

stop work order; the contract was reinstated on August 15th without alteration.

Hague International submitted an invoice for the costs incurred during the stop work period in the amount of \$175,838, a substantial reduction from the first three months. At this time, DOE procurement is seeking a complete audit to determine the reasonableness of these expenses. This audit could delay payment up to three months for expenses incurred over a three-month period beginning last May.

Due to Hague's small size and limited financial resources, these outstanding government receivables, amounting to approximately half a million dollars, have had a significant negative impact on the financial viability of the organization. Hague will not be reimbursed for interest forfeited on the overdue receivables, nor for interest on funds borrowed to compensate for diminished cash flow. The future of Hague International and its potential contribution to the national energy conservation effort depends on timely payment of these outstanding receivables.

I would appreciate your giving this matter your most immediate consideration.

Sincerely,

GEORGE J. MITCHELL,
U.S. Senator. ●

THE MAINE INDIAN SETTLEMENT ACT

● **Mr. MITCHELL.** Mr. President, I am pleased to note that this legislation contains an appropriation of \$81.5 million to fund the Maine Indian Settlement Act signed into law by the President in October. This legislation provides funding for the creation of two trusts—a \$27 million trust fund as income to the tribes and a \$54.5 million trust fund to purchase land.

The Maine Indian land claims case has been of deep concern to the people of Maine for several years. Indeed, this appropriation represents the culmination of many years of review and negotiations by representatives of the State of Maine, the Federal Government, the Maine landowners, the Passamaquoddy and Penobscot tribes, and the Houlton Band of Maliseet Indians. The Federal legislation funded by this appropriation is a companion measure to State legislation, known as "An Act to Implement the Maine Indian Claims Settlement."

The State legislation addresses the criminal, civil and tax aspects of the proposed settlement. The Federal legislation extinguishes all Indian land claims in Maine, thus removing the cloud on title to two-thirds of the State which has existed since suit was filed, and authorizes two trust funds for the benefit of Maine Indians.

The land claims which this appropriation will finally resolve are based on the Indian Non-Intercourse Act, enacted in the First Congress and rewritten in subsequent Congresses. In essence, the Non-Intercourse Act provides that any land acquisition from an Indian tribe must be ratified by a treaty under the U.S. Constitution. The Passamaquoddy and Penobscot Indians allege that Massachusetts, which until 1820 included the area which is now the State of Maine, acquired Indian land through a series of illegal agreements in 1794, 1796, and 1818. The Penobscot Indians also claim that Maine purchased land from them illegally in 1833. The Houlton Band of Maliseet Indians claim generally that their land was taken from

them through settlement by non-Indians. It is not certain how much land these claims could involve, though potentially almost two-thirds of the State could be at stake. In addition, the Indians are seeking damages for the use and possession of the lands involved.

Litigation relating to the claims is still in its early stages. The Governor and the Attorney General of Maine believe that the State would win should the case go to court. I understand that they recognize, however, that there is respectable legal authority on the other side of the question.

Obviously, the issues involved will not be easily resolved in court. Pending the outcome of the suit and the inevitable appeals, title to millions of acres of land in Maine will be clouded.

It is clear to me from my experience with this issue as U.S. attorney, and from concerns expressed by State officials, and individual citizens, that settlement of these claims is in the best interests of Maine and the country. Further litigation would continue economic and social disruptions felt in Maine since the beginning of this suit. For all concerned, it is best to leave this divisiveness behind us and to work together for the good of all Maine citizens and the country.

I would like to thank the chairman of the Interior Subcommittee, Senator BYRD, for his leadership in seeing that these funds were part of the bill before us today. I would also like to thank President Carter and Secretary Andrus for their role in helping to settle this case for the people of Maine. ●

SAILOR'S SNUG HARBOR

Mr. MOYNIHAN. Mr. President, I rise today to voice my support for the inclusion of \$500,000 in the Interior appropriations bill for the establishment of Sailor's Snug Harbor as a national wildlife refuge.

As many of my colleagues are aware, on July 25, 1980, the President signed legislation authorizing the creation of Sailor's Snug Harbor on Staten Island, N.Y., as a national wildlife refuge. While the House appropriations bill, H.R. 7724, provides \$500,000 for Snug Harbor, the Senate chose not to include this provision in the bill. I urge the restoration of the House funding provision to the bill when it is discussed in conference.

Sailor's Snug Harbor is a unique environmental, educational, and cultural center for New York City and the surrounding area. The wildlife refuge includes 80 acres, divided among woodlands, pastures, lake and buildings. It is notable for its substantial and varied wildlife population.

The area is also valued as one which exhibits numerous rare and exotic plant species. The seamen who originally inhabited Snug Harbor would customarily return from their voyages with plant varieties from throughout the world.

In addition to its plants and wildlife, the site includes several buildings of national significance already recognized as a national historic district and State landmark. In all, Snug Harbor is truly an invaluable urban environmental resource that adds an extra dimension to the New York community.

While it was commendable that Congress authorized the establishment of this site, it is necessary now for funds to be made available so that the refuge can be preserved and further developed as an educational center. The \$500,000 I ask to be included in the Interior bill will provide the necessary funding for the operation and maintenance of Snug Harbor. It is important that funding be allocated to protect this valuable area so that it continues to be enjoyed by visitors throughout the New York area.

It is my hope that my distinguished colleague from Kentucky, floor manager of this bill, will support the House language on the bill and encourage the conference committee to include funds for Sailor's Snug Harbor.

Mr. HUDDLESTON. I thank my colleague from New York. Let me assure him that the Senate will extend sympathetic consideration within our tight spending restrictions to Snug Harbor in the final Interior appropriations bill. I hope that priorities will permit some form of favorable action.

● Mr. BAYH. Mr. President, the Interior appropriations bill which has been passed by the Senate today contains important and substantial funding for a cokemaking process vital to the long-term viability of the American steel industry. For the second consecutive year, the Congress has provided support toward the development of "formcoke" for utilization in existing blast furnaces. It is my understanding that the Department of Energy's Office for Industrial Programs is now prepared to go forward with negotiations aimed at securing a cooperative agreement with the industrial partner so we might have the first formcoke demonstration project before the middle of this decade.

As my colleagues know, formcoke is a briquette of uniform size, strength and shape which is produced by a completely closed process. One property of formcoke is its superior efficiency as a blast furnace fuel. Another is the exciting prospect of opening up a wider range of coals for use in steelmaking. In addition to these, the export market-potential for formcoke also appears to be substantial.

Mr. President, the \$16 million contained in the Senate bill for fiscal year 1981 and the \$5.8 million provided in the fiscal year 1980 law for preliminary engineering work and testing represent a considered and necessary commitment toward a real industrial policy for this country.

The requirement for this particular project was highlighted in a report prepared by the Industrial Economics Research Institute of Fordham University in October of 1979. That study was prepared by Father William T. Hogan and Frank T. Koelble. One of the major concerns underlined by the report was the situation which has found the United States importing millions of tons of metallurgical coke. Completion and demonstration of the project, which the committee and the Steel Caucus support, will help us end the dependence of the United States on this important industrial fuel once and for all.

Mr. President, at this time I ask that