Responsible for management of all affairs of VML and affiliate groups; major insurance program being created. Legislative and administrative relationships important. Members include 229 towns, cities and counties. Master's degree in public administration or equivalent plus at least four years responsible management experience. Resume to: Ann H. Kilgore, City Hall, 22 Lincoln Street, Hampton, Va. 23669. Closing date: Oct. 5.



Fifteenth Annual National Federal Aid Conference

Hosted by the National Association of Counties/
Council of Intergovernmental Coordinators

Hyatt Regency Hotel, Washington, D.C. October 23-26, 1979

An opening general session will kick off the conference with a legislative overview of the 96th Congress conducted by NACo legislative representatives. Workshops will provide the most up-to-date information on such subjects as: CETA, community development, LEAA, grant reform and many others.

Delegates to NACo/CIC 15th Annual National Federal Aid Conference can preregister for the conference and reserve hotel space by completing this form.

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 telephone.

Conference Registration Fees: \$95 (member), \$125 (nonmember counties), \$150 (other). Make check payable to NACo/CIC Federal Aid Conference.

Name _____ County _____

Title _____ Telephone (____) _____

Address _____

City _____ State _____ Zip _____

For Office Use Only: Check No. _____ Check Amount _____ Date Received _____

Housing Reservation

- Special conference room rates will be available to all delegates whose reservations are postmarked no later than Oct. 1, 1979.
- No housing reservations will be accepted over the telephone at any time by the conference registration center.
- Return both housing reservations and conference registration to the NACo/CIC Federal Aid Conference Registration Center, 1735 New York Avenue N.W., Washington, D.C. 20006.

Hyatt Regency rates:

Single: \$48/\$53/\$58 Double: \$60/\$65/\$70
1 Bedroom Suites: \$130/\$155/\$180 2 Bedroom Suites: \$190/\$215/\$240

Name _____

Address _____ Telephone(____) _____

Arrival date/time _____ Departure date/time _____

No room deposit required. Rooms may be guaranteed by credit card number for late arrival. Give credit card company, number and expiration date: _____

Special hotel requests: _____

Washington Briefs

Criminal Justice

LEAA Reauthorization. Supporters of the Justice System Improvement Act of 1979, H.R. 2061, introduced by Rep. Peter Rodino (D-N.J.) are pushing the House to act on the bill this month. Lack of action in the House has frustrated efforts of the committee deciding spending levels. The Senate voted to reauthorize LEAA for four more years in May.

LEAA Appropriations. Senate and House conferees met prior to the August recess and agreed to a budget of \$486 million for LEAA for fiscal '80. This is approximately \$100 million less than the President's recommendation and \$200 million less than fiscal '79. Part D will receive only \$239 million which is not enough to trigger the new four-part formula that is important to local governments.

Juvenile Justice. Senate members of a House-Senate conference committee successfully fought for continued funding of the Office of Juvenile Justice and Delinquency Prevention at \$100 million for fiscal '80. While this marks the third year at the same funding, the Administration had recommended \$50 million for juvenile justice programs, citing problems with spending the money fast enough in prior years.

Dispute Resolution Act of 1979. House and Senate members are working on legislation which would establish neighborhood justice centers as an alternative to the courts for minor disputes. In hearings on the bills, NACO testified against limiting the disputes to consumer problems only.

Community Development

Housing Authorization Bill. A House-Senate conference committee resumed consideration of H.R. 3875, the Housing and Community Development Amendments of 1979. Conferees have agreed to an authorization of \$1.14 billion for the Section 8 assisted housing program. This amount, also included in the fiscal '80 HUD appropriations bill is estimated to produce 266,000 units of assisted housing, significantly down from the 326,000 provided this year. Still to be resolved are the provisions broadening eligibility to pockets of poverty in the urban development action grant (UDAG) program, which NACO strongly supports, and whether to increase the tenant income contribution toward rent under the Section 8 program from 25 percent to 30 percent, an action NACO opposes.

Fiscal '80 HUD Appropriations. A House-Senate conference committee has completed action on H.R. 4394, the fiscal '80 HUD appropriations bill which contains \$3.9 billion for the community development block grant program, \$675 million for the urban development action program, and \$1.14 billion for the Section 8 assisted housing program. The amount provided by the bill for the Section 8 program, however, is higher than the target amount provided in the First Concurrent Budget Resolution and may be subject to reconciliation if the second budget resolution retains the lower amount, a move which NACO opposes. Final House and Senate action on the conference report expected this week.

Economic Development Reauthorization. The Senate has passed S. 914, a four-year reauthorization of the grant and loan programs administered by the Economic Development Administration. The bill greatly expands these programs, but curtails eligibility for them. In contrast, a

bill approved by the House Public Works Committee expands eligibility for these programs which NACO supports. In addition, the House Banking Committee is attempting to secure jurisdiction over the business loan programs of the bill. It is expected that the Public Works Committee bill will be brought to the House floor later this month. It is likely that final action on the bill will not be completed before Sept. 30 when current authorization for the EDA programs will expire. A continuing resolution to keep them going until new legislation is passed will be necessary.

Energy

Energy Mobilization Board. The House Interstate and Foreign Commerce voted out its version of the Energy Mobilization Board last week. Neither of the amendments supported by NACO were approved. (See story page 1.)

Energy Impact Assistance. The Senate Appropriations subcommittee on Interior is tentatively scheduled to meet this week and consider the Department of Energy appropriations which include funds for the Farmers Home Administration (FmHA) energy impact assistance program. The Administration has been working on a budget amendment to transfer funds from the Economic Development Administration to FmHA in order to fund this program.

Local Energy Management. Rep. Phil Sharp (D-Ind.) is preparing an amendment to the fiscal '80 Department of Energy authorization bill which would incorporate some of the elements of the Local Energy Management Act, S. 931, as introduced by Sen. Charles Percy. The amendment may be offered next week when the authorization bill will be on the House floor. On the Senate side, Sen. Paul Tsongas (D-Mass.) is still drafting his proposal for a \$1.2 billion a year program to promote energy conservation and renewable resource applications by local governments.

Health

Hospital Cost Containment. Even though the Administration's bill, H.R. 2626 was tabled last week by a health subcommittee, it was scheduled to be marked up by the full Interstate and Foreign Commerce Committee. Supporters of this plan, which would impose mandatory controls if a voluntary program fails, are Reps. Henry Waxman (D-Calif.) and Charles Rangel (D-N.Y.). NACO supports an amendment which would prevent "dumping" of patients on public facilities. The House Ways and Means Committee has already reported its version of H.R. 2626. In the Senate, Sen. Herman Talmadge's cost containment bill, part of S. 505, the Medicare/Medicaid Reform Act, which contains provisions for cost containment under Medicare/Medicaid only, was ordered reported by Senate Finance, S. 570, the Administration bill, voted out of the Senate Labor and Human Resources Committee in June, is expected to be introduced by Sen. Gaylord Nelson (D-Wis.) as a substitute to S. 505 on the Senate floor. Votes in both Houses expected this month.

National Health Insurance. Continued markup in Senate Finance

Committee of catastrophic health insurance proposals expected in October. Current committee consideration not expected to include NACO-supported provision to federalize Medicaid. Hearing expected in October in House health and environment subcommittee on Health Care for All Americans Act (S. 1720/H.R. 5191), sponsored by Sen. Edward Kennedy (D-Mass.) and Rep. Henry Waxman (D-Calif.).

Child Health Assurance Programs (CHAPs). House Interstate and Foreign Commerce Committee markup of H.R. 4962, sponsored by Rep. Henry Waxman (D-Calif.) scheduled at press time. This bill to improve Medicaid services to low-income children and pregnant women, replaces the three bills considered in subcommittee markup, H.R. 2159, 2461 and 4063. The bill enables county health departments to provide assessments without directly providing follow-up care. The Administration proposal on the Senate side, S. 1204, sponsored by Sen. Abraham Ribicoff (D-Conn.) was reported by Senate Finance and awaits floor action.

Medicare Amendments. Markup in House Ways and Means health subcommittee of H.R. 3990, 4000, et al., containing miscellaneous provisions, including extension of coverage for home care, expected this month.

Health Planning. House action on conference report for S. 544, Health Planning Amendments, scheduled at press time; not yet passed in Senate.

Mental Health Systems Act. House health and environment subcommittee markup of the Administration-sponsored bill, H.R. 4156, to provide more flexibility in delivery of services, not yet scheduled. Further action in Senate Labor and Human Resources Committee on the bill, S. 1177, uncertain.

Labor Relations

PERISA. A modified version of last year's Public Employee Retirement Income Security Act (PERISA) is expected to be introduced this fall by Reps. Frank Thompson (D-N.J.) and John Erlenborn (R-Ill.). While there appears to be strong support in the House Education and Labor Committee for such legislation, PERISA's overall legislative prospects are uncertain. The legislation would propose federal standards for state and local government pension plans in the areas of reporting and disclosure, fiduciary responsibility and plan administration. Hearings are tentatively planned for this fall.

Mine Safety and Health Act and Regulations. H.R. 1603 and S. 625 would amend the Federal Mine Safety and Health Amendments Act of 1977 to remove from MSHA jurisdiction the sand, gravel and stone industries including counties which are involved in such operations for purposes of road maintenance and construction. Sen. John Melcher (D-Mont.) plans to introduce legislation strongly supported by NACO which specifically exempts state and local governments from the act. The House legislation has been referred to Education and Labor Committee's health and safety subcommittee which will hold a hearing on the impact of the act on counties Sept. 26. On July 31, the House and Senate conferees on the Labor/HEW appropriations measure approved an amendment supported by NACO deleting funds for the enforcement of MSHA training standards as they

apply to surface sand, gravel, clay and stone operations.

Frequency *of Social Security Deposit Payments by State and Local Governments. Regulations go into effect July 1, 1980, requiring state and local governments to deposit their Social Security payment 12 times a year rather than quarterly and instituting a 15/15/45 day deposit schedule. Rep. Robert A. Roe (D-N.J.) introduced H.R. 1115 which would retain the current quarterly deposit schedule. On July 30, Sen. Gaylord Nelson (D-Wis.), introduced S. 1598 which modifies the HEW regulations by permitting states to deposit Social Security contributions within 30 days following the calendar month in which covered wages are paid.

Land Use

Agricultural Land Protection. S. 795, sponsored by Sens. Warren Magnuson (D-Wash.), Patrick Leahy (D-Vt.) and John Heinz (R-Pa.) and H.R. 2551 sponsored by Reps. James Jeffords (R-Vt.) and Richard Nolan (D-Minn.) would assist states and counties to develop agricultural land programs and would require federal agency actions to be consistent with state and local programs. The Senate Agriculture subcommittee No. 1 is expected to mark up the legislation next week. The House Agriculture subcommittee on rural development has sent H.R. 2551 to the full committee.

Public Lands

Payments-in-Lieu of Taxes. The Senate subcommittee on appropriation for the Interior Department is expected to vote this week on H.R. 4930. The bill includes \$108 million (already approved by the House) for the payments-in-lieu of taxes program. NACO is urging the Senate to add \$7 million so that full payments can be made for the new entitlement lands approved by Congress last year. Without the increase the recipient counties will face a pro-rata payment reduction next year.

Alaska Lands. The NACO Public Lands Steering Committee and Western Interstate Region Board last week endorsed S. 9, sponsored by Sen. Henry Jackson as the vehicle for Alaska Lands legislation in the Senate. The House Interior bill, endorsed by NACO, supports the state and borough position in Alaska that guarantees a conveyance to Alaska of statehood entitlement lands, and emphasizes a system of wildlife refuges and forests rather than wilderness designation for public lands in Alaska. The Senate Energy Committee has not announced hearings and it now appears likely that consideration of Alaska lands legislation may be pushed to next year because of other energy matters.

Transfer of Federal lands. The NACO Western Interstate Region Board last week endorsed legislation, S. 1680, sponsored by Sen. Orrin Hatch (R-Utah) that would establish a procedure for transferring most federal lands in 13 western states to the state government. It would primarily affect the more than 600 million acres administered by the Bureau of Land Management and the U.S. Forest Service. The bill has been referred to the Senate Committee on Energy and Natural Resources. No hearings have been scheduled.

Taxation and Finance

General Revenue Sharing. At a White House meeting last week the

New Coalition pressed the Administration for a position on the current program, due to Sept. 30, 1980. The intergovernmental relations subcommittee began oversight hearings Sept. 1. See story page 1.

Countercyclical/Anti-recession. The two-title Senate-passed S. 566, awaits action by the subcommittee on intergovernmental relations and human resources. The House side is currently looking at a title countercyclical bill with automatic trigger for fiscal assistance based on the decline in real wages and salaries. The Senate version both targeted fiscal assistance countercyclical titles which are based on unemployment figures. The bill is being pressed to act soon as the economy's slide into a recession.

Transportation

1980 DOT Appropriations. House is expected to hear action on H.R. 4440, the 1980 appropriations bill for the Department of Transportation this week. Rep. Robert Duncan (D-Ore.) is expected to offer a \$252 million amendment to increase funding for public transportation and also for the safety system roads program. NACO supports the Duncan amendment. Action is expected soon in the House acts.

Transportation and Windfall Tax. Vice President Mondale unveiled the Administration's \$16.5 billion transportation plan. The windfall profits tax in August Public transit would get \$13 billion with \$900 million of this added to authorized funding levels in fiscal years 1980-1983. About \$1 million is earmarked for bus and \$300 million for rail. Of the remaining \$12.1 million, \$5 million would go into bus and bus-rail facilities, \$5.4 billion would go toward rail modernization and expansion.

Confirmation hearings. The Senate Commerce Committee has completed confirmation hearings for DOT reformatory-designate Neil Goldschlager, former Mayor of Portland, Ore. Senate approval of the Goldschlager nomination is expected this week.

Essential Air Service Guidelines. The Civil Aeronautics Board adopted the final policy guidelines to be used in determining essential air service as mandated by the Airline Deregulation Act of 1978. The guidelines propose the least suitable level of air service to communities.

Welfare/Social Services

Welfare Reform. The welfare reform bill, H.R. 4904, is pending completion before House Ways and Means Committee. More than 100 amendments will be offered by committee members. Bill not to move quickly through committee due to numerous amendments. The Senate, Sen. Daniel Patrick Moynihan (D-N.Y.) has announced hearings will be conducted sometime in September.

Indochinese Refugee Assistance. On Sept. 6, the Senate voted to extend the Indochinese Refugee Act, S. 643, for one year. Those refugees currently in the United States and limit assistance to two years for those refugees entering the U.S. Nov. 1, 1979. The House Judiciary Committee had scheduled hearings for Sept. 13. NACO will be supporting Rep. George E. Danaher's amendment to extend the program for two years. See page 6.