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Message:

98TH CONGRESS
2D SESSION

S. J. RES. 325

To designate the week of October 7, 1984, through October 13, 1984, as
"National Children's Week."

IN THE SENATE OF THE UNITED STATES

JUNE 28 (legislative day, JUNE 25), 1984

Mr. NUNN (for himself and Mr. MATTINGLY) introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary

JOINT RESOLUTION

To designate the week of October 7, 1984, through October 13, 1984, as "National Children's Week."

Whereas there are approximately sixty-five million children in the Nation;

Whereas the children of the Nation are its most precious resource and its greatest hope for the future; and

Whereas a week designated for the purpose of focusing on the needs of children and the community services available to them will be beneficial both to children and to the future of the Nation: Now, therefore, be it

- 1 *Resolved by the Senate and House of Representatives*
- 2 *of the United States of America in Congress assembled,*
- 3 That the week of October 7, 1984, through October 13,

1 1984, hereby is designated "National Children's Week," and
2 the President of the United States is authorized and request-
3 ed to issue a proclamation calling upon the people of the
4 United States to observe such week with appropriate ceremo-
5 nies and activities.

○

ALL

S.J.RES.325

DATE SUBMITTED: 06/28/84

CALENDAR NO: 1128

SPONSOR: Nunn

REFERRED TO: Senate Committee on the Judiciary

REPORTED BY: Senate Committee on the Judiciary

COSPONSOR(S): CURRENT (28)

Mattinsly; Chafee (A-06/29/84); Durenberger (A-06/29/84);
 Hollings (A-06/29/84); Andrews (A-07/24/84);
 Boren (A-07/24/84); Bradley (A-07/24/84); Bumpers (A-07/24/84);
 Cochran (A-07/24/84); Cranston (A-07/24/84);
 Denton (A-07/24/84); Dodd (A-07/24/84); Hawkins (A-07/24/84);
 Jepsen (A-07/24/84); Kasten (A-07/24/84); Levin (A-07/24/84);
 Roth (A-07/24/84); Stennis (A-07/24/84); Thurmond (A-07/24/84);
 Wilson (A-07/24/84); Randolph (A-07/30/84); Biden (A-08/08/84);
 Quezle (A-08/08/84); Sasser (A-08/08/84); Stevens (A-08/08/84);
 Warner (A-08/09/84); Dixon (A-08/10/84); Lugar (A-08/10/84);

LATEST OFFICIAL TITLE:

PAGE 1 OF 3, READY FOR COMMAND, OPTION OR PG # (FOR NXT PG, RETURN):

S.J.RES.325 (LG98) continued:

OFFICIAL TITLE AS INTRODUCED AS OF 06/28/84

A Joint resolution to designate October 7, 1984, through October 13, 1984, as
 "National Children's Week".

LEGISLATIVE ACTIONS:

Jun 28, 84 Read twice and referred to the Committee on Judiciary.

Aug 9, 84 Committee on Judiciary. Ordered to be reported without
 amendment favorably.

Aug 9, 84 Committee on Judiciary. Reported to Senate by Senator Thurmond
 without amendment and with a preamble. Without written report.

Aug 9, 84 Placed on Senate Legislative Calendar under General Orders,
 Calendar No. 1128.

Aug 10, 84 Passed Senate without amendment and with a preamble by Voice Vote.

See 17, 84 See H.J.R.153.

ABSTRACT:

Designates a specified week as National Children's Week.

DIGEST:

Designates the week of October 7 through October 13, 1984, as National
 Children's Week.

ALL, PAGE 2 OF 3, READY FOR COMMAND, OPTION OR PG # (FOR NXT PG, RETURN):

S.J.RES.325 (LG98) continued:

INDEX TERMS:

SPECIAL WEEKS/CHILDREN/CELEBRATIONS, HOLIDAYS, AND SPECIAL OBSERVA/CHILDREN'S
 WEEK

ALL, PAGE 3 OF 3, READY FOR NEW COMMAND, OPTION OR PG #:

members of the ad hoc committee for their many years of hard work.

This legislation also includes a provision very similar to my bill, H.R. 4406, which passed this House on April 30, 1984. This provision would amend the National Wild and Scenic Rivers Act by including, for study purposes, the Wildcat River in Jackson, N.H., thereby insuring the continued protection of the Wildcat as a unique natural resource and outstanding scenic attraction. Also included is a provision that would extend the boundary of the White Mountain National Forest to include valued tracts of land in the Pilot Range. This provision has been included in anticipation of the acquisition of the Pilot Range by the Forest Service.

Mr. Speaker, all these measures enjoy the strong support of the citizens of New Hampshire, conservationists, and forest users alike. Favorable action today on H.R. 3921 will insure the protection and preservation of our rich natural heritage for the benefit of future generations. It is for this reason that I urge my colleagues to support the passage of the New Hampshire bill.

Mr. YOUNG of Alaska. Mr. Speaker, further reserving the right to object, I yield to the gentleman from New Mexico (Mr. LUJAN).

Mr. LUJAN. Mr. Speaker, I rise only to compliment the members of the New Hampshire delegation for the fine work they have done on this legislation. In particular, the gentleman from New Hampshire (Mr. GREGG) has been extremely helpful to the committee throughout our consideration of the bill.

Getting everyone to agree on any issue can be difficult but particularly difficult on wilderness issues. It takes a great deal of personal attention and time which the gentleman has been willing to devote to the process.

I know of no opposition to the wilderness portions of the legislation and I believe the Senate amendment dealing with the wild river study and the annexation of land to the White Mountain National Forest will not generate any real problems. Our action today clears the bill for the President.

Of particular interest to me is the creation of the 45,000-acre wilderness in the Pemigewasset Valley which I am told is the largest roadless area in Federal ownership east of the Mississippi. It should make a fine addition to the wilderness preservation system and will be extremely popular in New England.

Also important is the special language contained in the bill and respective committee reports on the management of the Wild River Area and the Killkenny Unit Plan Area. I am hopeful that these provisions will be helpful in preventing future wilderness battles in the State and will allow the forest management process to work as it was intended.

Thank you, Mr. Speaker, and I thank the gentleman from Alaska for yielding.

Mr. YOUNG of Alaska. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Speaker, I thank the gentleman for yielding.

In light of all that has been said, I yield back to the gentleman.

Mr. YOUNG of Alaska. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SEIBERLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just considered.

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

There was no objection.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what reason does the gentleman from Pennsylvania (Mr. GEKAS) rise?

Mr. GEKAS. I have a parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. GEKAS. Are we ready for special orders, for the recitation of requests for special orders?

The SPEAKER pro tempore. The Chair will first recognize the gentleman from Indiana.

NATIONAL CHILDREN'S WEEK

Mrs. HALL of Indiana. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 153) to designate the week beginning October 2, 1983, as "National Children's Week," and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

Mr. COURTER. Reserving the right to object, Mr. Speaker, I rise not to object but to let the gentlewoman know that the minority has reviewed this legislation. There are many people on the Republican side who have cosponsored the legislation. We are definitely in favor of it.

• Mr. FOWLER. Mr. Speaker, it is often said that our Nation's children are our future. But we must insure that their needs are provided for in a comprehensive way in the present if

we are to have a promising future for our Nation.

For the past several years in Atlanta, a dedicated group of my constituents has conducted a highly successful week-long examination of the special needs of children—and the services being provided to them. This Children's Week has brought together volunteer agencies, State and local officials, educators, and other concerned individuals in an effort to heighten public awareness of the resources available to help our children develop.

Last year I introduced a resolution to designate a National Children's Week in October, coinciding with this special annual event in Atlanta. Today this resolution is before you, and I urge all my colleagues to join in support of House Joint Resolution 153.

A foundation, which chooses to remain anonymous, has awarded a grant for the publication of a guidebook on how other communities can conduct their own Children's Week along the lines of the successful Atlanta venture. With this publication, and with congressional designation of the week of October 7, 1984, as National Children's Week, we can stimulate a nationwide study of our children's needs and the ways in which we can insure that our future is adequately provided for.

I believe this can be an extremely worthwhile effort, and I hope all my colleagues will vote in support of this resolution.

Mr. COURTER. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. Res. 153

Whereas there are approximately sixty-five million children in the Nation;

Whereas the children of the Nation are its most precious resource and its greatest hope for the future; and

Whereas a week designated for the purpose of focusing on the needs of children and the community services available to them will be beneficial both to children and to the future of the Nation: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week beginning October 2, 1983, hereby is designated "National Children's Week", and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

AMENDMENT OFFERED BY MRS. HALL OF INDIANA

Mrs. HALL of Indiana. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. HALL of Indiana: On page 1, line 3, strike "October 2, 1983" and insert in lieu thereof "October 7, 1984".

The SPEAKER pro tempore. The question is on the amendment offered

by the gentlewoman from Indiana (Mrs. HALL).

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the joint resolution was amended so as to read: "Joint resolution to designate the week beginning October 7, 1984, as 'National Children's Week'."

A motion to reconsider was laid on the table.

□ 2120

NATIONAL CHILD PASSENGER SAFETY AWARENESS DAY

Mrs. HALL of Indiana. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the Senate joint resolution (S.J. Res. 289) to designate June 18, 1984, as "National Child Passenger Safety Awareness Day," and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Indiana?

Mr. COURTER. Mr. Speaker, reserving the right to object, I will not object. It is a very important resolution. More children are injured and killed because of automobile accidents over the age of 6 months than in any manner in the United States.

It is an important resolution to make sure that we emphasize the fact that children often are more easily injured in automobiles than adults because of their size. We, of course, want to bring attention to the fact that it is important for children to have seatbelts. It is an extremely important measure. We urge passage of the legislation; we have no objection.

Mr. Speaker, I withdraw my reservation of objection.

● Mr. BARNES. Mr. Speaker, last week, as our Nation paused on Memorial Day to pay homage to all of our fellow Americans who have lost their lives in past wars fought to defend our freedom, we might have also paused to recognize the continuing loss of American lives that occurs on a daily basis in a war that we are waging among ourselves.

Last year alone, more than 44,000 Americans were killed in this war, leaving another 2 million people wounded. The costs to bury the dead, care for the injured and repair the damage exceed \$40 billion every year.

This bloody battle, however, has no relation to defending freedom; this war is one that we are inflicting upon ourselves, and the battleground is on our Nation's highways.

More Americans have been killed in highway crashes over the past 3 years than all of our brave soldiers who lost their lives in both Vietnam and Korea. And, if today is a typical day, we can

expect another 120 or more citizens to be killed on our roads.

Like all wars, it is the children who are the most tragic victims, and the facts are as clear as they are devastating:

Highway crashes are the number one killer andcrippler of children in the United States;

More children are killed or crippled as passengers in highway crashes than the total number of children killed or crippled by the seven most common childhood diseases, and;

Highway crashes are the leading trauma-related cause of spinal cord injuries, epilepsy and mental retardation in the United States.

Fortunately, a technological vaccine is available to prevent these tragic deaths and crippling injuries. The proper use of child restraints in automobiles is 90-percent effective in preventing death and 67-percent effective in preventing injury. In recent years, 46 States and the District of Columbia have taken an important step in response to this problem by enacting laws requiring the use of child restraints in private passenger automobiles. However, according to the U.S. Department of Transportation, national surveys still show that the overwhelming majority of children in the United States are not properly restrained in these life-saving devices.

Often, it is the same parents who would not risk their child's health and safety—who make sure they have a proper diet, dress warmly on cold winter days and get their immunization shots—who are exposing them on a daily basis to the No. 1 threat to their lives—motor vehicle crashes—without providing this technological vaccine that we call the child safety seat or seatbelt.

Many parents continue to believe that holding their child in their arms will shield that child from any harm. This common belief, sadly typifies the current serious lack of awareness and education concerning child passenger safety, and the results are all too often disastrous. For example, in a 30 mile-an-hour crash, a mother weighing 100 pounds who is holding her child on her lap will slam against that child with the force of 3,000 pounds. Often, the child will cushion the mother from bodily harm, while the mother crushes her child between herself and the dashboard.

I am convinced that mandatory usage laws—and their enforcement—are an essential part of a comprehensive approach to assuring the use and the proper use of child restraints. Also, through greater public awareness, information and education, we can reduce significantly these senseless and preventable deaths and injuries among the children of our Nation.

With the bipartisan support of 239 cosponsors here in the House, I have introduced a resolution (H.J. Res. 563) designed to focus needed national attention on this national tragedy by

designating Monday, June 18, 1984, as "National Child Passenger Safety Awareness Day." Senator PAULA HAWKINS is the chief sponsor of the companion resolution in the Senate, which approved this measure recently.

The intent of this legislation is obvious. And, there are many organizations nationwide—Government agencies, private sector business and grassroots groups—who welcome this day of national awareness of child passenger safety as an important opportunity to encourage the proper use of this available technological vaccine to immunize our children from the number one threat to their lives and limbs.

It is the direct intent of this legislation that President Reagan issue a proclamation calling upon the people of our Nation to observe June 18 with appropriate programs, ceremonies and activities. I urge the full support of this House on this vitally important issue and measure.●

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Indiana?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 289

Whereas motor vehicle collisions are the primary cause of death of children over the age of six months in the United States;

Whereas motor vehicle collisions are the primary cause of the crippling of children in the United States;

Whereas more children under the age of five years are killed or crippled as passengers involved in motor vehicle collisions than the total number of children killed or crippled by the seven most common childhood diseases: pertussis, tetanus, diphtheria, measles, mumps, rubella, and polio;

Whereas motor vehicle collisions are the leading trauma related cause of spinal cord injuries, epilepsy, and mental retardation in the United States;

Whereas during the years 1978 through 1982 nearly three thousand and four hundred children under the age of five years were killed in traffic collisions, and more than two hundred and fifty thousand children were injured in the United States;

Whereas an unrestrained child is less protected by padding and energy-absorbing materials than an adult in a motor vehicle collision, because protective devices are placed in areas more likely to benefit adults;

Whereas unrestrained children are subject to a significantly higher risk of serious head, spine, chest and abdominal injury in motor vehicle collisions than older passenger because the bodies of children are less developed and provide less protection;

Whereas an unrestrained child in a motor vehicle collision faces an increased danger of fatal or serious injury from ejection as well as injuries resulting from contact with the vehicle interior;

Whereas an unrestrained child in a motor vehicle not involved in a collision may be killed or injured as a result of sudden stops, turns, swerves, or from the unrestrained child falling from a moving vehicle;

Whereas forty-two states and the District of Columbia have enacted laws mandating the use of child safety restraint systems;

Whereas only 40 percent of children under the age of five are protected by child safety seats in the United States and nation-

98TH CONGRESS
1ST SESSION

H. J. RES. 153

To designate the week beginning October 2, 1983, as "National Children's Week".

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 22, 1983

Mr. FOWLER introduced the following joint resolution; which was referred to the Committee on Post Office and Civil Service

JOINT RESOLUTION

To designate the week beginning October 2, 1983, as "National Children's Week".

Whereas there are approximately sixty-five million children in the Nation;

Whereas the children of the Nation are its most precious resource and its greatest hope for the future; and

Whereas a week designated for the purpose of focusing on the needs of children and the community services available to them will be beneficial both to children and to the future of the Nation: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the week beginning October 2, 1983, hereby is desig-
4 nated "National Children's Week", and the President of the

1 United States is authorized and requested to issue a procla-
2 mation calling upon the people of the United States to ob-
3 serve such week with appropriate ceremonies and activities.

○

H.J.RES.153

DATE SUBMITTED: 02/22/83

EFFECTIVE: 09/28/84

CALENDAR NO: 1171

SPONSOR: Fowler

REFERRED TO: House Post Office and Civil Service
Senate Committee on the Judiciary

REPORTED BY: Senate Committee on the Judiciary

COSPONSOR(S): CURRENT (218)
Bernard (A-03/07/83); Sunia (A-03/07/83); Horton (A-03/07/83);
Hatcher (A-03/07/83); Markey (A-03/07/83);
Binsrich (A-03/07/83); Porter (A-03/07/83); Daker (A-03/07/83);
Frost (A-03/07/83); Stokes (A-03/07/83); Wylie (A-03/07/83);
Fauntroy (A-03/07/83); Coats (A-03/07/83); Winn (A-03/07/83);
Rowland (A-03/07/83); Ortiz (A-03/07/83); Rahall (A-03/07/83);
Downey (A-03/07/83); Britt (A-03/07/83); Martinez (A-03/07/83);
Dwyer (A-03/07/83); Thomas, of GA (A-03/07/83);
Bates (A-03/07/83); Bevill (A-03/11/83);
Patterson (A-03/11/83); Weaver (A-03/11/83);

PAGE 1 OF 8, READY FOR COMMAND, OPTION OR PG # (FOR NXT PG, RETURN):
H.J.RES.153 (LG98) continued:

Forsythe (A-03/11/83); Solarz (A-03/11/83);
de la Garza (A-03/11/83); Addabbo (A-03/11/83);
McGrath (A-03/11/83); Chaffie (A-03/11/83);
Hertel (A-03/11/83); Ratchford (A-03/11/83);
Weiss (A-03/11/83); Kaptur (A-03/11/83); Fish (A-03/11/83);
Guarini (A-03/11/83); Green (A-03/11/83); Barnes (A-03/11/83);
Lantos (A-03/11/83); Crockett (A-03/16/83);
Shelby (A-03/16/83); Hall, of IN, (01) (A-03/16/83);
Mollohan (A-03/16/83); Stark (A-03/16/83); Roe (A-03/16/83);
Edsar (A-03/16/83); Hushes (A-03/16/83); Frenzel (A-03/16/83);
Matsui (A-03/23/83); Collins (A-03/23/83);
Demally (A-03/23/83); Sikorski (A-03/23/83);
Dixon (A-04/05/83); Mikulski (A-04/05/83); Mineta (A-04/05/83);
Levitas (A-04/05/83); Bonior (A-04/05/83);
Miller, of CA (A-04/05/83); Oxley (A-04/12/83);
Anthony (A-04/12/83); Conte (A-04/12/83); Jenkins (A-04/12/83);
Leland (A-04/18/83); McKernan (A-04/18/83); Boxer (A-04/18/83);
McNulty (A-04/18/83); Scheuer (A-04/18/83);
McHush (A-04/26/83); Owens (A-05/09/83); Frank (A-05/09/83);

ALL, PAGE 2 OF 8, READY FOR COMMAND, OPTION OR PG # (FOR NXT PG, RETURN):
H.J.RES.153 (LG98) continued:

Wolf (A-05/17/83); Daniel (A-05/17/83); Panetta (A-05/17/83);
Schneider (A-05/17/83); Bliley (A-05/17/83);
Torricelli (A-05/17/83); Rangel (A-05/26/83);
Bateman (A-05/26/83); Simon (A-05/26/83);
Robinson (A-06/09/83); Ford, of TN (A-06/09/83);
Waxman (A-06/09/83); Sisisky (A-06/30/83); Wheat (A-06/30/83);
Kennelly (A-06/30/83); Corrada (A-06/30/83);
Dellums (A-06/30/83); Dlin (A-06/30/83); Perkins (A-07/20/83);
Biassi (A-07/20/83); Stanseland (A-07/20/83);
Wirth (A-07/20/83); Harrison (A-07/20/83);
Andrews, of TX (A-07/20/83); Montgomery (A-07/20/83);
Alexander (A-07/20/83); Boner (A-07/20/83);
Conyers (A-07/20/83); Jones, of NC (A-07/20/83);
Towns (A-07/20/83); Vandersruff (A-07/20/83);
Whitehurst (A-07/20/83); De Lugo (A-07/20/83);
Dowdy (A-07/20/83); Ackerman (A-07/20/83); Levine (A-07/20/83);
Hansen, of ID (A-07/20/83); Hammerschmidt (A-07/20/83);
Heftel (A-07/20/83); Howard (A-07/20/83); Mazzoli (A-07/20/83);

Hutto (A-07/20/83); Holt (A-07/20/83); Hightower (A-07/20/83);
ALL, PAGE 3 OF 8, READY FOR COMMAND, OPTION OR PG # (FOR NXT PG, RETURN);
H.J.RES.153 (LG98) continued:

Lent (A-07/20/83); Kemp (A-07/20/83); Levin (A-07/20/83);
Jacobs (A-07/20/83); Lons, of MD (A-07/20/83);
Wilson (A-07/20/83); LaFalce (A-07/20/83); Gilman (A-07/20/83);
Ray (A-07/20/83); Murphy (A-07/20/83); Reid (A-07/20/83);
Jeffords (A-07/20/83); Smith, of FL (A-07/20/83);
Snyder (A-07/20/83); Spratt (A-07/20/83); Rodino (A-07/20/83);
Richardson (A-07/20/83); Tallon (A-07/20/83);
Rosers (A-07/20/83); Savase (A-07/20/83);
Morrison, of CT (A-07/20/83); Edwards, of CA (A-07/20/83);
Wyden (A-07/20/83); Natcher (A-07/20/83); Won Pat (A-07/20/83);
Pritchard (A-07/20/83); O'Brien (A-09/15/83);
Nielson (A-09/15/83); Stenholm (A-09/15/83);
Kasich (A-09/15/83); Fazio (A-09/15/83); Roth (A-09/15/83);
Pickle (A-09/15/83); Peeper (A-09/15/83);
Bereuter (A-09/15/83); Vucanovich (A-09/15/83);
Youngs, of MD (A-09/15/83); Bennett (A-09/15/83);
Lewis, of FL (A-09/15/83); Ferraro (A-09/15/83);
Gore (A-09/15/83); Shaw (A-09/15/83); Fascell (A-09/15/83);
English (A-09/15/83); Hawkins (A-09/15/83);

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H.J.RES.153 (LG98) continued:

Foslietta (A-09/15/83); Hiler (A-09/15/83); Luken (A-09/15/83);
Berman (A-09/15/83); Bosco (A-09/15/83);
Brown, of CA (A-09/15/83); Hamilton (A-09/15/83);
Clerke (A-09/15/83); Bilirakis (A-09/15/83);
Chandler (A-10/05/83); Burton, of IN (A-10/05/83);
Covne (A-10/05/83); Daschle (A-10/05/83); Daub (A-10/05/83);
Donnelly (A-10/05/83); McCollum (A-10/05/83);
Youngs, of FL (A-10/05/83); Walsren (A-10/05/83);
Anderson (A-10/05/83); Valentine (A-10/05/83);
Smith, of NJ (A-10/05/83); Vander Jast (A-10/05/83);
Zablocki (A-10/05/83); Gray (A-10/05/83); Pursell (A-10/05/83);
Price (A-10/05/83); Roberts (A-10/05/83); Murtha (A-10/05/83);
Ritter (A-01/23/84); Wise (A-01/23/84); Carper (A-02/29/84);
Derrick (A-02/29/84); Neal (A-02/29/84); Brouhill (A-03/27/84);
Darden (A-03/27/84); Shure (A-03/27/84); Flippo (A-04/24/84);
McCloskey (A-04/24/84); Clay (A-04/24/84);
Lehman, of FL (A-04/24/84); Moody (A-04/24/84);
Hance (A-05/16/84); Shannon (A-05/16/84); Bryant (A-05/16/84);
Leath (A-05/16/84); Hoyer (A-05/16/84); Johnson (A-05/16/84);

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H.J.RES.153 (LG98) continued:

Erdreich (A-05/24/84); Gerhardt (A-05/24/84);
Roland (A-05/24/84); Rose (A-05/24/84); Lowry (A-05/24/84);
Foley (A-05/24/84); Kostmayer (A-05/24/84);
Wright (A-05/24/84); Ford, of MI (A-05/24/84);
Gejdenson (A-05/24/84);

LATEST OFFICIAL TITLE:

OFFICIAL TITLE AS INTRODUCED AS OF 02/24/83

A Joint resolution to designate the week beginning October 2, 1983, as
"National Children's Week".

LEGISLATIVE ACTIONS:

Feb 22, 83 Referred to House Committee on Post Office and Civil Service.
Feb 28, 83 Referred to Subcommittee on Census and Population.
Jun 6, 84 House Committee on Post Office and Civil Service Discharged by
Unanimous Consent.
Jun 6, 84 Called up by House by Unanimous Consent.
Jun 6, 84 Passed House (Amended) by Unanimous Consent.
Jun 11, 84 Received in the Senate and read twice and referred to the

Committee on Judiciary.

Sep 13, 84 Committee on Judiciary. Ordered to be reported without
ALL, PAGE 6 OF 8. READY FOR COMMAND, OPTION OR PG # (FOR NXT PG, RETURN);
H.J.RES.153 (LG98) continued:

amendment favorably.

Sep 13, 84 Committee on Judiciary. Reported to Senate by Senator Thurmond
without amendment and with a preamble. Without written report.

Sep 13, 84 Placed on Senate Legislative Calendar under General Orders.
Calendar No. 1171.

Sep 17, 84 Passed Senate without amendment and with a preamble by Voice Vote.

Sep 17, 84 Cleared for White House.

Sep 19, 84 Measure Signed in Senate.

Sep 20, 84 Presented to President.

Sep 28, 84 Signed by President.

Sep 28, 84 Became Public Law No: 98-433.

ABSTRACT:

Designates a specified week as National Children's Week.

DIGEST:

06/06/84 (Measure Passed House, amended)

Designates the week beginning October 7, 1984, as National Children's Week.

INDEX TERMS:

ALL, PAGE 7 OF 8. READY FOR COMMAND, OPTION OR PG # (FOR NXT PG, RETURN);
H.J.RES.153 (LG98) continued:

SPECIAL WEEKS/CELEBRATIONS, HOLIDAYS, AND SPECIAL OBSERVA/CHILDREN'S WEEK


ALL, PAGE 8 OF 8. READY FOR NEW COMMAND, OPTION OR PG #:

THE WHITE HOUSE

WASHINGTON

October 2, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Enrolled Bill S. 2000 -- Variable
Interest Rates for Indian Funds
Held in Trust

Richard Darman has asked for comments on the above-referenced enrolled bill by 1:00 p.m. Wednesday, October 3. This bill, which passed both Houses by voice vote, would amend 25 U.S.C. § 161a to permit the Secretary of the Treasury to invest Indian trust funds at market rates. Until the Secretary of the Interior invests Indian trust funds, they are held by the Secretary of the Treasury, and 25 U.S.C. § 161a, enacted in 1929, currently provides that such funds may receive a return of only four percent when held by Treasury. The four percent return is a relic that costs the Tribes several hundred thousand dollars per year.

OMB, Interior, and Treasury recommend approval. I have reviewed the memorandum for the President prepared by OMB Assistant Director for Legislative Reference James M. Frey, and the bill itself, and have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

October 2, 1984

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill S. 2000 -- Variable
Interest Rates for Indian Funds
Held in Trust

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

FFF:JGR:aea 10/2/84

cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

October 2, 1984

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill S. 2000 -- Variable
Interest Rates for Indian Funds
Held in Trust

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

FFF:JGR:aea 10/2/84

cc: FFFielding/JGRoberts/Subj/Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
 - H - INTERNAL
 - I - INCOMING
- Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Richard Darman

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Enrolled Bill S. 2000 - Variable interest Rates for Indian Funds Held in Trust

ROUTE TO:	ACTION	DISPOSITION
Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD
<u>CUHOU</u>	ORIGINATOR	<u>84110101</u>
	Referral Note:	
<u>CUAT 18</u>	<u>D</u>	<u>84110101</u>
	Referral Note:	<u>S 84110103</u>
		<u>1:00pm</u>
		<u>1 1</u>
	Referral Note:	
		<u>1 1</u>
	Referral Note:	
		<u>1 1</u>
	Referral Note:	

- ACTION CODES:**
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 - C - Comment/Recommendation
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 - F - Furnish Fact Sheet to be used as Enclosure
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WHITE HOUSE STAFFING MEMORANDUM

DATE: 10/1/84 ACTION/CONCURRENCE/COMMENT DUE BY: 10/3 - 1:00 P.M.

SUBJECT: ENROLLED BILL S. 2000 - VARIABLE INTEREST RATES FOR INDIAN FUNDS HELD IN TRUST

	ACTION FYI		ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/> <input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/> <input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROGERS	<input type="checkbox"/> <input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SPEAKES	<input type="checkbox"/> <input checked="" type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/> <input type="checkbox"/>
DARMAN	<input type="checkbox"/> P	<input checked="" type="checkbox"/> S	VERSTANDIG	<input checked="" type="checkbox"/> <input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input checked="" type="checkbox"/> <input type="checkbox"/>
FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/> <input type="checkbox"/>
HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/> <input type="checkbox"/>
HICKEY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/> <input type="checkbox"/>
McFARLANE	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/> <input type="checkbox"/>
McMANUS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/> <input type="checkbox"/>

REMARKS:

May we have your comments by 1:00 p.m. Wednesday, 10/3. Thank you.

RESPONSE:

1984 SEP 31 PM 5:56

Richard G. Darman
Assistant to the President
Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

OCT 1 1984

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 2000 - Variable Interest Rates for
Indian Funds Held in Trust
Sponsor - Senator Andrews (R) North Dakota

Last Day for Action

October 8, 1984 - Monday

Purpose

Provides authority for the payment of a variable interest rate on tribal funds held in trust in the U. S. Treasury.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of the Treasury	Approval

Discussion

Background

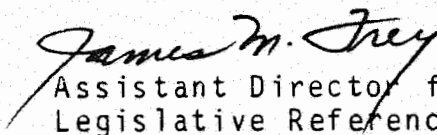
The majority of Indian trust funds are invested by the Secretary of the Interior, in cooperation with the Secretary of the Treasury, at market rates, either in obligations of Federally-insured banks, or through direct purchase of U.S. securities. However, Indian trust funds held in the Treasury prior to investment, or reinvestment, earn only simple interest, at the rate of 4 percent. This rate is prescribed by the Act of February 12, 1929.

While a 4 percent interest rate may have been appropriate during the early part of this century, it is substantially lower than current rates. Since at any time approximately \$8 million is subject to this rate, the Indians are currently losing several hundred thousand dollars in interest each year.

The Enrolled Bill

S. 2000, an Administration proposal, would eliminate this inequity by amending the 1929 Act to allow the Secretary of the Treasury, at the request of the Secretary of the Interior, to invest all Indian funds at essentially market interest rates. Such funds would be held in trust by the Treasury and invested in public debt securities with maturities suitable to the needs of the fund involved, as determined by the Secretary of the Interior, and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable U.S. obligations of comparable maturities.

S. 2000 passed both Houses of the Congress by voice vote.


Assistant Director for
Legislative Reference

Enclosures

THE WHITE HOUSE

WASHINGTON

October 2, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Enrolled Bill S. 32 -- Record
Rental Amendment of 1984

Richard Darman has asked for comments on the above-referenced enrolled bill by noon Wednesday, October 3. This bill, which passed both Houses by voice vote, would extend copyright protection to cover the unauthorized rental, leasing, or lending of phonograph records for commercial advantage by purchasers without permission from the owners of the copyright. Copyright owners currently have no protection against such commercial exploitation of their material, and apparently the commercial record renting business is beginning to flourish. The bill provides only civil penalties, and has a five-year sunset provision.

OMB, Justice, Commerce, and NEA recommend approval; CEA has no objection. I have reviewed the memorandum for the President prepared by OMB Assistant Director for Legislative Reference James M. Frey, and the bill itself, and have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

October 2, 1984

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING *Orig. signed by FFF.*
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill S. 32 -- Record
Rental Amendment of 1984

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

FFF:JGR:aea 10/2/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

October 2, 1984

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill S. 32 -- Record
Rental Amendment of 1984

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

FFF:JGR:aea 10/2/84

cc: FFFielding/JGRoberts/Subj/Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

- O - OUTGOING
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 - I - INCOMING
- Date Correspondence Received (YY/MM/DD) 1/1

Name of Correspondent: Richard Darman

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Enrolled Bill S. 32 - Record Rental Amendment of 1984

ROUTE TO:		ACTION	DISPOSITION			
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CUHOU</u>		ORIGINATOR	<u>84/10/01</u>			<u>1/1</u>
		Referral Note:				
<u>CUAT 18</u>		D	<u>84/10/01</u>			<u>5/84/10/03</u>
		Referral Note:				<u>MOBN</u>
			<u>1/1</u>			<u>1/1</u>
		Referral Note:				
			<u>1/1</u>			<u>1/1</u>
		Referral Note:				
			<u>1/1</u>			<u>1/1</u>
		Referral Note:				

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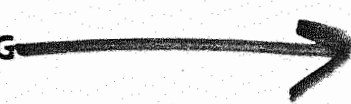
Comments: _____

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 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 10/1/84 ACTION/CONCURRENCE/COMMENT DUE BY: 10/3 - NOON

SUBJECT: ENROLLED BILL S. 32 - RECORD RENTAL AMENDMENT OF 1984

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VERSTANDIG	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HICKEY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
McFARLANE	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
McMANUS	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

May we have your comments by noon on Wednesday, 10/3. Thank you.

RESPONSE:

1984 SEP 31 PM 5:56

Richard G. Darman
Assistant to the President
Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT
 OFFICE OF MANAGEMENT AND BUDGET
 WASHINGTON, D.C. 20503

1984 OCT -1 PM 3:15

OCT 1 1984

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 32 - Record Rental Amendment of 1984
 Sponsors - Mathias (R) Maryland and 13 others

Last Day for Action

October 8, 1984 - Monday

Purpose

Prohibits the commercial rental of phonorecords without the authorization of the copyright owners.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
Department of Commerce	Approval
National Endowment for the Arts	Approval
Council of Economic Advisers	No objection
Federal Trade Commission	No comment (Informally)

Discussion

Under existing law, a purchaser of a phonorecord (sound recording) is not liable to a copyright holder for its subsequent rental or sale. Anyone who purchases a copyrighted phonorecord may rent it to others without any additional financial liability to the copyright owners. Consequently, the copyright owners derive no benefit from such commercial rentals. According to the Senate Committee on the Judiciary's report on S. 32, the commercial record rental business is a recent phenomenon in the United States, which is expected to flourish in coming years, to the detriment of phonorecord copyright holders. S. 32 is designed to address this problem.

Provisions of S. 32

S. 32 would prohibit -- subject to existing civil penalties for copyright infringement -- the owners of phonorecords from renting, leasing, or lending them without first receiving an authorization from the owner of the copyright. Those engaged in

such activities would also be required to pay a royalty to the copyright owner on any revenues derived from the rental, lease, or lending of the copyright owners' works. S. 32 further provides an exemption for regular rental or leasing activities of non-profit schools and libraries and for commercial inventories purchased prior to the date of enactment of this enrolled bill.

The provisions of this enrolled bill would be effective for only five years. According to the legislative history on S. 32, a sunset provision was included to permit this issue to be reconsidered in view of rapid technological changes which affect copyright matters, and because of the novelty of the record rental industry. Section 3 of S. 32, "Compulsory Licenses; Royalties," contains conforming amendments necessary to permit the implementation of this Act.

* * * * *

S. 32 passed both Houses by voice vote.

James M. Frey
Assistant Director for
Legislative Reference

THE WHITE HOUSE

WASHINGTON

October 3, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Enrolled Bill S. 2614 --
Indian Financing Act Amendments

Richard Darman has asked for comments on the above-referenced enrolled bill by close of business today. This bill would make an assortment of minor, non-controversial amendments to the Indian Financing Act of 1974, 25 U.S.C. § 1451 et seq. The bill would generally increase authorized appropriations under the Act, broaden the circumstances under which Federal loans may be made to individual Indians, and permit the Secretary of the Interior to accept security other than bonds when loaning to an Indian-owned enterprise. Of particular interest to this office is section 3, which deletes an unconstitutional legislative veto provision from the 1974 Act.

OMB and Interior recommend approval; Justice has no objection. I have reviewed the memorandum for the President prepared by OMB Assistant Director for Legislative Reference James M. Frey, and the bill itself, and have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

October 3, 1984

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill S. 2614 --
Indian Financing Act Amendments

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

FFF:JGR:aea 10/3/84
cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

October 3, 1984

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill S. 2614 --
Indian Financing Act Amendments

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

FFF:JGR:aea 10/3/84
cc: FFFielding/JGRoberts/Subj/Chron

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Name of Correspondent: Richard Darman

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Enrolled Bill S 2614 - Indian Financing Act Amendments

ROUTE TO:	ACTION	Tracking Date	Disposition	Completion Date
Office/Agency (Staff Name)	Action Code	YY/MM/DD	Type of Response Code	YY/MM/DD
<u>CLHON</u>	ORIGINATOR	<u>84/10/23</u>		<u>1/1</u>
<u>CLAT 18</u>	Referral Note: <u>D</u>	<u>84/10/23</u>	<u>584/10/23</u> <u>COB</u>	<u>1/1</u>
	Referral Note:	<u>1/1</u>		<u>1/1</u>
	Referral Note:	<u>1/1</u>		<u>1/1</u>
	Referral Note:	<u>1/1</u>		<u>1/1</u>
	Referral Note:	<u>1/1</u>		<u>1/1</u>

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WHITE HOUSE STAFFING MEMORANDUM

DATE: 10/3/84 ACTION/CONCURRENCE/COMMENT DUE BY: 10/3 - c.o.b.

SUBJECT: ENROLLED BILL S. 2614 - INDIAN FINANCING ACT AMENDMENTS

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VERSTANDIG	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HICKEY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
McFARLANE	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
McMANUS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

May we have your comments by close of business today. Thank you.

RESPONSE:

1984 OCT -3 AM 9:16

Richard G. Darman
Assistant to the President
Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

1984 OCT -3 AM 8 04

OCT 2 1984

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 2614 - Indian Financing Act Amendments
Sponsors - Senators Andrews (R) North Dakota and
Hatfield (R) Oregon

Last Day for Action

October 8, 1984 - Monday

Purpose

Reauthorizes and amends the Indian Financing Act of 1974 in order to promote economic development on Indian reservations.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval
Department of Justice	No objection
Department of the Treasury	No comment (Informally)

Discussion

Background

The Indian Financing Act of 1974 established three major programs. Title I of the Act consolidated four existing revolving loan programs into a single Indian revolving loan fund. Under this program, direct Federal loans are made to tribes, Indian organizations, and individual Indians at relatively low interest rates for economic purposes. Title II established the loan guarantee and insurance program to provide access to private money sources for economic development through guaranteeing or insuring loans which otherwise would not be available to Indian tribes and organizations, individual Indians, and Alaskan natives. Title III authorized interest subsidy payments on guaranteed or insured loans to reduce the Indian borrower's interest rate to that rate chargeable under the direct loan program. Title IV of the 1974 Act established the Indian Business Development Grant Program in which non-reimbursable grants of up to 40 percent of the funding needed are made to establish enterprises on or near reservations.

The Enrolled Bill

S. 2614 would reauthorize and amend the Indian Financing Act of 1974 by:

- authorizing the appropriation of (1) such sums as are necessary to fulfill U.S. obligations with respect to potential title II losses on guaranteed or insured loans and (2) not to exceed \$5.5 million a year for fiscal year 1985 and each year thereafter for title III interest payments;
- expanding financing opportunities for individual Indians by (1) extending loan guarantees to tribal members regardless of whether the tribe has a credit program and (2) increasing the limitation on guaranteed loans to individual Indians from \$100,000 to \$350,000;
- authorizing the appropriation of not to exceed \$10,000,000 annually, beginning in fiscal year 1986, for title IV, the Indian Business Development Grant Program, and increasing grants available to (1) individuals from \$50,000 to \$100,000 and (2) tribes from \$50,000 to \$250,000;
- allowing the Secretary of the Interior discretion to require security other than bonds (as required by the Miller Act) when entering a contract with an Indian-owned economic enterprise, pursuant to provisions of the Buy Indian Act of 1910;
- deleting an unconstitutional legislative veto provision applicable to payments on defaulted loans under guarantee;
- requiring the Secretary of the Interior to provide technical assistance to loan or grant applicants prior to award of the loan or grant; and
- prohibiting the Secretary from using more than six percent of the funds appropriated for interest payments under title III during fiscal year 1985, and authorizing appropriations as necessary thereafter, for the purpose of entering into technical assistance contracts.

In its enrolled bill letter, Interior concludes that the enrolled bill's amendments are "...similar to those recommended by the Department during congressional hearings. Because of this and

the fact that enrolled bill S. 2614 is supportive of our efforts to encourage private investment on Indian reservations and in tribal business projects..." the Department recommends approval.

S. 2614 passed both Houses of the Congress by voice vote.

James M. Trex
Assistant Director for
Legislative Reference

Enclosures

THE WHITE HOUSE

WASHINGTON

October 3, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Enrolled Bill S. 1770 --
Oil and Gas Lease Extension

Richard Darman has asked for comments on the above-referenced enrolled bill by close of business today. This bill would settle the confusion surrounding a particular oil lease. Briefly, a mining company commenced drilling operations under a lease that had expired, in reliance on erroneous representations from the United States Geological Survey (USGS). The term of the lease provided that it would expire if operations were not commenced before a specific date and operations were not commenced until after that date. USGS, however, told the company to proceed and the company, unmindful that its lease had expired by operation of law, proceeded at considerable expense. The bill would overturn the expiration provision and stipulate that the lease is still in force.

OMB recommends approval; Interior has no objection. The company has no legal claim against the United States for reinstatement of its lease. As the Supreme Court recently reaffirmed, there is no estoppel against the Government. In Justice Holmes's famous phrase, citizens must turn square corners when dealing with the Government -- unless, of course, they can obtain relief legislation, such as this bill. I have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

October 3, 1984

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

LEAH for
Orig. signed by FFF

SUBJECT: Enrolled Bill S. 1770 --
Oil and Gas Lease Extension

Counsel's Office has reviewed the above-referenced enrolled bill, and finds no objection to it from a legal perspective.

FFF:JGR:aea 10/3/84

cc: FFFielding/JGRoberts/Subj/Chron

THE WHITE HOUSE

WASHINGTON

October 3, 1984

MEMORANDUM FOR RICHARD G. DARMAN
ASSISTANT TO THE PRESIDENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Enrolled Bill S. 1770 --
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WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET



- O - OUTGOING
 - H - INTERNAL
 - I - INCOMING
- Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Richard Darman

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Enrolled Bill 3 1770 - Oil and Gas Lease Extension

ROUTE TO:	ACTION	Tracking Date	DISPOSITION	Completion Date
Office/Agency (Staff Name)	Action Code	YY/MM/DD	Type of Response Code	YY/MM/DD
<u>CUHOW</u>	ORIGINATOR	<u>8411023</u>		<u>1 1</u>
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	Referral Note:			
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	Referral Note:			
		<u>1 1</u>		<u>1 1</u>
	Referral Note:			

- ACTION CODES:**
- A - Appropriate Action
 - C - Comment/Recommendation
 - D - Draft Response
 - F - Furnish Fact Sheet to be used as Enclosure

- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

- DISPOSITION CODES:**
- A - Answered
 - B - Non-Special Referral
 - C - Completed
 - S - Suspended

FOR OUTGOING CORRESPONDENCE:
 Type of Response = Initials of Signer
 Code = "A"
 Completion Date = Date of Outgoing

Comments: _____

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 Send all routing updates to Central Reference (Room 75, OEOB).
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WHITE HOUSE STAFFING MEMORANDUM

DATE: 10/3/84 ACTION/CONCURRENCE/COMMENT DUE BY: 10/3 - c.o.b.

SUBJECT: ENROLLED BILL S. 1770 - OIL AND GAS LEASE EXTENSION

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	MURPHY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MEESE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OGLESBY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ROGERS	<input type="checkbox"/>	<input type="checkbox"/>
DEAVER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SPEAKES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	SVAHN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	VERSTANDIG	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WHITTLESEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FULLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HERRINGTON	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
HICKEY	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
McFARLANE	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
McMANUS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

REMARKS:

May we have your comments by close of business today. Thank you.

RESPONSE:

1984 OCT -3 AM 9:04

Richard G. Darman
Assistant to the President
Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

10-001-02 11 9 04

OCT 2 1984

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 1770 - Oil and Gas Lease Extension
Sponsors - Senators Garn (R) and Hatch (R) Utah

Last Day for Action

October 8, 1984 - Monday

Purpose

Extends the lease terms of a Federal oil and gas lease in Uintah County, Utah.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Interior

No objection

Discussion

On January 30, 1978, the U.S. Geological Survey (USGS) approved an oil and gas lease that included 479 acres of a previously issued lease that had comprised some 1,119 acres. Under current law, the original lease on the residual 640 acres, designated as U-39711, was to expire on January 30, 1980, unless production of oil or gas in paying quantities was established by that date.

The record title holders of lease U-39711, the Pacific Transmission Supply Company and the Chorney Oil Company, entered into an agreement in late 1979 that established the Paiute Oil and Mining Corporation (POMCO) as the lease operator. POMCO submitted its drilling application to the USGS on January 3, 1980, and approval was granted on January 29, 1980.

Drilling began on January 29, 1980, and the USGS twice inspected the drilling site in February during which time drilling operations had been suspended for operational reasons. The second inspection occurred on February 20, 1980, twenty days after the period that lease U-39711 had expired. At that time the USGS authorized resumption of drilling operations. Subsequently, in June 1980, the USGS notified POMCO that lease U-39711 had expired on January 30, 1980, and requested the lessee to plug and abandon the well and rehabilitate the site.

In seeking to explain its action regarding lease U-39711, POMCO advised the USGS that:

- it had never seen the actual lease until after the well was drilled;
- it had relied on a USGS employee's assertions that drilling on the expiration date would result in a lease extension;
- it had spent \$340,000 in developing the lease;
- while production never began because of delays in the delivery of heavy duty drilling equipment, several field tests have verified that the well is capable of production; and
- it was new to the oil well drilling business.

The Enrolled Bill

S. 1770 effectively extends lease U-39711 for so long as oil or gas is produced in paying quantities. The lessee is granted six months to install production facilities and equipment. The lease extension is conditioned on the lessee paying (1) back rental of \$5 per acre per year and (2) future rental of \$5 per acre per year plus a 16-2/3 percent royalty.

In testimony and reports to the Congress, the Department of the Interior pointed out that as a matter of law the Secretary had no authority to reinstate the POMCO lease because there was no oil or gas production prior to the end of the lease term. However, Interior expressed no objection to S. 1770 if the Congress found that the lessee warrants special relief.

Both the Senate Energy Committee, in its report favoring S. 1770, and Interior, in its letter expressing no objection to the enrolled bill, justify the extension of lease U-39711 on a number of grounds, including that:

- POMCO, while inexperienced and lacking knowledge of the mineral leasing laws, acted in good faith and expended some \$340,000 in drilling a well capable of production;
- the USGS and the Bureau of Land Management contributed to the lessee's confusion regarding the lease expiration date;
- POMCO would be able to produce oil and gas from its well long before a new lessee could do so; and,

- the enrolled bill's reinstatement terms, requiring a higher royalty than would otherwise be the case, would provide the Government a monetary return equivalent to that realized if the tract were offered again for lease.

The enrolled bill passed both Houses of the Congress by voice vote.

James M. Frey
Assistant Director for
Legislative Reference

Enclosures