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APPROVED
OCT 21 1976

10/21/76

ACTION

THE WHITE HOUSE
WASHINGTON
October 20, 1976

Last Day: October 23

MEMORANDUM FOR

THE PRESIDENT

FROM:

JIM CANNON *FWD Quern*

SUBJECT:

H.R. 13713 - National Park System Omnibus Bill

*Posted
10/22/76*

Attached for your consideration is H.R. 13713, a National Park System Omnibus Bill, sponsored by Representative Taylor and 24 others.

The enrolled bill provides for certain boundary changes and increases in appropriation ceilings for land acquisition, development and other expenses in 41 national parks and recreation areas. The bill also provides for a one-house veto of certain Executive Branch actions.

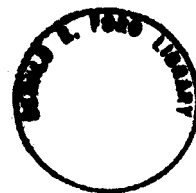
The bill would authorize approximately \$125 million, with \$75 million for land acquisition and \$50 million for development.

OMB, in urging disapproval, argues that some of the projects are not worthwhile and the proposed acquisitions are \$65 million higher than they believe acceptable. There is also concern about the legislative encroachment of Executive Branch authorities in the "one-house veto" provision.

Interior notes that, although the Administration's recommendations were not accepted in all cases, the Department's review of all the projects offers no fundamental problems with approval.

A detailed discussion of the provisions of the enrolled bill is provided in OMB's enrolled bill report at Tab A.

*archived
10/22/76*



Staff Recommendations

Max Friedersdorf recommends approval of the enrolled bill.

Counsel's Office (Kilberg) states:

"Prefer disapproval because of unconstitutional one-House veto provision. However, I am somewhat concerned that the public will not understand how the President can support a Bicentennial Land Heritage Program and at the same time veto this bill. Defer to Hartmann, Marsh and Cannon on this point."

Recommendation

I recommend you approve H.R. 13713.

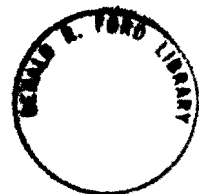
Although the legislative encroachment is a problem, I feel your disapproval will be viewed as "flip-flopping" on your commitment to improving and expanding the National Park System and could lose the advantages you gained from your initiative.

You should also know that Governor Evans of Washington feels very strongly about the Olympic National Park in Washington State and is urging approval of the bill.

Decision

Sign H.R. 13713 at Tab B.

Veto H.R. 13713 and sign Memorandum of Disapproval at Tab C which has been cleared by Doug Smith.





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

OCT 19 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 13713 - National Park System
Omnibus Bill
Sponsor - Rep. Taylor (D) North Carolina and
24 others

Last Day for Action

October 23, 1976 - Saturday

Purpose

Provides for certain boundary changes and increases in appropriation ceilings for land acquisition, development, and other expenses in forty-one national parks and national recreation areas. Also provides for a one-house veto of certain Executive Branch actions.

Agency Recommendations

Office of Management and Budget	Disapproval (Memorandum of disapproval attached)
Department of the Interior	Approval
Department of Agriculture	Approval
Council on Environmental Quality	Approval
Department of Transportation	No objection
Department of Defense	Defers to Interior
Department of Justice	Defers to Interior, Agriculture, and Army Corps of Engineers

Discussion

H.R. 13713 is an omnibus bill affecting forty-one national parks and national recreation areas. The enrolled bill would authorize appropriations totalling \$124,817,233 for:



(1) increases in appropriation ceilings for land acquisition in existing park and recreational areas -- \$74,726,233 for twenty-four areas; and

(2) increases in appropriation ceilings for development programs and other related expenses -- \$50,091,000 for sixteen areas.

It would also direct certain minor boundary and acreage adjustments in five other areas. (The total number of areas cited above exceeds forty-one in that appropriations were authorized for both land acquisition and development in several areas.)

Of the areas affected by the enrolled bill, acreage adjustments and appropriation authorizations of \$41,856,733 in twenty areas are in line with previously expressed Administration recommendations. In fifteen other areas, appropriation authorizations would exceed Administration recommendations by \$65,038,000. The Administration was not given an opportunity to express a position on authorizations of \$17,922,500 affecting the six remaining areas. A summary of specific appropriation authorization adjustments for each site together with Administration recommendations is attached.

The Administration has previously expressed its opposition to a number of provisions of the enrolled bill. Among the most significant of these are the following:

Olympic National Park, Washington

The bill would direct the Secretary of the Interior to exclude approximately 2,168 acres of private lands from the existing park boundaries. Prior to completion of such action, the Secretary would be required to study the impact of these exclusions on the remainder of the park. The study results would be transmitted to the Congress within two years following enactment and would take effect unless disapproved by a simple majority vote by either house. The Administration has consistently expressed the view that this type of legislative encroachment on Executive Branch prerogatives is unconstitutional. We view this as the most objectionable provision of the bill.

Further, the bill would enlarge the park area by 3,166 acres and authorize appropriations of \$13 million for land acquisition. The Administration recommended a funding increase of \$3 million. The additional monies would provide



for acquisition of portions of the eastern shore of Lake Ozette. Although attractive, this high priced lake shore would add no features of particular national significance to the park. In our view local exercise of zoning authorities or State purchase with Land and Water Conservation Fund grants would provide a more appropriate means of preserving this area.

Gulf Islands National Seashore, Florida and Mississippi

The bill would authorize an appropriation ceiling increase of \$18,700,000 to complete acquisition of several remaining tracts of land comprising 3,041 acres within the park boundaries. Since the initial park authorization in 1971, the construction of a causeway has increased the accessibility of one of these areas, the Perdido Key, and as a result has also increased its attractiveness for recreation home development. Recent surveys estimate the cost of this land to be in excess of \$33,000 per acre. Under these circumstances, full Federal purchase at this time would result in a substantial windfall for the present landowners. For this reason, the Administration has opposed acquisition of the Perdido Key area (537 acres). However, the Administration has supported acquisition of the remaining 2,504 acres authorized by the bill at a cost of \$1,144,000.

Lincoln Home National Historic Site, Illinois

The bill would authorize an appropriation ceiling increase of \$1,056,000 to permit the acquisition of 2.2 acres within the existing park boundaries. The Administration opposed this increase as excessive, noting that the tracts to be purchased contain no structures of historic significance and would be used primarily as a visitor parking facility. At the time the National Historic Site was established, the city of Springfield, Illinois, agreed to purchase these tracts and to turn them over to the National Park Service. The city has subsequently reneged on this agreement. It is our view that the Lincoln site functions adequately at present and that the purchase at these additional lands would not be worth the cost.

Golden Spike National Historic Site, Utah

The bill would authorize \$4,254,000 in development funds for the construction of two replica locomotives and for various other restoration activities at Promontory Point



to commemorate the completion of the first transcontinental railroad. The Administration opposed this increase. In our view, expenditures of this magnitude are unwarranted, given the site's annual visitation of approximately 75,000. Further, we cannot understand why two non-working replica locomotives should cost the Federal taxpayer in excess of \$1,000,000 each.

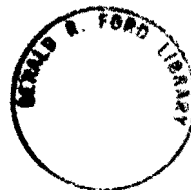
Jefferson National Expansion Memorial National Historic Site, Mo.

The bill would authorize an increase of \$9,500,000 in development funds to permit additional landscaping, visitor center improvements, construction of maintenance facilities and other work. The Administration opposed this increase. We see no justification for \$9,500,000 worth of additional work at the site.

In its report on H.R. 13713, the House Interior Committee indicates that an omnibus format was adopted to allow both the Committee and full House to consider a lengthy series of boundary and appropriation authorization adjustments for existing national park and recreation areas in an expeditious manner. While, in principle, we do not oppose the use of an omnibus format under appropriate circumstances, we do not believe that such an approach is justified where a significant number of provisions are either controversial or have not been circulated for Executive Branch or other public comment through the normal Committee hearings process.

In this instance, a number of provisions to which the Administration had previously expressed its opposition or on which the Administration was not given an opportunity to publicly state a position, were joined with other unobjectionable features. In practical terms, the taxpayer is being asked to pay a relatively high price for a series of rather minor National Park System boundary and appropriation authorization adjustments. Of the \$124,817,233 ceiling increases in the bill, the Administration favored \$41,856,733, opposed \$65,038,000 and was given no opportunity to comment on \$17,922,500.

Furthermore, the one-house veto provision in the Olympic National Park authorization is similar to provisions in other legislation which the Administration has consistently opposed as involving an unconstitutional encroachment of



Executive Branch authorities. As Justice notes in its attached enrolled bill letter, this type of provision stands in direct conflict with the general principle of separation of powers, whereby the Congress enacts laws, but the President and the agencies of government execute them. It violates Article I, Section 7 of the Constitution which requires that resolutions having the force of law be sent to the President for his signature or disapproval.

In spite of these objections, Interior nevertheless recommends approval of H.R. 13713. In its attached enrolled bill letter the Department notes that:

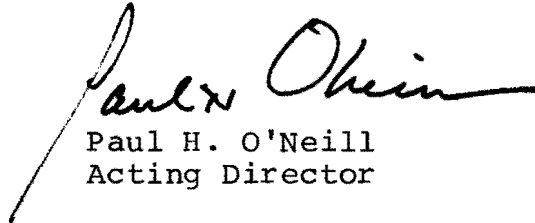
"Although the Administration's recommendations were not accepted in several instances, this Department has reviewed all of the land acquisition and development ceiling increases in H.R. 13713 and the other miscellaneous provisions dealing with each Park Service area in the bill and we have no objection to these proposed amendments to existing law. Accordingly, we recommend that the President approve the enrolled bill."

We strongly disagree.

H.R. 13713 would be inconsistent in many instances with established Administration parkland acquisition and fiscal policies. It would authorize land acquisition and development expenditures of \$65,038,000 more than we believe to be acceptable. In establishing a one-house veto provision with regard to administrative action by the Secretary of the Interior affecting Olympic National Park, it would strengthen an undesirable precedent for future legislative encroachments of authorities vested by the Constitution in the Executive Branch.

Moreover, we do not view a disapproval recommendation as being inconsistent with the Administration's commitment to upgrade the National Park System as evidenced by (a) your proposed Bicentennial Land Heritage Program and (b) your recent approval of legislation that substantially increases the funding authorization for the Land and Water Conservation Fund. Regardless of the available funding level in any given year, we believe that all proposed park areas or additions should be subject to review on the merits

and supported if warranted. Such is not the case with respect to many of the areas covered in this omnibus bill. Accordingly, we recommend that you disapprove the enrolled bill and have attached a memorandum of disapproval for your consideration.



Paul H. O'Neill
Acting Director

Enclosures

H.R. 13713* EXECUTIVE BRANCH RECOMMENDATIONS*

APPROPRIATION AUTHORIZATIONS

<u>Area</u>	<u>Land Acquisition</u>	<u>Development</u>	<u>Land Acquisition</u>	<u>Development</u>
1. Andrew Johnson National Historic Site, Tennessee	--	\$200,000	--	\$200,000
2. Appomattox Court House National Historic Park, Virginia	\$1,335,000	--	No position	--
3. Arches National Park, Utah	150,000	--	\$150,000	--
4. Arkansas Post National Monument, Arkansas	--	2,200,000	--	0
5. Assateague Island National Seashore, Maryland and Virginia	1,350,000	--	1,350,000	--
6. Bandelier National Monument, New Mexico	1,463,000	--	0	--
7. Buffalo National River, Arkansas	13,956,500	--	13,956,000	--
8. Canyonlands National Park, Utah	88,500	--	No position	--
9. Capital Reef National Park, Utah	1,750,000	--	1,000,000	--
10. Chamizal National Memorial, Texas	--	3,003,000	--	3,003,000
11. Channel Islands National Monument, California	--	2,516,000	--	0
12. Colorado National Monument, Colorado	460,000	--	460,000	--

* All appropriation authorizations represent net increases over currently authorized levels.

APPROPRIATION AUTHORIZATIONS

H.R. 13713 Executive Branch Recommendations

	<u>Land Acquisition</u>	<u>Development</u>	<u>Land Acquisition</u>	<u>Development</u>
13. Cuyahoga National Recreation Area, Ohio	\$6,600,000	--	No position	--
14. Edison National Historic Site, New Jersey	75,000	\$1,695,000	\$75,000	\$1,695,000
15. Fire Island National Seashore, New York	2,000,000	--	0	--
16. Fort Leavenworth National Historic Site, Kansas	--	3,000,000	--	3,000,000
17. Fort Smith National Historic Site, Arkansas	1,719,000	4,580,000	No position	No position
18. Fort Scott National Historic Site, Kansas	--	580,000	--	0
19. Golden Spike National Historic Site, Utah	--	4,254,000	--	0
20. Gulf Islands National Seashore, Florida	18,700,000	--	1,144,000	--
21. Haleakala National Park, Hawaii	920,000	--	920,000	--
22. Jefferson National Expansion Memorial National Historic Site, Missouri	--	9,500,000	--	0
23. John F. Kennedy Center, Washington, D.C.	--	8,300,000**	--	4,000,000**
24. Lincoln Home National Historic Site, Illinois	1,056,000	--	0	--

** Authorizes appropriations for operating expenses of the John F. Kennedy Center of \$4,000,000 for fiscal year 1978 and \$4,300,000 for fiscal year 1979.

APPROPRIATION AUTHORIZATIONS

H.R. 13713 Executive Branch Recommendations

	<u>Land Acquisition</u>	<u>Development</u>	<u>Land Acquisition</u>	<u>Development</u>
25. Mesa Verde National Park, Colorado	\$68,233	--	\$68,233	--
26. Monocacy National Battlefield, Maryland	3,525,000	\$500,000	0	0
27. Montgomery County, Maryland	- acreage adjustment only--no appropriation authorization increase -			
28. Morristown National Historic Park, New Jersey	- acreage adjustment only--no appropriation authorization increase -			
29. Nez Perce National Historic Park, Idaho	--	2,763,000	--	0
30. North Cascades National Park, Washington	1,000,000	--	1,000,000	--
31. Olympic National Park, Washington	13,000,000	--	3,000,000	--
32. Oregon Dunes National Recreation Area, Oregon	3,250,000	--	No position	--
33. Padre Island National Seashore, Texas	350,000	--	No position	--
34. Pecos National Monument, New Mexico	- acreage adjustment only--no appropriation authorization increase -			
35. Piscataway Park, Maryland	- acreage adjustment only--no appropriation authorization increase -			
36. Saguaro National Monument, Arizona	1,700,000	--	1,700,000	--

APPROPRIATION AUTHORIZATIONS

H.R. 13713 Executive Branch Recommendations

	<u>Land Acquisition</u>	<u>Development</u>	<u>Land Acquisition</u>	<u>Development</u>
37. Saint-Gaudens National Memorial, New Hampshire	\$80,000	\$2,467,000	\$80,000	\$392,000
38. San Juan National Historic Site, Puerto Rico	--	2,733,000	--	2,733,000
39. Scotts Bluff National Monument, Nebraska	130,000	--	130,000	--
40. Vicksburg National Military Park, Mississippi	--	1,800,000	--	1,800,000
41. Zion National Park, Utah				
		- acreage adjustment only--no appropriation authorization increase -		
Totals	\$74,726,233	\$50,091,000	\$25,033,733	\$16,823,000

Total authorization - H.R. 13713: \$ 124,817,233

Total authorization - Executive Branch Recommendations: \$41,856,733



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

OCT 15 1976

Dear Mr. Lynn:

This responds to your request for the views of this Department on H.R. 13713, "To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes."

We recommend that the President approve the enrolled bill.

H.R. 13713 provides for increases in appropriation ceilings and boundary changes and provides for miscellaneous changes in 40 units of the National Park System. The particular appropriation ceiling increases for each of these areas are set forth in Attachment A to this letter. A comparison of the increases provided for in H.R. 13713 with the recommendations of this Department is contained in Attachment B.

The following is a breakdown of how the provisions of H.R. 13713 compare with the official positions of this Department and the Administration as transmitted to the House and Senate Interior Committees on each of the specific areas.

1. Departmental Position Agreement - H.R.13713 is in accord with the Departmental position concerning the following areas:

Andrew Johnson National Historic Site, Tennessee;
Arches National Park, Utah;
Assateague Island National Seashore, Maryland and Virginia;
Buffalo National River, Arkansas;
Chamizal National Memorial, Texas;
Colorado National Monument, Colorado;
Edison National Historic Site, New Jersey;
Fort Larned National Historic Site, Kansas;
Haleakala National Park, Hawaii;
John F. Kennedy Center, District of Columbia (except FY 79 authorization which was added);



Mesa Verde National Park; Colorado;
Montgomery County, Maryland;
Morristown National Historical Park, New Jersey;
North Cascades National Park, Washington;
Pecos National Monument, New Mexico;
Piscataway Park, Maryland;
Saguaro National Monument, Arizona;
San Juan National Historic Site, Puerto Rico;
Scotts Bluff National Monument, Nebraska;
Vicksburg National Military Park, Mississippi;

2. No Departmental Position - There was no Departmental position taken on the following areas which are included in the bill:

- a) Appomattox Court House National Historical Park, Virginia - Three changes are made by this provision.

First, the boundary will be enlarged by approximately 505 acres with \$1,365,000 authorized for acquisitions.

Second, the Secretary is authorized to use appropriated funds for land acquisition. The area being considered for purchase remain today much as they were at the time of Lee's surrender to Grant. However, impending residential development threatens to intrude on the visitor's enjoyment and understanding of the historic scene.

Third, three previous Acts will be repealed by this comprehensive measure.

- b) Canyonlands National Park, Utah - This acquisition ceiling increase of \$88,500 will permit the purchase of an 80-acre inholding.
- c) Cuyahoga Valley National Recreation Area, Ohio - A provision of the bill makes a boundary adjustment to the Cuyahoga Valley National Recreation Area which includes an additional 900 acres in the northern part of the recreation area. Addition of these lands has been considered by the National Park Service planning team working in the area. An increase of \$6,600,000 is authorized in the land acquisition program for this area.

- d) Fort Smith National Historic Site, Arkansas - An increase of some 56 acres is authorized in the size of Fort Smith National Historic Site in Arkansas. \$1,400,000 is authorized for land acquisition in the area, and a development ceiling of \$4,588,000 is established to permit restoration of historic buildings and the construction of a visitor center and other facilities.
- e) Padre Island National Seashore, Texas - An additional \$350,000 is authorized for land acquisition at Padre Island National Seashore in Texas. This will permit the purchase of a tract of some 274 acres needed for visitor access at the southern end of the seashore.
- f) Zion National Monument, Utah - It is authorized to increase the number of acres by the acquisition of 2.39 acres of new land.

3. Departmental Deferral Recommendations - The Department recommended that action be deferred on the following four acres:

- a) Bandelier National Monument, New Mexico - An additional 7,310 acres is included within Bandelier National Monument in New Mexico. Most of this property will be acquired by donation or exchange; \$1,463,000 is authorized for land acquisition purposes.
- b) Channel Islands National Monument, California - A development ceiling increase of \$2,516,000 is authorized at Channel Islands National Monument in California, which will permit the completion of a new visitor center and related facilities for the area.
- c) Monocacy National Military Park, Maryland - This provision makes an amendment to the Act which authorized the Monocacy National Military Park. The name of the area is changed to Monocacy National Battlefield and a specific

boundary is referenced for the area. Some \$3,525,000 is authorized to be appropriated for land acquisition purposes, and \$500,000 is authorized for developments.

- d) Nez Perce National Historical Park, Idaho - A development increase of \$2,763,000 at Nez Perce Park is authorized to permit the needed construction of a visitor center and headquarters building, and to restore certain historic structures.

4. Administration Opposition Positions - The Administration opposed any increase in the land acquisition and/or development ceiling in the following areas:

- a) Arkansas Post National Monument, Arkansas - The bill makes a \$2,175,000 increase in the development ceiling;
- b) Fire Island National Seashore, New York - A \$2,000,000 increase in the land acquisition ceiling;
- c) Fort Scott National Historical Site, Kansas - A \$580,000 increase in the development ceiling;
- d) Golden Spike National Historical Site, Utah - A \$4,254,000 increase in the development ceiling;
- e) Jefferson National Expansion Memorial National Historical Site, Missouri - A \$9,500,000 increase in the development ceiling;
- f) Lincoln Home National Historic Site, Illinois - A \$1,056,000 increase in the land acquisition ceiling.

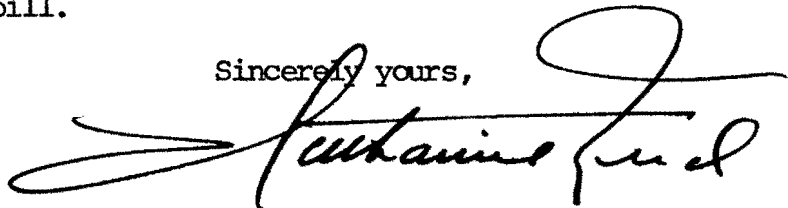
5. Administration Position Recommending Enactment If Amended - The Administration recommended a lower development and/or land acquisition ceiling for the following areas:

- a) Capitol Reef National Park, Utah - The bill would increase the land acquisition ceiling by \$1,750,000. The Administration recommended an increase of only \$1,000,000 to the ceiling.

- b) Gulf Islands National Seashore, Florida - The bill makes a \$18,700,000 increase in the land acquisition ceiling. The Administration recommended an increase of only \$1,144,000 in the ceiling.
- c) Saint Gaudens National Historic Site, New Hampshire - The bill makes a boundary change to the park adding about 64 acres to the site, and increases the development and land acquisition ceilings by \$2,467,000 and \$80,000, respectively. The Administration recommended a land acquisition ceiling increase of \$392,000.
- d) Olympic National Park, Washington - The bill makes a \$13,000,000 increase in the land acquisition ceiling and includes the shoreline area surrounding Lake Ozette in the Park. The Administration recommended a land acquisition ceiling of \$3,000,000, and specifically opposed the inclusion of the Lake Ozette area.

Although the Administration's recommendations were not accepted in several instances, this Department has reviewed all of the land acquisition and development ceiling increases in H.R. 13713 and the other miscellaneous provisions dealing with each Park Service area in the bill and we have no objection to these proposed amendments to existing law. Accordingly, we recommend that the President approve the enrolled bill.

Sincerely yours,



Assistant Secretary of the Interior

Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D. C.

Attachment

AREA	ACRES		LAND COST	DEVELOPMENT
	Inholding	New Land		
Andrew Johnson NHS	-	-	-	\$ 200,000
Appomattox Court House NHP	55.10	324.01	\$ 1,335,000	-
Arches NP	1,246.00	-	150,000	-
Arkansas Post NM	-	-	-	2,175,000
Assateague Island NS	1,246.08	-	1,350,000	-
Bandelier NM	-	7,310.00	1,463,000	-
Buffalo NR	33,578.00	-	13,956,500	9,371,000 (new ceiling)
Canyonlands NP	80.00	-	72,481	-
Capitol Reef NP	848.00	-	1,750,000	-
Chamizal NMem.	-	-	-	3,003,000
Channel Islands NM	-	-	-	2,516,000
Colorado NM	-	2,800.00	460,000	-
Guyahoga Valley NRA	-	900.00	6,600,000	-
Edison NHS	-	1.39	75,000	1,695,000
Fire Island NS	Undetermined	-	2,000,000	-
Fort Larned NM	-	-	-	3,000,000
Fort Smith NHS	-	45.33	1,719,000	4,580,000

OMNIBUS LEGISLATION

AREA	ACRES		LAND COST	DEVELOPMENT
	Inholding	New Land		
Fort Scott NHS	-	-	-	\$ 580,000
Golden Spike NM	-	-	-	4,254,000
Gulf Islands NS	3,044.19	-	18,700,000	-
Haleakala NP	131.58	117.02	920,000	-
Jefferson National Expansion Memorial NHS	-	-	-	9,500,000
John F. Kennedy Center	-	-	-	-
Lincoln Home NM	2.20	-	1,056,000	-
Mesa Verde NP	232.14	-	68,233	-
Monocacy NB	-	633.31	3,525,000	500,000
Montgomery County	-	-	-	-
Morristown NHP	-	135.00	-	-
Nez Perce NHP	-	-	-	2,763,000
North Cascades NP	1,507.75	-	1,000,000	-
Olympic NP	-	3,165.72	13,000,000	-

OMNIBUS LEGISLATION

AREA	ACRES		LAND COST	DEVELOPMENT
	Inholding	New Land		
Padre Island NS	-	275.00	\$ 350,000	-
Pecos NM	-	23.50	-	-
Piscataway Park	-	-	-	-
Saguaro NM	-	5,373.00	1,700,000	-
St. Gaudens NM	-	64.00	80,000	\$2,467,000
San Juan NHS	-	-	-	2,733,000
Scotts Bluff NM	171.93	-	130,000	-
Vicksburg NMP	-	-	-	1,800,000
Zion NP	-	<u>2.39</u>	-	-
40 AREAS	42,172.97	21,161.67	\$71,460,214	\$41,766,000

SUMMARY COMPARISON

Areas

H.R. 13713

Administration Position

Acquisition Ceiling Increases:

Arches NP	150,000	150,000
Assateague Islands NS	1,350,000	1,350,000
Buffalo NR	13,956,500	13,956,500
Capitol Reef NP	1,750,000	1,000,000
Fire Island NS	2,000,000	0
Gulf Islands NS	18,700,000	1,144,000
Lincoln Home NM	1,056,000	0
Mesa Verde NP	68,233	68,233
North Cascades NP	1,000,000	1,000,000
Saint Gaudens NHS	80,000	80,000
Scotts Bluff NM	130,000	130,000
Colorado NM	460,000	460,000
Saguaro NM	1,700,000	1,700,000

Development Ceiling Increases:

Andrew Johnson NHS	200,000	200,000
Arkansas Post	2,200,000	0
Chamizal NM	3,003,000	3,003,000
Fort Larned NM	3,000,000	3,000,000
Golden Spike NM	4,254,000	0
Jeferson NEM	9,500,000	0
Saint Gaudens NHS	2,467,000	392,000
Vicksburg NMP	1,800,000	1,800,000
TOTALS	68,824,733	29,433,733

Department of Justice
Washington, D.C. 20530

October 14, 1976

Honorable James T. Lynn
Director, Office of Management
and Budget
Washington, D. C. 20503

Dear Mr. Lynn:

In compliance with your request, I have examined a facsimile of the enrolled bill H.R. 13713, "To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes."

We note that Section 320(d) of the bill contains a provision authorizing either the House of Representatives or the Senate of the United States to disapprove by a simple majority the conclusions of the Secretary of the Interior with respect to whether or not certain private lands should be excluded from the boundaries of the Olympic National Park. It is the position of the Department of Justice that such a one-House veto provision would be violative of the provisions of Article I, Section 7, of the Constitution. Article I, Section 7, sets forth the procedure by which legislation is enacted and clearly indicates that the veto power of the President was intended to apply to all actions of Congress which are to have the force of law. The Congress cannot, by passing resolutions, evade the specified legislative procedure.

Whether this legal impediment is sufficient, however, to warrant the disapproval of the bill in light of its remaining provisions raises a question of policy and discretion which exceeds the jurisdiction and expertise of the Department of Justice. Accordingly, we defer to those agencies, such as the Department of the Interior, the Forest Service of the Department of Agriculture, and

the Corps of Engineers that are more directly concerned with the subject matter of the bill as to whether it should receive Executive approval notwithstanding the one-House veto problem.

Sincerely,

A handwritten signature in cursive script, reading "Michael M. Uhlmann". The signature is written in black ink and is positioned to the right of the typed name.

Michael M. Uhlmann
Assistant Attorney General

MEMORANDUM OF DISAPPROVAL

I am withholding my approval from H.R. 13713, a bill "To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes."

H.R. 13713 would have authorized boundary and appropriation ceiling adjustments affecting forty-one national parks and national recreation areas. The bill would have authorized appropriations of \$74,726,233 for additional park land acquisition in these areas and \$50,091,000 for development of public-oriented facilities.

Recently, I submitted to the Congress legislation to establish a Bicentennial Land Heritage Program. That proposal would provide \$1.5 billion over the next ten years to improve our parks and wildlife refuges. My program also called for a substantial increase in the acreage of our National Park System. In my message transmitting that legislation, I reiterated my own firm commitment to the preservation of our Nation's scenic and historic treasures for our own benefit as well as that of future generations.

Unfortunately, H.R. 13713 contains serious constitutional and programmatic deficiencies which I find unacceptable. It would submit certain administrative actions by the Secretary of the Interior to disapproval by a simple majority vote of either house of the Congress. As I have consistently stated, such a procedure would be contrary to the general principle of the separation of powers between the three branches of government. It would stand in direct violation of Article I, Section 7 of the Constitution which requires that resolutions having the force of law be sent to the President for his approval or disapproval.

Further, the bill contains a number of other provisions which are ill-considered. In several instances, appropriations were authorized for park boundary adjustments without any opportunity for comment by the Administration or by other interested parties. The bill would also authorize acquisitions opposed by the Administration on the basis that the cost of the land exceeds its value for park and recreation purposes. The total cost of these two classes of authorization would exceed \$80 million.

H.R. 13713 is inconsistent both with firmly established constitutional principles regarding the separation of powers and with general Administration park land and fiscal objectives. Accordingly, I am compelled to withhold my approval from the bill.

X _____

THE WHITE HOUSE,

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

OCT 8 1976

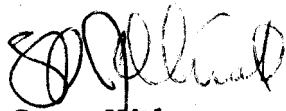
MEMORANDUM FOR JAMES M. FREY
OFFICE OF MANAGEMENT AND BUDGET

ATTN: Ms. Ramsey

SUBJECT: Enrolled Bill, H.R. 13713, "To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes."

H.R. 13713 provides acquisition ceiling increases for 13 units of the National Park System, amends the appropriations ceiling for ten areas, and contains numerous miscellaneous provisions for boundary adjustments and other purposes.

The increases in appropriations are necessary to acquire inholdings within the National Park System. The Council on Environmental Quality strongly recommends that the President sign this bill into law.


Gary Widman
General Counsel



THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

OCT 8 1976

Honorable James T. Lynn
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Lynn:

Reference is made to your request for the views of the Department of Transportation concerning H.R. 13713, an enrolled bill

"To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes."

Only section 320 of the enrolled bill will have significant impact upon this Department. Section 320 was originally introduced as H.R. 11706. That bill was subsequently incorporated into H.R. 14934. Thereafter, portions of H.R. 14934 were incorporated into H.R. 13713, the enrolled bill. Among other things, section 320 would revise the boundary of the Olympic National Park. Incident to this, the bill would allow the transfer to the Quillayute Indian Tribe of approximately 220 acres of land which are now within the Olympic National Park.

The Coast Guard has maintained and operated a search and rescue station located on the Quillayute Indian Reservation at the mouth of the Quillayute River, under a permit issued by the Department of the Interior dated November 1, 1930. In 1965, the Coast Guard obtained a Special Use Permit from the National Park Service to use approximately 9.9 acres of Park Service land for housing for personnel stationed at the Coast Guard Quillayute River Station. The Special Use Permit was for the period from August 1, 1964, through July 31, 1984, and was granted by the National Park Service on a no-cost basis. The Coast Guard constructed 7 units of housing on the land in 1968 at a cost of \$260,000. The land on which our housing is located could be transferred to the Quillayute Indian Reservation under H.R. 13713. Because of

the substantial permanent improvements made to the property and because of the continuing need to provide housing for Coast Guard personnel assigned to the Quillayute River Station, this Department is understandably concerned about maintaining our existing rights to the land and the property which are the subject of the 1964 Special Use Permit.

Section 320(d) of H.R. 13713, however, provides that property excluded from the boundaries of the Olympic National Park may be transferred by the Secretary of the Interior to any Federal or State agency. In addition, the House report concerning the Olympic National Park reiterated that property excluded from the park by virtue of the boundary revisions may be transferred without cost to Federal or State agencies if appropriate (H. Rept. 94-1654 at 9).

We note with interest that the House report contains a letter from the Department of the Interior to the Committee on Interior and Insular Affairs dated February 20, 1976. In an enclosure to the letter, that Department, after noting that the Coast Guard maintains a search and rescue station on the Quillayute Indian Reservation, stated that "All federal and state agencies support the transfer of the property..." id at 25. Our records do not show that this Department was ever consulted concerning the legislative proposal to transfer portions of the Olympic National Park prior to its introduction in Congress, and we would be opposed to any measure that would require divestiture of Coast Guard property interests therein. However, because the enrolled bill provides the flexibility for the Secretary of the Interior to transfer to the jurisdiction of any Federal agency property which is excluded from the Park, we will initiate discussions with the Department of the Interior to have the property which is the subject of the 1964 Special Use Permit transferred to the jurisdiction of the Coast Guard.

Based on the foregoing, this Department will interpose no objection to the President signing the enrolled bill.

Sincerely,

A handwritten signature in black ink that reads "William T. Coleman, Jr." The signature is written in a cursive style with a large initial "W" and a prominent "Jr." at the end.

William T. Coleman, Jr.



DEPARTMENT OF THE ARMY
WASHINGTON, D.C. 20310

12 OCT 1976

Honorable James T. Lynn

Director, Office of Management and Budget

Dear Mr. Lynn:

The Secretary of Defense has delegated responsibility to the Department of the Army for reporting the views of the Department of Defense on enrolled enactment H.R. 13713, 94th Congress, "To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes."

The Department of the Army, on behalf of the Department of Defense defers to the views of the Department of the Interior concerning the approval of this enrolled enactment.

There are several purposes of the enrolled enactment. Title I provides for increases in the ceilings on appropriations for acquisition of lands and interests therein within the following units of the National Park System: Arches National Park, Utah; Assateague Island National Seashore, Maryland and Virginia; Buffalo National River, Arkansas; Capitol Reef National Park, Utah; Fire Island National Seashore, New York; Gulf Islands National Seashore, Florida and Mississippi; Lincoln Home National Historic Site, Illinois; Mesa Verde National Park, Colorado; North Cascades National Park and Lake Chelan National Recreation Area, Washington; Saint-Gaudens National Historic Site, New Hampshire; Scotts Bluff National Monument, Nebraska; Canyonlands National Park, Utah; and Padre Island National Seashore, Texas.

Title II of the enrolled enactment provides for increases in the ceilings on appropriations for development of the following units of the National Park System: Andrew Johnson Historic Site, Tennessee; Arkansas Post National Memorial, Arkansas; Chamizal National Memorial, Texas; Fort Larned National Historic Site, Kansas; Golden Spike National Historic Site, Utah; Jefferson National Expansion Memorial National Historic Site, Missouri; Saint Gaudens National Historic Site, New Hampshire; Vicksburg National Military Park, Mississippi;



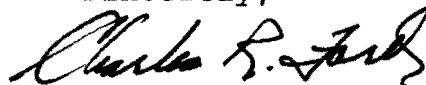
Channel Islands National Monument, California; and Nez Perce National Historic Park, Idaho.

Title III provides authority for a number of miscellaneous activities including boundary changes in the following units of the National Park System: Colorado National Monument, Colorado; Saint-Gaudens National Historic Site, New Hampshire; Saguaro National Monument, Arizona; Appomattox Court House National Historical Park, Virginia; Bandelier National Monument, New Mexico; Haleakala National Park, Hawaii; Morristown National Historic Park, New Jersey; Pecos National Monument, New Mexico; Zion National Park, Utah; Monocacy National Military Park; Olympic National Park, Washington and Cuyahoga Valley National Recreation Area, Ohio. Title III also provides for changes in the authorization of appropriations with regard to the following units of the National Park System: Buffalo National River; Edison National Historic Site; Fort Smith National Historic Site, Arkansas; and the Oregon Dunes National Recreation Area. Title III further provides authority for the preparation of a comprehensive plan for the Assateague Island National Seashore in Maryland and Virginia; increase in authorization of appropriations with regard to the John F. Kennedy Center Act; increases in authorization of appropriations for certain historical events in the State of Kansas; authorization of appropriations for priority repairs at the San Juan National Historic Site; and provides for changes to the statute (16 U.S.C. 698(b)) regarding election of right of use and occupancy of property acquired by the Secretary at the Big Thicket National Preserve, Texas.

It is noted that section 304 of this enrolled enactment is intended to authorize the transfer of jurisdiction over certain lands owned by the United States in Montgomery County, Maryland, from the Secretary of the Interior to the Secretary of the Army, and over certain other lands from the Secretary of the Army to the Secretary of the Interior. The Department of the Army, on behalf of the Department of Defense, favors enactment of these provisions.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

Sincerely,



Charles R. Ford
Deputy Asst. Secretary of the Army
(Civil Works)



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

October 14, 1976

Honorable James T. Lynn
Director, Office of Management
and Budget

Dear Mr. Lynn:

In reply to the request of your office, the following report is submitted on the enrolled enactment H.R. 13713, "To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes."

The Department of Agriculture recommends that the President approve the enactment.

Title I of H.R. 13713 would increase current ceilings on appropriations for the acquisition of lands within certain units of the National Park System. Title II would do the same with respect to ceilings on appropriations for the development of such units. Title III contains miscellaneous provisions affecting several National Park System units and one national recreation area within the National Forest System. For the most part, those provisions authorize boundary changes and the acquisition of additional lands.

The provisions of H.R. 13713 that affect the Department of Agriculture are contained in sections 316 and 320.

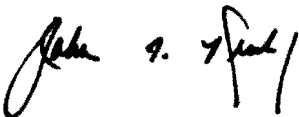
Section 316 would amend the Act of March 23, 1972, to authorize an additional \$3,250,000 in appropriations for the acquisition of lands within the Oregon Dunes National Recreation Area which is administered by this Department through the Forest Service. The Act presently authorizes \$2,500,000. The present authorization was not based on a clear understanding as to what private lands should be acquired. Subsequently, a master plan was developed to guide protection and management of the Recreation Area. This plan identified the tracts of private land that should be acquired to achieve the purposes of the Act. To date, 1,933 acres of private lands in fee or partial interests have been acquired. With the appropriation of funds for Fiscal Year 1977, the present authorization level has been reached. We estimate that an additional \$3,250,000 will be needed to acquire all the lands and interests in lands identified in the master plan.

Honorable James T. Lynn

2

Section 320 would revise the boundaries of the Olympic National Park and provides the Secretary of the Interior with broad authority to acquire lands for Park purposes. Subsection (h) provides, in pertinent part, that in order to minimize economic dislocation in acquiring property within the Olympic National Park, the Secretary of the Interior may, with the concurrence of the Secretary of Agriculture, utilize lands and interests therein within any national forest in the State of Washington for the purpose of exchanging those lands and interests for privately owned property within the Park. The Department of Agriculture does not consider any National Forest lands within the State of Washington as being available for such purposes. We view subsection (h) as an unsound and inappropriate mechanism designed to enlarge the Park at the expense of the adjacent Olympic National Forest. Our concerns and arguments in opposition to the provisions were conveyed to your office in conjunction with the clearance of the Department of the Interior's report on the parent bill, H.R. 11706. Nevertheless, clearance supporting the provision was given. Later, we obtained clearance and transmitted a report to Congress objecting to the references to National Forest lands. Our report had no effect on the outcome. In view of the fact that subsection (h) contains a saving "concurrence" provision, we do not suggest disapproval.

Sincerely,



John A. Knebel
Acting Secretary

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 10

Date: October 19

Time: 1000pm

FOR ACTION:

George Humphreys ^{sign} (for information):
Max Friedersdorf ^{sign}
Bobbie Kilberg ^{veto}
Robert Hartmann

Jack Marsh
Ed Schmultz
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 20

Time: noon

SUBJECT:

H.R.13713-National Park System Omnibus Bill

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President

THE WHITE HOUSE
WASHINGTON

106
10
LOG NO.:

ACTION MEMORANDUM

Date: October 19

Time: 1000pm

FOR ACTION:

George Humphreys
Max Friedersdorf
Bobbie Kilberg
Robert Hartmann

cc (for information):

Jack Marsh
Ed Schmults
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 20

Time: noon

SUBJECT:

H.R.13713-National Park System Omnibus Bill

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

Prefer disapproval because of unconstitutional one-House veto provision. However, I am somewhat concerned that the public will not understand how the President can support a Bicentennial Land Heritage Program and at the same time veto this bill. Defer to Hartmann, Marsh and Cannon on this point.

Bobbie Kilberg 10/20/76

Bobbie Kilberg

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 10

Date: October 19

Time: 1000pm

FOR ACTION: George Humphreys
Max Friedersdorf
Bobbie Kilberg
Robert Hartmann

cc (for information): Jack Marsh
Ed Schmults
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 20

Time: noon

SUBJECT:

H.R.13713-National Park System Omnibus Bill

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

For Your Comments

Draft Remarks

REMARKS:


please return to judy johnston, ground floor west wing

*Recommend
Approved.
RUP*

THE WHITE HOUSE

WASHINGTON

October 20, 1976

MEMORANDUM FOR: JUDY JOHNSTON 
FROM: STEVE McCONAHEY
SUBJECT: HR 13713 National Park System
Omnibus Bill

I strongly recommend approval of this bill. In particular, Governor Evans of Washington feels very strongly about the Olympic National Park in Washington State and is urging approval of the bill.

I am withholding my approval from H.R. 13713, a bill "To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes."

H.R. 13713 would have authorized boundary and appropriation ceiling adjustments affecting forty-one national parks and national recreation areas. The bill would have authorized appropriations of \$74,726,233 for additional park land acquisition in these areas and \$50,091,000 for development of public-oriented facilities.

Recently, I submitted to the Congress legislation to establish a Bicentennial Land Heritage Program. That proposal would provide \$1.5 billion over the next ten years to improve our parks and wildlife refuges. My program also called for a substantial increase in the acreage of our National Park System. In my message transmitting that legislation, I reiterated my own firm commitment to the preservation of our Nation's scenic and historic treasures for our own benefit as well as that of future generations.

Unfortunately, H.R. 13713 contains serious constitutional and programmatic deficiencies which I find unacceptable. It would submit certain administrative actions by the Secretary of the Interior to disapproval by a simple majority vote of either house of the Congress. As I have consistently stated, such a procedure would be contrary to the general principle of the separation of powers between the three branches of government. It would stand in direct violation of Article I, Section 7 of the Constitution which requires that resolutions having the force of law be sent to the President for his approval or

Further, the bill contains a number of other provisions which ~~in my view, would be extremely unwise.~~ ^{are ill-considered.} In several instances, appropriations were authorized for park boundary adjustments without any opportunity for comment by the Administration or by other interested parties. The bill would also authorize acquisitions opposed by the Administration on the basis that the cost of the land exceeds its value for park and recreation purposes. The total cost of these two classes of authorization would exceed \$80 million.

~~In summary,~~ H.R. 13713 ~~would be~~ ^{is} inconsistent both with firmly established constitutional principles regarding the separation of powers and with general Administration parkland and fiscal objectives. Accordingly, I am compelled to withhold my approval from the bill.

THE WHITE HOUSE

October , 1976

10/20/76 - 8:55 am
m

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

10

Date: October 19

Time: 1000pm

FOR ACTION: George Humphreys
Max Friedersdorf
Bobbie Kilberg
Robert Hartmann

cc (for information): Jack Marsh
Ed Schmults
Steve McConahey

FROM THE STAFF SECRETARY

DUE: Date: October 20

Time: noon

SUBJECT:

H.R.13713-National Park System Omnibus Bill

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

10/20 - Copy sent for researching. nm

10/20 - Researched copy returned. nm

*edited into
statement
up*

no opinion

10/20/76 - 8:55 am
n

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

10
JC
ck
JC

Date: October 19

Time: 1000pm

FOR ACTION: George Humphreys
Max Friedersdorf
Bobbie Kilberg
Robert Hartmann

cc (for information): Jack Marsh
Ed Schmults
Steve McConahey

to DJS
10/20 11:22
GAM

FROM THE STAFF SECRETARY

DUE: Date: October 20

Time: noon

SUBJECT:

H.R.13713-National Park System Omnibus Bill

ACTION REQUESTED:

- For Necessary Action
- For Your Recommendations
- Prepare Agenda and Brief
- Draft Reply
- For Your Comments
- Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

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Unfortunately, H.R. 13713 contains serious constitutional and programmatic deficiencies which I find unacceptable. It would submit certain administrative actions by the Secretary of the Interior to disapproval by a simple majority vote of either house of the Congress. As I have consistently stated, such a procedure would be contrary to the general principle of the separation of powers between the three branches of government. It would stand in direct violation of Article I, Section 7 of the Constitution which requires that resolutions having the force of law be sent to the President for his approval or

Back-up material fact sheet p. 2

H. 8/29/76 1296 Back-up

p. 1

p. 5 back-up

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In summary, H.R. 13713 would be inconsistent both with firmly established constitutional principles regarding the separation ^{or} of powers and with general Administration ^{or} parkland and fiscal objectives. Accordingly, I am ^{or} compelled to withhold my approval from the bill.

THE WHITE HOUSE
 October , 1976

*look up p. 5.
 John Marcano
 X44606
 look-up
 p. 5*

MEMORANDUM OF DISAPPROVAL

I am withholding my approval from H.R. 13713, a bill "To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes."

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Unfortunately, H.R. 13713 contains serious constitutional and programmatic deficiencies which I find unacceptable. It would submit certain administrative actions by the Secretary of the Interior to disapproval by a simple majority vote of either house of the Congress. As I have consistently stated, such a procedure would be contrary to the general principle of the separation of powers between the three branches of government. It would stand

Further, the bill contains a number of other provisions which, ~~in my view, would be extremely~~ ^{are ill-considered,} ~~unwise.~~ In several instances, appropriations were authorized for park boundary adjustments without any opportunity for comment by the Administration or by other interested parties. The bill would also authorize acquisitions opposed by the Administration on the basis that the cost of the land exceeds its value for park and recreation purposes. The total cost of these two classes of authorization would exceed \$80 million.

~~In summary,~~ H.R. 13713 ^{is} ~~would be~~ inconsistent both with firmly established constitutional principles regarding the separation of powers and with general Administration parkland and fiscal objectives. Accordingly, I am compelled to withhold my approval from the bill.

THE WHITE HOUSE

October , 1976

PROVIDING FOR INCREASES IN APPROPRIATION CEILINGS AND
BOUNDARY CHANGES IN CERTAIN UNITS OF THE NATIONAL PARK
SYSTEM, AND FOR OTHER PURPOSES

MAY 15, 1976.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed



Mr. HALEY, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany H.R. 13713]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 13713) to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 9, following line 10, insert a new Section 307 reading as follows:

Sec. 307. (a) The boundary of the Saguaro National Monument is hereby revised to include the area as generally depicted on the map entitled "Boundary Map, Saguaro National Monument, Pima County, Arizona," numbered 151-91,001-B, and dated May 1976 which map shall be on file and available for public inspection in the Offices of the National Park Service, Department of the Interior. The Secretary of the Interior may acquire property within the revised boundary by donation, purchase, transfer from any other federal agency, exchange or by any other means. The monument shall hereafter be administered in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented.

(b) There is authorized to be appropriated not to exceed \$1,700,000 in the acquisition of lands and interests added to the Saguaro Monument pursuant to subsection (a).

PURPOSE

H.R. 13713¹ would amend numerous Acts authorizing various units of the National Park System. The bill is divided into three titles:

Title I increases the authorization ceilings for land acquisition within eleven units of the system;

Title II raises the limitations on funds which may be appropriated for development purposes in eight areas; and

Title III contains miscellaneous provisions to make boundary adjustments, repeal certain provisions of existing law, and increase the authorizations for certain other areas not covered in Titles I and II.

The omnibus format has been adopted to allow the Committee and the House of Representatives to consider a lengthy series of adjustments to existing areas in an expeditious manner. While a boundary change or an adjustment in a land acquisition authorization may not attract sufficient attention to be considered as a separate measure, such amendments are most important in allowing for proper administration of these operating units.

BRIEF DISCUSSION BY AREA OR ITEM

ANDREW JOHNSON NATIONAL HISTORIC SITE, TENN.

An increase of \$200,000 is proposed in the development amount authorized for this site which preserves the homes and offices once occupied by President Andrew Johnson.

Restoration work has proceeded on the house occupied by President Johnson from 1831 to 1851. Historical and archeological research revealed that restoration of the structure will require more work than originally anticipated. Funds appropriated as a result of this additional authorization would be expended on completing the restoration of the house, including some associated landscaping and the installation of electrical systems for operating both interpretive displays and security alarms.

ARCHES NATIONAL PARK, UTAH

An acquisition ceiling increase of \$150,000 here will permit acquisition of the last 1,246 acres of private lands within the park. Increases in land values in the area since enactment of the authorizing legislation in 1971 make this amendment necessary.

ARKANSAS POST NATIONAL MEMORIAL, ARK.

This national memorial commemorates the site of the first permanent French settlement in the lower Mississippi Valley founded in 1686. Enactment of an increase of \$2,175,000 in authorized funds for development would permit construction of a combined visitor center and administrative headquarters, additional trail systems and interpretive exhibits, expanded water and sewer systems, underground utility lines, and a duplex residence for employees.

¹ H.R. 13713 was introduced by Representative Taylor of North Carolina and cosponsored by Representatives Sebelius, Bauman, Bingham, Eckhardt, Howe, Johnson of Colorado, Kazen, Lagomarsino, Meeds, Won Pat, Clay, Cleveland, Cochran, Downey of New York, Findley, Lott, McKay, Mills, Pike, Quillen, Sikes, Sullivan, White and Hammerschmidt.

ASSATEAGUE ISLAND NATIONAL SEASHORE, MARYLAND AND VIRGINIA

Several changes are proposed for this national seashore, first authorized in 1965.

First, an increase of \$1,350,000 would be authorized for land acquisition in the area. This will permit completion of the acquisition program for the seashore.

Second, two sections of the original Act would be repealed, one of which authorized a road to be built along the island. The second section set aside some 600 acres on the island for concession developments. It is now generally agreed that such roads and developments would constitute a serious intrusion upon the unique natural qualities of the area.

Third, the Secretary is directed to prepare a comprehensive master plan for the seashore in the next two years, and to transmit the plan to the Congress. The Secretary is also to submit his recommendations for any compensation to Worcester County, Maryland, for any tax revenue and other losses resulting from the repeal of the road and concession area authorizations. In addition, the Secretary is to be consulted before any action by another Federal agency takes place which would have a significant adverse impact on the seashore.

A proposal for wilderness designation for Assateague Island was transmitted to the Congress by the President on August 7, 1974, pursuant to the Wilderness Act (78 Stat. 890). It is apparent that the repeal of Sections 7 and 9 of the existing law, along with the new master plan study—all of which is provided for in this legislation—could well result in reconsideration of and revised recommendations for wilderness designation at Assateague. Therefore, any congressional consideration of wilderness designation at Assateague might seem more productive after the receipt of the new master plan, due two years hence.

BUFFALO NATIONAL RIVER, ARK.

This acquisition ceiling increase of \$13,956,000 will permit the purchase of the remaining 33,578 acres to be included in this area. Drastic increases in land prices in this area over the past four years will require this additional amount to be expended.

CAPITOL REEF NATIONAL PARK, UTAH

This acquisition authority increase of \$1,750,000 will permit completion of the remaining 848 acres of privately owned lands, leases, and improvement within the boundaries of Capitol Reef National Park. Recent activity on a mineral lease close to the main visitor use area of the park is causing some undesirable disturbance of the park scene. Acquisition of this lease is included in this increase.

CHAMIZAL NATIONAL MEMORIAL, TEX.

A development ceiling increase of \$3,003,000 for this memorial in El Paso, Texas, would allow further development of the area in accordance with the plans for the memorial. This increase would allow completion of the amphitheater, additional landscaping construction of administrative and maintenance facilities, and other work

to be accomplished. An outstanding claim of a contractor arising from work previously completed would also be satisfied.

COLORADO NATIONAL MONUMENT, COLO.

This boundary change would permit enlargement of the national monument by some 2,770 acres, most of which are currently under the jurisdiction of the Bureau of Land Management. The acquisition authorization of \$460,000 will permit some 700 acres of privately owned lands to be acquired.

FIRE ISLAND NATIONAL SEASHORE, N.Y.

This authorization increase of \$2,000,000 will permit the National Park Service to continue to acquire properties as necessary in the seashore. In some instances, this may be required to prevent incompatible developments from occurring on properties where zoning variances have been granted. In other cases, there may be opportunities to purchase inholdings in the seashore. The National Park Service is completing a master plan for the area. The Committee views this authorization increase as an interim measure to permit continued protection of the area until further recommendations can be made in accordance with the master plan.

FORT LARNED NATIONAL HISTORIC SITE, KANS.

This increase of \$3,000,000 in the authorized development ceiling at Fort Larned will permit restoration work to proceed on the historic structures on the site. In some cases, this is needed to prevent the total loss of a building. There would also be additional development for necessary visitor facilities as called for in the planning for this area.

FORT SCOTT, KANS.

The additional \$580,000 authorized for this non-federally owned area would permit further reconstruction of buildings associated with the site, as well as any interpretive markings as may be necessary.

GOLDEN SPIKE NATIONAL HISTORIC SITE, UTAH

This development increase of \$4,254,000 will be used to recreate the scene at Promontory Point when the transcontinental railroad was completed. Two replica locomotives will be the center of this development, which would also include a restored grade, sheltering facilities and other improvements.

GULF ISLANDS NATIONAL SEASHORE, FLORIDA AND MISSISSIPPI

An increase of \$18,700,000 is requested to complete the land acquisition program for this area. Some 3,044 acres remain to be acquired, primarily on Perdido Key in the Florida portion of the seashore. A causeway was constructed to this key from the mainland, and has greatly increased property values in the area. Acquisition of these lands is in accordance with the original authorizing legislation enacted in 1971.

JEFFERSON NATIONAL EXPANSION MEMORIAL NATIONAL HISTORIC SITE, MO.

This increase of \$9,500,000 in development authorization for the memorial will allow completion of the development plan as proposed for the site. Remaining work to be done includes additional landscaping of the site, improvements to the visitor center, construction of maintenance facilities, pedestrian overpasses and walkways, and other work. It should be noted that under the terms of the original Act for this area, each three dollars of Federal funds will be matched by one dollar from non-federal sources.

LINCOLN HOME NATIONAL HISTORIC SITE, ILL.

The limitation on the authorization for land acquisition here would be increased by \$1,056,000. 2.2 acres would be acquired within the existing boundaries of the site, completing the land acquisition program for the area. The area to be acquired contains buildings present during the residency of President Lincoln, and are part of the historic scene of the neighborhood.

Concern was expressed that funds be made available for the purchase and use of some of the original furniture once owned by President Lincoln. Testimony of the Departmental witness indicated that there was a hope that this furniture could be acquired by donation, but that in the event this did not materialize, funds could and would be made available for the purchase of this furniture through National Park Service operating funds.

MESA VERDE NATIONAL PARK, COLO.

The proposed increase of \$68,233 in the land acquisition ceiling will permit acquisition of the final remaining parcel of private land, some 232 acres, within the existing park boundary. Land values have been increasing from 6 to 10 percent each year in the Mesa Verde area, and have resulted in the need to increase the authorization limitation in this case.

MONTGOMERY COUNTY, MD.

The section would authorize a land exchange between the National Park Service and the Corps of Engineers. Some 1.41 acres of land which is now a part of the George Washington Memorial Parkway would be exchanged for approximately 1.79 acres of land from the Corps of Engineers which become a part of the parkway. The effect of this transfer would simply be a realignment of a segment of the parkway boundary, with no additional lands costs incurred.

NORTH CASCADES NATIONAL PARK AND ROSS LAKE AND LAKE CHELAN NATIONAL RECREATION AREAS, WASH.

An increase of \$1,000,000 is proposed for the land acquisition limitation on this national park and the associated recreation areas, and will be used to acquire some 1,508 acres of inholdings within the currently authorized area. This would permit acquisition of a number of patented mining claims, and would preclude any future development on these sites. A group of claims in the Thunder Creek Basin area of the park is currently being considered for development, and the in-

crease in acquisition authority is needed to acquire the inholdings in this area at an early date.

PISCATAWAY PARK, MD.

This change is a technical amendment to resolve a misunderstanding that has arisen from the Act in the 93rd Congress which authorized additions to the Piscataway Park. The National Park Service presently intends to terminate the operation of the marina. In reviewing the history of the legislation, it is apparent that there was no intent on the part of the Committee to force the closure of this facility. The concern of the Congress in this case is to protect the view from Mount Vernon. While an expansion of the marina which would alter the appearance of this area would not be acceptable, there is certainly no reason why the existing facility could not continue to provide a worthwhile service, in the area. This amendment to the law is designed to permit the continued operation of the marina. Any measures, such as repainting with an unobtrusive color, which the National Park Service can take to reduce the prominence of the marina as viewed from Mount Vernon would be in keeping with the purposes of the Act.

SAGUARO NATIONAL MONUMENT, ARIZ.

This boundary change adds some 5,373 acres to the Tucson Mountains unit of the monument. This unit of the National Monument is noted for its vigorous saguaro cactus forest and related plant and animal communities typical of the Sonoran Desert. The additional lands offer needed protection along the northern and eastern boundaries of the unit.

An authorization of \$1,700,000 is made in order to acquire the lands added by the boundary adjustment. A substantial percentage of the newly authorized area is already in Federal ownership under the administration of the Bureau of Land Management.

SAINT-GAUDENS NATIONAL HISTORIC SITE, N.H.

Three changes are made to this historic site.

First, a boundary change is made to the site adding some 64 acres to the existing 86-acre park.

Second, \$80,000 is authorized to be appropriated for the acquisition of the additional lands. Some of this area is currently protected by the National Park Foundation which would be reimbursed for its investment in these lands.

Third, an additional \$2,467,000 is authorized beyond the existing statute for development purposes in the area. This will permit construction of proper facilities to store and protect the art collection, to improve its display, and to better provide for the special events and exhibits which have played an important role in the maintenance of the site as a living memorial to the sculptor.

SCOTTS BLUFF NATIONAL MONUMENT, NEBR.

The additional \$130,000 authorization for land acquisition made by this amendment will permit the completion of the land purchase needs

of the area. Some 279 acres, primarily now in agricultural usage or suitable for development as homesites, would be acquired.

VICKSBURG NATIONAL MILITARY PARK, MISS.

This increase of \$1,800,000 in authority for development purposes would permit completion of a bypass road around the park in accordance with existing law. This will permit the conversion of internal roads in the park to one-way interpretive roads, and divert local commuter traffic out of the park itself. This will fulfill the commitment made by the Congress in 1963 to provide for these changes in the area.

LEGISLATIVE HISTORY

The subcommittee on National Parks and Recreation conducted hearings on legislation covering the various areas included in the bill on February 20 and 23, 1976. A variety of witnesses were heard and testimony was received from the Department of the Interior on the individual areas.

As has been the practice of the Subcommittee in recent years, these adjustments to existing areas were combined into an omnibus bill for the consideration of the Committee on Interior and Insular Affairs. The legislation in omnibus form was discussed area by area by the Subcommittee. Particular concerns of the members of the Committee with respect to any area have been noted in the brief discussion of each item.

SECTION BY SECTION ANALYSIS

Section 101 authorizes increased appropriation ceilings for land acquisition programs at eleven park units: Arches National Park, Utah; Assateague Island National Seashore, Maryland and Virginia; Buffalo National River, Arkansas; Capitol Reef National Park, Utah; Fire Island National Seashore, New York; Gulf Islands National Seashore, Florida and Mississippi; Lincoln Home National Historic Site, Illinois; Mesa Verde National Park, Colorado; North Cascades National Park and Ross Lake and Chelan National Recreation Areas, Washington; Saint-Gaudens National Historic Site, New Hampshire; and Scotts Bluff National Monument, Nebraska.

Section 201 authorizes increased appropriation ceilings for development purposes of eight park units: Andrew Johnson National Historic Site, Tennessee; Arkansas Post National Memorial, Arkansas; Chamizal National Memorial, Texas; Fort Larned National Historic Site, Kansas; Golden Spike National Historic Site, Utah; Jefferson National Expansion Memorial National Historic Site, Missouri; Saint-Gaudens National Historic Site, New Hampshire; and Vicksburg National Military Park, Mississippi.

Section 301 repeals two sections of the Act which authorized Assateague Island National Seashore. Section 7 directed the Secretary to set aside some 600 acres on the island to be used for the development of public accommodations. Section 9 directed a road to be authorized along the island to connect the two access bridges. The Committee recognized that heavy development on this fragile barrier island would have severely compromised the significant natural features of the area.

A new section 12 is added to the Act which directs the preparation

of a comprehensive master plan by the Secretary to be submitted to the Interior Committees of the Congress within two years. Recommendations for compensation to the local county due to lost tax revenues are to be included. The Secretary is also to be consulted before any Federal action is taken by another agency which would have an adverse impact on the seashore.

Section 302 authorizes the addition of 2,800 acres to Colorado National Monument, and authorizes up to \$460,000 to be appropriated for land acquisition purposes.

Section 303 authorizes an increase of \$580,000 in the funds which may be appropriated for the development of certain historic properties, including Fort Scott in Kansas.

Section 304 provides for a no-cost land exchange between the Department of the Interior and of the Army along the George Washington Memorial Parkway in Montgomery County, Maryland.

Section 305 is a clarifying amendment which provides that the Fort Washington Marina in Piscataway Park, Maryland, continue in operation.

Section 306 authorizes the acquisition of an additional 64 acres of land at the Saint-Gaudens National Historic Site in New Hampshire.

Section 307 revises the boundary of the Saguaro National Monument to include additional lands for the Tucson Mountains unit. The Secretary is permitted full authority to acquire the lands in the monument, and is directed to administer the area in accordance with the organic Act for the National Park Service. A limitation of \$1,700,000 is placed on funds which may be appropriated to acquire the additional lands.

COST

The total increases in authorized ceilings on land acquisition amount to \$42,400,233 for the entire bill. Total increases for development authorization ceilings are \$26,979,000. Individual authorizations are shown in the brief discussion for each individual unit.

BUDGET ACT COMPLIANCE

Land acquisition funds authorized by H.R. 13713 will be appropriated from the Land and Water Conservation Fund. The actual appropriations will probably occur over a period of several fiscal years, as the National Park Service administers its continuing land acquisition program.

Development appropriations authorized here are also expected to be appropriated over an extended term. Development funding has customarily been a small part of National Park Service budgets. The authorizations in this case do identify approved projects, however, and permit orderly planning of construction activity to proceed. No significant impact on the budget is expected to occur as a result of this legislation.

INFLATIONARY IMPACT

As the funds authorized by this legislation will be expended on 21 separate and widely dispersed areas, and will occur over a number of years, inflationary impacts of H.R. 13713 are expected to be slight.

OVERSIGHT STATEMENT

Hearings on the various measures which were later incorporated into H.R. 13713 afforded members of the Subcommittee an excellent opportunity to review the progress of operations in a diverse group of National Park System areas. Much of the discussion in the hearings concerned the program effects which the proposed legislation would have. No recommendations were submitted to the Committee pursuant to Rule X, Clause 2(b)(2).

COMMITTEE AMENDMENT

The Committee adopted one amendment consisting of a boundary change and authorization increase for Saguaro National Monument. Details of this provision are in the area discussion.

COMMITTEE RECOMMENDATION

On May 13, 1976, after adopting the amendment described above, the Committee on Interior and Insular Affairs, meeting in open session, reported H.R. 13713, as amended, by unanimous voice vote, and recommends that the bill, as reported, be approved.

DEPARTMENTAL REPORTS

The reports of the Department of the Interior, which have been received on the various separate measures which have been combined to make up H.R. 13713, are printed here in full, listed in alphabetical order:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 9, 1976.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 5147, a bill "To increase the appropriation authorization relating to the Andrew Johnson National Historic Site, and for other purposes."

We recommend that this bill be enacted.

H.R. 5147 would amend the Act of December 11, 1963, to increase the authorized appropriation for acquisition, restoration, and development of the parcel known as the "1831 house" from \$66,000 to \$266,000.

The Andrew Johnson National Historic Site was first authorized as the Andrew Johnson Homestead National Monument by the Act of August 29, 1935, which contained no appropriation limitation. The monument was established by Presidential Proclamation No. 2554 of April 27, 1942. It included the Andrew Johnson Homestead where Johnson lived from 1851 to 1875, the Andrew Johnson Tailor Shop where he worked prior to his political career, and the Andrew Johnson National Cemetery where he is buried.

The 1963 Act changed the designation of the area to a national historic site and added the historic house across the street from the tailor

shop, where Johnson lived from 1831 to 1851. That legislation contained a ceiling of \$66,000, for acquisition, restoration, and development costs relating to the 1831 house, which has essentially been expended. Acquisition costs were \$49,200, a parking lot was constructed for \$5,200 and interim restoration of the exterior of the building was accomplished for about \$8,800, these expenditures totaling about \$63,200. The remainder of the ceiling has been programmed to complete the necessary historic and architectural research.

This necessary research had not been completed in 1963, when we had estimated restoration of the house to cost about \$10,000. The completed research has revealed that restoration of the interior of the building will be more extensive than originally anticipated. Construction and labor costs have also risen dramatically since 1963, thus increasing our estimate of the restoration and associated landscaping, and miscellaneous site work. Electrical installations are also necessary for purposes of operating interpretive devices and security alarms. The National Park Service estimates for accomplishing this plan indicate that the cost will approximate the \$200,000 increase that would be authorized in the bill.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

NATHANIEL P. REED,
Assistant Secretary of the Interior,

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 20, 1976.

Hon. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to the request of your Committee for the views of this Department on H.R. 11239, a bill "To provide for increases in appropriation ceilings in certain units of the National Park System, and for other purposes."

We recommend the enactment of the bill, if it is amended as described herein.

H.R. 11239 proposes increases in ceiling amounts for land acquisition for five units of the National Park System, as follows: Arches National Park, Utah—from \$125,000 to \$275,000; Capitol Reef National Park, Utah—from \$423,000 to \$2,173,000; Mesa Verde National Park, Colorado—from \$125,000 to \$193,000; North Cascades National Park and Lake Chelan National Recreation Area, Washington—from \$3,500,000 to \$4,500,000; Scotts Bluff National Monument, Nebraska—from \$15,000 to \$145,000.

These proposed increases amount of \$3,098,233 over the present ceilings for the five areas. These increases are necessary because of the increased costs of land acquisition.

For example, the U.S. Department of Agriculture has reported that farmland values increased 25 percent for the past year ending March 1, 1974. Roughly 4 percent of the Nation's cropland changed hands

last year for approximately \$10.6 billion. Another \$2.5 billion is reported to have been spent for lots in urban land developments. Foreign investors are adding to their U.S. real estate holdings at the rate of \$2 billion to \$3 billion per year. Pension funds are using real estate as a means of providing a good long-term investment as well as a hedge against inflation. Investors in the stock market, long advertised as an effective hedge against inflation, have recently turned to the real estate market for their investments.

This influx of large institutional funds, along with the general rate of inflation and the desire of individuals to own recreational property, has had a tremendous impact upon the recreational lands which the National Park Service has been attempting to buy. The National Real Estate Board has reported that from 1963 through 1972 the demand for recreational properties increased over the demand in the previous year.

In a report entitled "An Analysis of the Markets for Privately Owned Recreational Lots and Leisure Homes" prepared by Richard L. Ragatz Associates in May 1974, an estimate was made that 10 to 15 million recreational lots currently exist. They further estimate that one million lots are being added per year and 650,000 of them are being purchased by private families annually. Already 5,400,000 families are said to own recreational lots.

The demand and pressure for recreational properties has exposed itself in many national park areas. In the Grand Teton National Park, for instance, subdivision lots that were selling for \$2,500 in 1971 are now selling for approximately \$6,600, equal to a 53 percent per year increase. A study of small island values in the western Great Lakes showed that an annual increase averaging 28½ percent had occurred. In southern Colorado, recreational lots that were selling for \$1,475 in 1970 are now being marketed for \$3,500, a 34 percent annual increase. In the southeastern U.S., seacoast island lots from a certain subdivision increased in price from \$6,000 to \$11,500 in about 2½ years, or an annual increase of 37 percent.

H.R. 11239, reflects these factors as related to the specific areas identified. The following individual statements on the five areas explain the specific reasons for the increased costs in each case.

Arches National Park, Utah

Southeastern Utah has experienced unusual land value increases from 1971. The historical conception that land ownership is an effective hedge against inflation has created renewed interest in land ownership. This renewed interest created a greater demand which triggered a rather dramatic value increase in larger acreages. Secondly, the energy crisis has produced a greater interest in western land even if the specific land does not have coal, oil or gas potential.

Finally, the change of Arches National Monument to Arches National Park renewed interest in those private lands located in or near the park. This overall interest in the general area added to the recreational potential of those private lands and thus increased their desirability.

Overall inflationary influences, the energy crisis and the general increased interest in the area all contributed to the current need to add \$150,000 to the statutory ceiling in order to facilitate acquisition of the last 1,245.92 acres of private lands within the park.

Capitol Reef National Park, Utah

The original cost estimate for this area was prepared in 1969. No funds, however, were included for minerals or for the acquisition of outstanding mineral interests for State mineral leases. State of Utah mineral lease interests existed at the time the State transferred some of its lands to the National Park Service. This cost estimate includes funds to acquire or extinguish such mineral interests.

Overall inflationary influences, increased raw land demand, effects of energy crisis speculation in mineralized areas and acquisition of State mineral leased interests have combined to require an increase of \$1,000,000 to the existing statutory ceiling. Accordingly, we recommend that section 1(2) be amended to recommend an increase from "\$423,000" to "\$1,423,000."

Mesa Verde National Park, Colo.

Public Law 88-235 of December 23, 1963, extended the boundaries of Mesa Verde National Park and imposed a statutory ceiling of \$125,000 for acquisition of the added land. All but one parcel of the private lands within the new area were acquired. We estimate that the statutory ceiling will need to be increased \$68,233 to complete this acquisition.

Land values since 1963 have increased considerably in the Mesa Verde area. It is estimated that currently land values are increasing from 6 to 10 percent per year and will probably continue this trend into the foreseeable future. In addition to the normal price escalation factors, recent inflationary influences have renewed investor interest in rural recreational lands as a hedge against inflation. Finally, the recent energy crisis has also increased investor interest in western lands. This interest is in part based upon the anticipated increase in population of western areas near natural coal, oil, or other energy deposits.

North Cascades National Park and Lake Chelan National Recreation Area, Wash.

The Act establishing the North Cascades National Park and the Ross Lake and Lake Chelan National Recreation Areas was approved October 2, 1968. The land acquisition cost estimate was made in April 1967, but the estimate did not include funds for acquisition of outstanding mineral interests.

The purpose of the \$1,000,000 ceiling increase for North Cascades National Park is to provide for acquisition of certain potential mining claims located in the Thunder Creek basin area of the park. Recently, the owners of these mining claims have expressed their intention to work the claims. In preparation for doing so, the owners propose logging the claim area and clearing an access road. The proposed logging will be conducted under clear cut practices and would be highly destructive to the Park values of the Thunder Creek area as would be road construction and similar operation which would scar large areas of this valley. The Department may require reasonable routing of access roads, but can not deny access to these potential claims. The \$1,000,000 ceiling increase is needed to forestall these imminent threats.

Scotts Bluff National Monument, Nebr.

The Act of June 30, 1961, authorized a boundary revision for Scotts Bluff National Monument, including an increased ceiling of \$15,000 for acquisition of the newly delineated private lands.

The Land and Water Conservation Fund was enacted September 1964 and, at that time, Congress was requested to approve appropriations for fiscal year 1965 for two acquisitions. One was approved and acquired; the other was denied. In 1966, funds were requested and approved by Congress for four acquisitions; however, the failure to reach negotiated agreements forced the funds to be reprogrammed elsewhere. No requests for funds were made to Congress for fiscal years 1967 and 1968 for this area.

Beginning in fiscal year 1969, we worked out an arrangement with the Interior and Related Agencies Appropriations Committees to budget a lump sum for the acquisition of inholdings on an opportunity basis. We were not successful in acquiring any additional land in the enlarged area until fiscal years 1971, 1972, and 1973 at which time three additional parcels of land were acquired. Land values had risen so greatly over the intervening years since 1961 that all but \$3,220 of the original ceiling of \$15,000 was exhausted, which is insufficient to acquire the remaining private lands.

These private lands are still basically used for agricultural purposes. However, the close proximity to the cities of Scotts Bluff and Gering has created a growing demand for homesites within the general vicinity of the national monument. This increased interest had changed the highest and best use from agricultural to that of homesite.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., August 5, 1975.

HON. JAMES A. HALEY,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 7250, a bill "To increase the amount authorized to be appropriated for the development of the Arkansas Post National Memorial, and for other purposes."

We recommend that the bill not be enacted.

Section 3 of the Act of July 6, 1960 (74 Stat. 334), which Act provided for the establishment of the Arkansas Post National Memorial at the site of the first permanent French settlement in the Lower Mississippi Valley, authorized appropriation of not more than \$125,000 for land acquisition and development relating to that memorial. That figure was increased to \$550,000 by the Act of August 11, 1966 (80 Stat. 339). H.R. 7250 would further amend section 3 of the 1960 Act to increase the subject appropriation authorization to \$2,725,000.

Of the \$550,000 presently authorized for development and land acquisition for the memorial, \$455,000 has been appropriated for development purposes. These funds have financed a visitor center and maintenance building, a maintenance court, utilities, an employee

residence, an entrance and residence road, a picnic area, interpretive trails and markers, and grounds improvements. Expenditure of funds for land acquisition has not been necessary. During 1974, visitation to the memorial totaled about 49,000 persons.

Unfunded commitments for development of existing units of the National Park System presently total approximately \$2.7 billion. Earlier this year President Ford called for a one-year moratorium on new Federal spending programs other than those involving energy production, national defense, and certain humanitarian efforts, and expressed his intention to avoid excessive growth of Federal spending in the long run. Accordingly, we are reluctant to incur additional development commitments relating to that System at this time.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

NATHANIEL P. REED,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., September 26, 1975.

HON. JAMES A. HALEY,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 241, H.R. 7407 and S. 82 as passed by the Senate on June 4, 1975, similar bills which would amend the Act of September 21, 1965 providing for the Assateague Island National Seashore in the States of Maryland and Virginia.

We recommend the enactment of S. 82.

S. 82 would amend the existing statutes relating to Assateague Island National Seashore by repealing two sections of the 1965 law relating to a road and overnight and other public accommodations on the island and by providing for a comprehensive plan for the lands and waters adjacent to the seashore which would examine, among other considerations, the feasibility of developing visitor services on the mainland. In addition, S. 82 would authorize an increase in the authorization ceiling for land acquisition in the sum of \$1,350,000 in order to allow for the purchase of major inholdings on the island.

H.R. 241 would also repeal Section 7 of the Act of September 21, 1965 and provide for a comprehensive plan in the manner of S. 82. In addition, H.R. 241 would repeal the existing Section 9 and authorize the Secretary of the Interior to provide for a visitor transportation system between the seashore and the mainland.

H.R. 7407 would also repeal Sections 7 and 9 of the Act of September 21, 1965 and would provide for a comprehensive study of the national seashore prior to any recommendations for wilderness designation of parts of the seashore.

When the national seashore was created in 1965, Congress recognized that the island is a fragile, but immensely popular resource

worthy of maximum protection. It is significant to note that visitation at the seashore was approximately 1,720,000 in 1974, and that we have recommended 1,740 acres of the island for wilderness designation and 4,760 acres for potential wilderness designation. Because of these competing pressures, we believe the 1965 Act should be re-examined and Section 7 and Subsection 9(b) should be repealed.

Section 7 authorizes the Secretary of the Interior to set aside up to 600 acres of the Maryland end of the island for construction of overnight and other public accommodations, taxable under Maryland laws. A number of events and changing attitudes toward the propriety of developing Assateague have combined to make this approach now seem unwise.

In March of 1972 the Joint Executive Legislative Committee on Assateague Island reported to the Governor of Maryland recommending that Section 7, providing for overnight and other public accommodations, be deleted from the Act. This recommendation was based on the judgment that the construction of overnight accommodations on the island, with attendant water, power, and sewage facilities, would destroy the natural environment of Assateague Island.

Subsection 9(b) of the 1965 Act authorizes the construction of a road on the island, from the Chincoteague-Assateague Island Bridge in Virginia to the Sandy Point-Assateague Bridge in Maryland. Since 1965, we have come to realize that construction of a roadway paralleling the shoreline on such a fragile, shifting island would be environmentally unsound. Since the road was never proposed as compensation to the local or State Government, its deletion would not in any way effect the compensation procedures provided in the bill.

As recently as 1973 the Office of the Chief Scientist of the National Park Service clearly enunciated its finding with regard to the management of barrier islands and similar "mobile" resources along this Nation's shorelines. Recent studies have shown that many of the actions man has taken in an effort to control the forces of nature such as the construction of groins and the like have not been the wisest choices in retrospect. While not advocating a program of total inaction, we have come to realize that our main trust must be an attempt to mitigate the adverse effects of certain necessary programs. The removal of sand and silt from shipping channels which must remain navigable will have serious consequences if that material is removed from the littoral system and deposited by man in the open ocean. Wherever possible our strategy must be designed to work in harmony with nature rather than in opposition to it.

Barrier islands such as Assateague Island are clearly mobile resources. Contrary to the belief of many, these islands are not being washed away but rather are moving landward by the very forces which were fundamental in their origin, namely wind and water. It would be folly to attempt to halt this migration. Consequently, the construction of permanent facilities which parallel the shoreline such as the road authorized in Subsection 9(b) of the 1965 Act which provided for the establishment of Assateague Island National Seashore or the accompanying overnight accommodations provided in Section 7 would not be in the interest of sound resource management for the national seashore. A transportation study is currently underway to investigate

alternative methods of providing access to and from Assateague Island stressing day-use.

Finally, S. 82 would increase the acquisition ceiling for Assateague Island National Seashore from \$21,050,000 to \$22,400,000, an increase of \$1,350,000. This increase is needed because of a number of factors affecting the recreational land market generally, as well as factors relating to Assateague in particular due to condemnation of private inholdings. The 1965 legislation authorized the appropriation of \$16,250,000 for the acquisition of lands. The Act of April 11, 1972, Public Law 92-272, amended Public Law 89-195 by increasing the statutory ceiling by \$4,800,000. This increase was needed to acquire the remaining subdivided lots, which were then or to be shortly under condemnation, located in Ocean Beach and South Ocean Beach subdivisions. It also included funds to acquire the remaining private lands within the authorized seashore boundaries which included marginal marshlands, hunting clubs, and the Atlantic Beach Estates subdivision.

At that time, it was fully anticipated that the remaining marshlands and hunting clubs could be acquired from the funds authorized. However, additional adverse court awards and the higher cost to acquire the individual hunting clubs resulted in a cost that has almost depleted the total funds authorized for acquisition. Of the lands remaining to be acquired, the Pope's Island Gun Club is in highest priority, and we have obtained an option on this property. Purchase at the option price will cost \$486,000. This amount and \$30,000 for related administrative cost and \$10,000 for deficiency judgments on two outlying islands total \$526,000.

In addition, the owners of the Atlantic Ocean Estate subdivision have agreed to sell their property for a smaller amount than they had previously indicated, and we believe their offer should be accepted in order to eliminate this major remaining inholding on the seashore. The corporate ownership of the proposed development owns 788.58 acres, of which 317.8 acres are fast land, and there are 90 tracts in private ownership consisting of 17.1 acres of fast land for a total of 334.9 acres. The purchase price for the corporate land is \$675,000, and the price of the 90 tracts is \$100,000. These amounts, plus \$49,000 for relocation and administrative costs, total \$824,000. This amount, plus the \$526,000 for acquisition of the Pope's Island Gun Club, combine to make the total recommended ceiling increase of \$1,350,000.

Timely approval of this bill will further the public interest in this vital seashore by avoiding greater costs at a later date due to the inflationary factors being experienced generally. Equally important, it will avoid costly environmental damage to the island and result in improved visitor access and enjoyment of the entire area.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

CURTIS BOHLEN,
Acting Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 20, 1976.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 11460, a bill "To amend the Buffalo National River, Arkansas Establishment Act of 1972, to increase the authorization for land acquisition."

We recommend the enactment of the bill.

H.R. 11460 would provide for an increase from \$16,115,000 to \$30,071,500 in the authorization ceiling for land acquisition on the Buffalo National River in Arkansas.

Public Law 92-237, which was enacted March 1, 1972, authorized an appropriation of \$16,115,000 for acquisition of lands and interests in lands at Buffalo National River. However, after years of a static economy and low land values, the increasing demand for vacation homesites and the development of additional recreation facilities nationwide has created significant increases in land values. Through calendar year 1970, many people discovered that the Ozark region is an attractive area for recreation and retirement purposes. The construction of several dams in the past few years increased the recreational use aspect of the area while depleting privately owned land.

The escalation rate in land values was most pronounced in 1972, with an increase from 25 to 35 percent. Some buyer resistance reduced the rate of increase in 1973 to 18 to 20 percent. The energy crisis of late 1973 and early 1974, the ensuing higher fuel prices, and the general limitations on discretionary spending imposed by inflation, have forced a leveling off of the market during the past 9 months, particularly among potential recreational homesite purchasers and speculative developers. Therefore, the 1974 escalation rate has slowed to an estimated ten percent.

Based on these factors, i.e., the unforeseen rapid escalation followed by the present leveling off of land values, we believe that an additional \$13,956,000 authorization will be sufficient to purchase all the lands and interests in lands authorized by Public Law 92-237.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., December 12, 1975.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 1745, a bill "To remove the appropriation

limitation for development of Chamizal National Memorial, and for other purposes.”

We recommend the enactment of the bill, if amended as set forth herein.

Section 5 of Public Law 89-479 (80 Stat. 232), which Act provided for the establishment of the Chamizal National Memorial at El Paso, Texas, to commemorate the harmonious settlement of a long-standing boundary dispute with Mexico, authorized appropriation of not more than \$2,060,000 for development of that memorial. H.R. 1745 would increase that appropriation authorization to \$5,500,000.

The \$2,060,000 already authorized for development has been appropriated. Those funds financed a visitor center including a museum, amphitheater stage, and auditorium, with space and seating provided for film showings and limited performances; basic landscaping; utility installations; roads; a parking area; walks; and production of a documentary film commemorating the International Boundary Surveys and the Chamizal Treaty Settlement.

The appropriation authorization increase proposed in H.R. 1745 would allow further development of the Chamizal National Memorial to complement the Chamizal Commemorative Park in Ciudad Juarez, Mexico. This remaining development would include additional landscaping, construction of administrative and maintenance facilities, provision of furnishings and equipment for full production capabilities, creation of permanent museum exhibits, completion of the amphitheater, and construction of wayside exhibits.

In order to fund this further development, we estimate that authorization of an additional \$2,892,000 would be necessary. In addition, funds are needed to satisfy the unpaid portion of the claim of a contractor arising from work he performed during the initial construction phase; that portion, including interest, is expected to total approximately \$111,000.

Thus, appropriation of an additional \$3,003,000 for development purposes should be authorized now. However, H.R. 1745 would authorize appropriation of an additional \$3,440,000. We, therefore, recommend that the bill be amended to increase the appropriation authorization for the Chamizal National Memorial to \$5,063,000 instead of \$5,500,000, as it presently provides. Amended thusly, H.R. 1745 would allow for complete development of the memorial.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

NATHANIEL P. REED,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 20, 1976.

HON. JAMES A. HALEY,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives,
Washington, D.C.*

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 11778, a bill "To authorize the Secretary of the Interior to revise the boundary of Colorado National Monument in the State of Colorado, and for other purposes."

We recommend enactment of the bill.

H.R. 11778 would authorize the Secretary of the Interior to revise the boundary of the monument by the addition of 2,770.36 acres.

We believe it is desirable to add a total of 2,770.36 acres to the monument by acquiring 2,638.46 acres in the No-Thoroughfare Canyon and 145 acres at the mouth of Red Canyon, and by deleting 13.10 acres of private land along the east boundary.

The No-Thoroughfare Canyon addition would bring the entire canyon under National Park Service administration. The lower portion of the canyon is presently under such administration. Lands within this proposed extension are, for the most part, under the jurisdiction of the Bureau of Land Management.

The Red Canyon addition would add 145 acres of privately owned land. Private ownership of land at the mouth of Red Canyon has prevented public access to a significant part of the present monument.

During 1974, the east boundary of the monument was surveyed and 13.10 acres of privately owned lands were found to be within the monument. These lands are in multiple ownership, contain several residences and are not needed for park purposes.

Estimated land acquisition costs are \$460,000 for 699.71 acres of private land.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 19, 1976.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 3994, a bill "To amend the Act entitled 'An Act to establish the Fire Island National Seashore, and for other purposes', approved September 11, 1964, (78 Stat. 928)."

We recommend that action on this bill be deferred pending completion of a master plan for the Fire Island National Seashore.

H.R. 3994 would amend section 10 of the Act of September 11, 1964 (78 Stat. 928) to increase the land acquisition appropriation authorization relating to the Fire Island National Seashore from \$16,000,000 to \$26,000,000. In addition, the bill would amend section 7(c) of said Act to authorize the Secretary of the Interior to petition an appropriate United States District Court for injunctive relief concerning actions inconsistent with the purposes of that Act, and would grant such courts jurisdiction to consider such petitions.

The master plan and environmental impact statement, in draft form, are now ready for review by the public. Until this comprehensive review is completed and the National Park Service is able to make specific recommendations, we do not know how much additional funding will be necessary for land acquisition. Accordingly, we believe that the authorization of appropriation of an additional \$10 million for land acquisition, as proposed in H.R. 3994, would be premature.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

NATHANIEL P. REED,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 20, 1976.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 11836, a bill "To increase the amount authorized to be appropriated for development of Fort Larned National Historic Site in the State of Kansas, and for other purposes."

We recommend enactment of the bill.

H.R. 11836 would increase the amount authorized to be appropriated for development of this historic site by \$3,000,000 from \$1,273,000 to \$4,273,000.

The statutory ceiling of \$1,273,000 has nearly been reached. The \$3,000,000 increase includes \$1,500,000 for work necessary to prevent further deterioration of the historic structures, to repair damage to the structures, and in some cases to prevent their total loss. Such work would include correction of inadequate foundation conditions, repair of stone masonry walls, and dismantlement and reconstruction of walls in the 100-year-old-plus structures. Where advisable to avoid excessive manipulation of the historic fabric and also more economical, partial exterior restoration of some structures would be undertaken during stabilization. Budget requests for fiscal 1977 include \$655,000 for emergency stabilization not covered by the ceiling.

The remaining ceiling increase available after preservation to the resource would be for development of additional necessary visitor facilities and adaptive restoration of historic structures contemplated in the general management plan.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 20, 1976.

HON. JAMES A. HALEY,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives,
Washington, D.C.*

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 4525, a bill "To amend the Act of July 30, 1965 (79 Stat. 426), which authorized establishment of the Golden Spike National Historic Site to increase the appropriation authorization ceiling relating to that site."

We recommend against the enactment of the bill.

The Golden Spike National Historic Site was established pursuant to the Act of July 30, 1965 (79 Stat. 426), to preserve and interpret the site where the Nation's first transcontinental railroad was completed.

A visitors center now on the site has offered information services, a museum exhibit, and an audio-visual program to more than 500,000 visitors since 1968. In addition, two replica locomotives are displayed on a 4,000 foot reconstructed section of the old railroad. These locomotives which are similar to the original Jupiter and Rogers which met at Promontory Summit, Utah, on May 10, 1869, when the Golden Spike was driven to complete the railroad, are on loan from the State of Nevada, and are scheduled to be returned to the State early in 1976.

H.R. 4525 would amend section 3 of the Act of July 30, 1965, to increase from \$1,168,000 to \$5,422,000 the land acquisition and development appropriation authorization ceiling applying to the Golden Spike National Historic Site. This increase would permit construction of two replica locomotives and tenders similar to the original Jupiter and Rogers, a storage building to protect them from adverse weather, and 4,500 feet of historic tract, including restoration of 4,000 feet of grade, necessary to the occasional movement of the locomotives.

While these two locomotive replicas would enhance the significance of this historic event for the visitor, with the current unfunded development backlog in the parks nationwide, we cannot recommend an increase for this purpose at this time. We have an administrable unit in the present site that serves the visitor and additional developments are not essential.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

JOHN KYL,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 9, 1976.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 5136, a bill "To authorize the transfer of jurisdiction of certain lands in the National Park System located in Montgomery County, Maryland, and for other purposes."

We have no objection to the enactment of the bill.

H.R. 5136 would provide authority to permit the National Park Service to transfer to the Corps of Engineers approximately 1.41 acres of land which is now a part of the George Washington Memorial Parkway, in exchange for transfer from the Corps of Engineers of approximately 1.79 acres of land located in the Brookmount vicinity in Montgomery County, Maryland to become a part of the George Washington Memorial Parkway.

The U.S. Army Corps of Engineers requested this property to construct a shop complex which the Corps needs for maintenance facilities in connection with its responsibilities for the Washington Aqueduct. The Corps has in fact commenced these facilities. While the Office of the Solicitor of this Department has indicated that the Corps of Engineers could proceed with construction in the use of this park area land on the basis of the 1965 permit, we have no objection to specific legislation which would authorize such a transfer. The land is not necessary for our responsibilities at the George Washington Memorial Parkway, and we will obtain a parcel from the Corps which will make an attractive addition to the parkway lands and will provide for a straighter boundary.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

NATHANIEL P. REED,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 20, 1976.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to the request of your Committee for the views of this Department on H.R. 3183, a bill "To revise the boundary of Saguaro National Monument in the State of Arizona, and for other purposes."

We recommend that action on H.R. 3183 be deferred pending completion of a study on boundary revisions of both the east and west units of the Saguaro National Monument.

Section 1 of H.R. 3183 would revise the boundary of the west unit of the Saguaro National Monument, as depicted on a map entitled "Boundary Map, Saguaro National Monument, Pima County, Arizona." It would add approximately 10,200 acres to that unit, resulting in a monument comprising approximately 89,185 acres. About 2,960 of the additional acres would consist of a Conservation Easement Zone. The section also would authorize the Secretary of the Interior to make minor revisions in the boundary, and would provide for administration of the monument in accordance with the Act of August 25, 1916.

Section 2 of the bill would authorize the Secretary to acquire lands and interests therein within the expanded monument by any means he considers in the public interest. When acquiring property, by exchange, he would be authorized to utilize any Federal property under his jurisdiction in Arizona. Within the Conservation Easement Area, the Secretary could acquire scenic easements by condemnation only after he has attempted unsuccessfully to protect the lands through voluntary negotiation and has furnished at least sixty days notice to any party in interest of his intention to condemn. Where the cost of acquiring such scenic easements would exceed 25 percent of the cost of fee simple acquisition, the Secretary could acquire fee title and convey a freehold interest in it, retaining any interest he deems necessary to carry out the purposes of the Act.

This Department through the National Park Service is presently conducting a study of possible boundary revisions of both the east and west units of the Saguaro National Monument. This study and a review of the master plan for this National Monument will not be completed prior to the beginning of fiscal year 1977. Accordingly, this Department is not in a position to make substantive comments on H.R. 3183 at this time, and we recommend that action on H.R. 3183 or any revision of the boundary of the Saguaro National Monument be deferred until our study is completed.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

NATHANIEL P. REED,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., September 30, 1975.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on H.R. 2421, a bill "To increase an authorization of appropriations in order to complete the Mission 66 Bypass Road at Vicksburg, Mississippi."

We recommend that this bill be enacted, if amended as suggested herein.

H.R. 2421 would amend the Act of June 4, 1963 (Public Law 88-37) to increase the appropriation authorization from \$2,050,000 to \$3,550,000.

Public Law 88-37 authorized the Secretary of the Interior (a) to transfer certain lands to the City of Vicksburg, Mississippi; (b) to acquire not in excess of 554 acres of land or interest in lands for addition to Vicksburg National Military Park; and (c) to enter into agreements with officials of the City of Vicksburg and Warren County relative to the effect which the installation of a one-way park tour road with controlled access would have upon the existing local road systems, and to obligate the United States to make provisions for such alterations, relocations, and construction of local roads. Specifically, Public Law 88-37 provided that the Secretary would not, without first obtaining the consent of the city and county officials, convert the portion of the existing road known as Confederate Avenue, lying between Graveyard Road and Fort Garrott, into a one-way tour road with controlled access or otherwise limit the use of such portion by local traffic, until the United States provided for alterations, relocations, and construction of local roads (including procurement of rights-of-way).

Public Law 88-37 also authorized appropriations of not more than \$2,050,000 for acquisition of lands and interest in lands and for construction and relocation of roads. The legislative history indicates that of this amount, \$554,000 was for land acquisition, and \$1,516,000 was for alteration, relocation, and construction of local roads.

Pursuant to the authority provided in Public Law 88-37, the city of Vicksburg and the National Park Service entered into a Memorandum of Agreement in 1964, in which the city agreed, among other things, "To obtain necessary right-of-way at its expense and construct a road or street west of the Park (for which it will be reimbursed in an amount not exceeding \$1,000,000) generally paralleling Confederate Avenue and extending from City Cemetery Road to a point south of Fort Garrott and thereafter maintain it at no cost to the Federal Government." This project was known as the Mission 66 Road, and was to extend for about 2 miles.

The city has constructed approximately $1\frac{1}{4}$ miles of the Mission 66 Road and has been reimbursed for its expenditures totalling \$1 million as provided in the Agreement. The National Park Service has utilized the balance of the \$1,516,000 for alteration, relocation, and construction of other local roads as authorized by the Act. Approximately $\frac{1}{2}$ mile of the Mission 66 Road remains to be constructed.

In 1969, a supplemental Agreement was drawn between the National Park Service and the city wherein the city agreed to seek other means of funding the remaining road construction. The city officials have stated they have been unsuccessful in finding alternate sources for these funds.

The cost of constructing the Mission 66 Road has escalated so that our latest estimate for completing the road is an additional \$1.8 million. Accordingly, we recommend that H.R. 2421 be amended by changing "\$3,550,000" in line 8 to "\$3,850,000."

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

NATHANIEL P. REED,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C.

HON. JAMES A. HALEY,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This responds to the request of your Committee for the views of this Department on H.R. 11817, a bill "To amend the Act of August 31, 1964, to authorize the addition of certain lands to the Saint-Gaudens National Historic Site in the State of New Hampshire, and for other purposes."

We recommend the enactment of the bill, if it is amended as described herein.

H.R. 11817 would authorize the addition by donation, purchase or exchange of 64 acres of land to the Saint-Gaudens site.

Saint-Gaudens National Historic Site was authorized in 1964 to preserve the historically significant properties and collected works of Augustus Saint-Gaudens, provide for their enjoyment and study, and to permit presentation of appropriate art expositions, festivals and similar events at the site. The Act authorized acquisition of lands through donation or by purchase with donated funds, and limits acquisition to three acres in addition to the original 86 acres donated by the Saint-Gaudens Memorial group. The Act also authorized a development ceiling of \$210,000. To date, only \$65,000 of this development ceiling has been appropriated.

A private owner has proposed donating some of these 64 acres to the National Park Foundation. In addition, the Foundation has acquired certain historic lands adjacent to the park and is holding them for eventual acquisition by the park. The Department would want to reimburse this organization for its investment so that it may continue to invest funds in this and other conservation efforts. We estimate that the proposed land acquisition will cost about \$75,300 for a total of 63.28 acres.

Additionally, this bill would provide authority to exchange lands with State and local governments in order to provide for relocation of the park access road. This bill would also provide the authority for this Department to obtain an easement from the State where a brook and a pond presently within the park boundaries infringe upon the right-of-way of New Hampshire Route 12A.

The historic structures at the site have proven inadequate to properly exhibit the items of art in the collection or to properly safeguard them from the deteriorating effects of climate or from damage by insects, fire, vandalism and theft. The historic structures themselves need extensive work to prevent deterioration.

This Department recommends that the authorization ceiling for the site be increased from \$210,000 to \$602,000, to accomplish the proposed expansion of the site and to provide for the development and proper maintenance of the site. Accordingly, we recommend that subsection (2) of the bill be amended to provide for a ceiling increase to \$602,000.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

CURTIS BOHLEN,
Acting Assistant Secretary of the Interior.

CHANGES IN EXISTING LAW

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

ARCHES NATIONAL PARK ACT OF DECEMBER 12, 1971

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, not to exceed, however, ~~[\$125,000]~~ *\$275,000* for the acquisition of lands, and interests in lands and not to exceed \$1,031,800 (April 1970 prices, for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved herein. The sums authorized in this section shall be available for acquisition and development undertaken subsequent to the approval of this Act.

ASSATEAGUE ISLAND NATIONAL SEASHORE ACT OF SEPTEMBER 21, 1965

(79 Stat. 824), as amended (16 U.S.C. 459f)

SEC. 7. (a) In order that suitable overnight and other public accommodations on Assateague Island will be provided for visitors to the seashore, the Secretary shall select and set aside one or more parcels of land in Maryland having a suitable elevation in the area south of the island terminus of the Sandy Point-Assateague Island Bridge, the total of which shall not exceed six hundred acres, and the public use area on the Chincoteague National Wildlife Refuge now operated by the Chincoteague-Assateague Bridge and Beach Authority of the Commonwealth of Virginia, and shall provide or allow the provision of such land fill within the areas selected as he deems necessary to permit and protect permanent construction work thereon: *Provided*, That the United States shall not be liable for any damage that may be incurred by persons interested therein by reason of the inadequacy of the fill for the structures erected thereon.

(b) Within the areas designated under subsection (a) of this section the Secretary shall permit the construction by private persons to the seashore under such terms and conditions as he deems necessary in the public interest and in accordance with the laws relating to concessions within the national park system.

(c) The site of any facility constructed under authority of this section shall remain the property of the United States. Each privately constructed concession facility, whether within or outside of an area designated under subsection (a) of this section, shall be mortgageable, taxable, and subject to foreclosure proceedings, all in accordance with the laws of the State in which it is located and the political subdivisions thereof.

(d) The Secretary shall make such rules and regulations as may be necessary to carry out this section.

(e) Nothing in this section shall be deemed to restrict or limit any other authority of the Secretary relating to the administration of the seashore.]

SEC. 9. (a) The Secretary of the Interior is authorized and directed to construct and maintain a road from the Chincoteague-Assateague Island Bridge to the area in the wildlife refuge that he deems appropriate for recreation purposes.

(b) The Secretary of the Interior is authorized and directed to construct a road, and to acquire the necessary land and rights-of-way therefor, from the Chincoteague-Assateague Island Bridge to the Sandy Point-Assateague Bridge in such manner and in such location as he may select, giving proper consideration to the purpose for which the wildlife refuge was established and the other purposes intended to be accomplished by this Act.]

SEC. 11. There are hereby authorized to be appropriated the sum of not more than ~~[\$21,050,000]~~ *\$22,400,000* (including such sums, together with interest, as may be necessary to satisfy final judgments rendered against the United States) for the acquisition of lands and interests in land and such sums as may be necessary for the development of the area authorized under this Act.

SEC. 12. (a) *Within two years of the date of enactment of this section, the Secretary shall develop and transmit to the Committees on Interior and Insular Affairs of the Senate and the House of Representatives, a comprehensive plan for the protection, management and use of the Seashore, to include but not be limited to, the following considerations:*

(1) *measures for the full protection and management of the natural resources and natural ecosystems of the Seashore;*

(2) *present and proposed uses of the Seashore and the lands and waters adjacent or related thereto, the uses of which could reasonably be expected to influence the administration, use and environmental quality of the Seashore;*

(3) *plans for the development of facilities necessary and appropriate for visitor use and enjoyment of the Seashore, with identification of resource and user carrying capacities, along with the anticipated costs for all proposed development;*

(4) *plans for visitor transportation systems integrated and coordinated with lands and facilities adjacent to but outside of the Seashore; and*

(5) *plans for fostering the development of cooperative agreements and land and resource use patterns outside the Seashore which would be compatible with the protection and management of the Seashore.*

(b) *In conjunction with such comprehensive plan, the Secretary shall study and submit his recommendations with respect to compensation for Worcester County, Maryland, for any damages and other losses, including lost tax revenues, resulting from the repeal of sections 7 and 9 of the Act of September 21, 1965.*

(c) *Notwithstanding any other provision of law, no Federal loan, grant, license, or other form of assistance for any project which, in*

the opinion of the Secretary would significantly adversely affect the administration, use and environmental quality of the Seashore shall be made, issued, or approved by the head of any Federal agency without consultation with the Secretary and full consideration of his views, unless such project is consistent with the plan developed pursuant to this section.

BUFFALO NATIONAL RIVER ACT OF MARCH 1, 1972

(86 Stat. 44)

* * * * *

SEC. 7. For the acquisition of lands and interests in lands, there are authorized to be appropriated not more than **[\$16,115,000]** \$30,071,500. For development of the national river, there are authorized to be appropriated not more than \$283,000 in fiscal year 1974; \$2,923,000 in fiscal year 1975; \$3,643,000 in fiscal year 1976; \$1,262,000 in fiscal year 1977; and \$1,260,000 in fiscal year 1978. The sums appropriated each year shall remain available until expended.

CAPITOL REEF NATIONAL PARK ACT OF DECEMBER 18, 1971

(85 Stat. 739)

* * * * *

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, not to exceed, however, **[\$423,000]** \$2,173,000 for the acquisition of lands and interests in lands and not to exceed \$1,052,700 (April 1970 prices) for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein. The sums authorized in this section shall be available for acquisition and development undertaken subsequent to the approval of this Act.

FIRE ISLAND NATIONAL SEASHORE ACT OF SEPTEMBER 11, 1964

(78 Stat. 928)

* * * * *

SEC. 10. There is hereby authorized to be appropriated not more than **[\$16,000,000]** \$18,300,000 for the acquisition of lands and interests in land pursuant to this Act.

GULF ISLANDS NATIONAL SEASHORE ACT OF JANUARY 8, 1971

(84 Stat. 1967)

* * * * *

SEC. 11. There are authorized to be appropriated not more than **[\$3,120,000]** \$22,162,000 for the acquisition of lands and interests in lands and not more than \$14,779,000 (1970 prices) for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering costs indices applicable to the types of construction involved herein.

LINCOLN HOME NATIONAL HISTORIC SITE ACT OF AUGUST 18, 1971

(85 Stat. 347)

* * * * *

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not more than **[\$2,003,000]** \$3,059,000 (said sum shall include relocation assistance required by Public Law 91-646) for the acquisition of property, and not more than \$5,860,000 (February 1970 prices) for development of the area, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction cost as indicated by engineering cost indexes applicable to the types of construction involved herein.

MESA VERDE NATIONAL PARK ACT OF DECEMBER 23, 1963

(77 Stat. 473)

* * * * *

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than **[\$125,000]** \$193,233 as may be necessary to carry out the provisions of this Act.

NORTH CASCADES NATIONAL PARK AND LAKE CHELAN NATIONAL RECREATION AREA ACT OCTOBER 2, 1968

(82 Stat. 926)

* * * * *

SEC. 506. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than **[\$3,500,000]** \$4,500,000 shall be appropriated for the acquisition of lands or interest in lands.

SAINT-GAUDENS NATIONAL HISTORIC SITE ACT OF AUGUST 31, 1964

(78 Stat. 749)

* * * * *

SEC. 3. When the sites, structures, and other properties authorized for acquisition under the first section of this Act and endowment funds in the amount of \$100,000 have been transferred to the United States, the Secretary of the Interior shall establish the Saint-Gaudens National Historic Site by publication of notice thereof in the Federal Register. *Following such establishment the Secretary may acquire by donation, purchase with donated or appropriated funds, or exchange not to exceed sixty-four acres of lands and interests therein which he deems necessary for addition to the national historic site and which, when acquired, shall become a part of the site.*

* * * * *

SEC. 6. There are hereby authorized to be appropriated such sums, but not more than **[\$210,000]** \$2,677,000 for development, as may be necessary to carry out the purposes of this Act. *For the acquisition of lands or interests therein, there is authorized to be appropriated not to exceed \$80,000.*

SCOTTS BLUFF NATIONAL MONUMENT ACT OF JUNE 30, 1961

(75 Stat. 148)

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SEC. 3. There are authorized to be appropriated such sums, but not more than **[\$15,000]** *\$145,000*, as may be necessary for the acquisition of lands newly included within the boundaries of the monument as revised pursuant to this Act.

ANDREW JOHNSON NATIONAL HISTORIC SITE ACT OF DECEMBER 11, 1963

(77 Stat. 350)

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SEC. 3. There are authorized to be appropriated such sums, but not more than **[\$66,000]** *\$266,000* for acquisition, restoration, and development costs, as are necessary to carry out the purposes of this Act.

ARKANSAS POST NATIONAL MEMORIAL ACT OF JULY 6, 1960

(74 Stat. 334), as amended (80 Stat. 339)

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SEC. 3. There are hereby authorized to be appropriated such sums, but not more than **[\$550,000]** *\$2,750,000* as may be needed for the acquisition of lands and interests in lands and for development of the Arkansas Post National Memorial, of which not more than \$25,000 shall be used for acquisition purposes, and in addition thereto, such sums as may be needed for its administration and maintenance.

CHAMIZAL NATIONAL MEMORIAL ACT OF JUNE 30, 1966

(80 Stat. 232)

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SEC. 5. There are hereby authorized to be appropriated such sums, but not more than **[\$2,060,000]** *\$5,063,000*, for the development of the Chamizal National Memorial.

FORT LARNED NATIONAL HISTORIC SITE ACT OF AUGUST 31, 1964

(78 Stat. 748)

* * * * *

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than **[\$1,273,000]** *\$4,273,000* for acquisition and development costs, as are necessary to carry out the purposes of this Act.

GOLDEN SPIKE NATIONAL HISTORIC SITE ACT OF JULY 30, 1965

(75 Stat. 426)

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SEC. 3. There are hereby authorized to be appropriated such sums, but not more than **[\$1,168,000]** *\$5,422,000* as may be necessary for the

acquisition of land and interests in land and for the development of the Golden Spike National Historic Site pursuant to this Act.

JEFFERSON NATIONAL EXPANSION MEMORIAL NATIONAL HISTORIC SITE ACT OF MAY 17, 1954

(68 Stat. 98) as amended (16 U.S.C. 450jj)

* * * * *

SEC. 4. There is hereby authorized to be appropriated not to exceed **[\$23,250,000]** *\$32,750,000* to carry out the purposes of this Act shall be expended by the United States for construction of the memorial in the ratio of \$3 of Federal funds for each \$1 of money contributed hereafter by the city of Saint Louis or other non-Federal source for purposes of the memorial, and for such purposes the Secretary is authorized to accept from the said city or other non-Federal sources, and to utilize for purposes of this Act, any money so contributed: *Provided further*, That the value of any land hereafter contributed by the city of Saint Louis shall be excluded from the computation of the city's share.

VICKSBURG NATIONAL MILITARY PARK ACT OF JUNE 4, 1963

(77 Stat. 55)

* * * * *

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than **[\$2,050,000]** *\$3,350,000*, as are required for acquisition of lands and interests in lands and for construction and relocation of roads pursuant to this Act.

HISTORICAL EVENTS IN KANSAS ACT OF AUGUST 31, 1965 (79 STAT. 588), AS AMENDED (87 STAT. 456)

* * * * *

SEC. 4. In addition to those funds heretofore authorized and appropriated, there are authorized to be appropriated for the purposes of this Act not more than **[\$1,420,000]** *\$2,000,000*. Such sums, when appropriated, shall be available for planning, site rehabilitation, development, and marking of historic sites pursuant to the provisions of this Act.

PISCATAWAY PARK (75 STAT. 780), AS AMENDED (88 STAT. 1304)

* * * * *

SEC. 2. (c) Effective on the date of enactment of this Act, there is hereby vested in the United States all right, title and interest in, and the right to immediate possession of, all real property within the boundaries of the parcels designated A, B, C, and D, as shown on the drawing referenced in subsection 2(b). The United States will pay just compensation to the owners of any property taken pursuant to this subsection and the full faith and credit of the United States is hereby pledged to the payment of any judgment so entered against the United States. Payment shall be made by the Secretary of the Treasury from moneys available and appropriated from the Land and Water Con-

servation Fund, subject to the appropriation limitation contained in section 4 of this Act, upon certification to him by the Secretary of the Interior of the agreed negotiated value of such property, or the valuation of the property awarded by judgment, including interest at the rate of 6 per centum per annum from the date of taking to the date of payment therefor. In the absence of a negotiated settlement or an action by the owner within one year after the date of enactment of this Act, the Secretary may initiate proceedings at any time seeking a determination of just compensation in a court of competent jurisdiction. The Secretary shall allow for the orderly termination of all operations on real property acquired by the United States in [parcels A, B, C, and D] *parcels A, B, and C* of this subsection, and for the removal of equipment, facilities, and personal property therefrom: Provided, That in no event shall the Secretary allow operations at the Marshall Hall Amusement Park to continue beyond January 1, 1980. The Secretary shall, on lands acquired for the purposes of this park, implement a development plan which will assure public access to, and public use and enjoyment of, such lands. To further the preservation objective of this Act, the Secretary of the Interior may accept donations of scenic easements in the land within the area designated as "Scenic Protection Area" on the drawing referred to in subsection (b) of this section. The Secretary may also acquire by other appropriate means scenic easements in the area referred to in this subsection when, in his judgment, such action is necessary in order to assure uniform application of scenic control. To further achieve the purpose of this Act he may cooperate and enter into agreements and covenants with property owners, groups thereof, and nonprofit organizations and may also cooperate with the State of Maryland and the political subdivisions thereof in order to promote and achieve scenic preservation through zoning and such other means as may be feasible.

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PROVIDING FOR INCREASES IN APPROPRIATION CEILINGS AND
BOUNDARY CHANGES IN CERTAIN UNITS OF THE NATIONAL PARK
SYSTEM, AND FOR OTHER PURPOSES

August 20, 1976.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany H.R. 13713]

The Committee on Interior and Insular Affairs, to which was referred the Act (H.R. 13713) to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes, having considered the same, reports favorably thereon with amendments to the text and recommends that the Act, as amended, do pass.

The amendments are as follows:

1. Page 2, at the end of line 18, delete “\$3,120,000” and insert “\$3,462,000”.

2. Page 3, at the end of line 13, strike “\$145,000.” and insert in lieu thereof “\$145,000”.

3. Page 3, following line 13, insert two new subsections numbered (12) and (13) to read as follows:

(12) Canyonlands National Park, Utah: section 8 of the Act of September 12, 1964 (78 Stat. 934) as amended (85 Stat. 421) is further amended by changing \$16,000 to \$104,500; and

(13) Padre Island National Seashore, Texas: section 8 of the Act of September 28, 1962 (76 Stat. 650) is amended by changing \$5,000,000 to \$5,350,000.

4. Page 4, at the end of line 18, strike “and”.

5. Page 4, at the end of line 21, strike “3,850,000.” and insert in lieu thereof “\$3,850,000”.

6. Page 4, following line 21, insert two new subsections numbered (9) and (10) to read as follows:

(9) Channel Islands National Monument, California: paragraph (1) of section 201 of the Act of October 26, 1974 (88 Stat. 1445, 1446), is amended by changing "\$2,936,000" to "\$5,452,000"; and

(10) Nez Perce National Historical Park, Idaho: section 7 of the Act of May 15, 1965 (79 Stat. 110) is amended by changing "\$1,337,000" to "\$4,100,000".

7. Page 4, lines 23 through 25; Page 5, lines 1 through 25; and page 6, lines 1 through 19; strike all of the above and insert in lieu thereof the following:

SEC. 301. The Act of September 21, 1965 (79 Stat. 824), as amended, providing for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, is further amended—

(a) by deleting section 7 in its entirety and substituting in lieu thereof the following:

"SEC. 7. The Secretary is authorized to undertake, in consultation with other interested Federal, State, local, and private agencies and interests, the development of a comprehensive plan for the lands and waters adjacent or related to the seashore, the use of which could reasonably be expected to influence the administration, use, and environmental quality of the seashore. Such plan shall set forth the most feasible and prudent methods for providing solid waste disposal, wetlands managements, development of visitor facilities, and other land uses all in a manner compatible with the preservation of the seashore. The Secretary may revise the plan from time to time, and he shall encourage Federal, State, local, and private agencies and interests to be guided thereby. Notwithstanding any other provision of law, no Federal loan, grant license, or other form of assistance for any project which, in the opinion of the Secretary, would significantly affect the administration, use, and environmental quality of the seashore shall be made, issued, or approved by the head of any Federal agency without the concurrence of the Secretary unless such project is consistent with the plan developed pursuant to this section."

(b) by deleting section 9 in its entirety and by renumbering accordingly.

8. Page 9, line 8, delete "151-91,001-B, and dated May 1976" and insert "151-91,001-C, and dated July 1976".

9. Page, following line 19, insert eleven new sections to read as follows:

SEC. 308. (a) The Appomattox Court House National Historical Park shall hereafter comprise the area depicted on the map entitled "Boundary Map, Appomattox Court House National Historical Park", numbered 340-20,000, and dated November 1973, which is on file and available for public in-

spection in the offices of the National Park Service, Department of the Interior. The Secretary of the Interior (hereinafter referred to as the "Secretary") may revise the boundaries of the park from time to time by publication of a revised map or other boundary description in the Federal Register, but its total acreage shall not exceed one thousand five hundred acres.

(b) Within the boundaries of the park, the Secretary may acquire lands and interests in lands by donation, purchase with donated or appropriated funds, or exchange. Any lands or interests in lands owned by the State of Virginia or its political subdivisions may be acquired only by donation.

(c) The Secretary shall administer the park in accordance with the Acts of August 25, 1916 (39 Stat. 535), as amended and supplemented, and August 21, 1935 (49 Stat. 666) as amended.

(d) The Acts of June 18, 1930 (46 Stat. 777), August 13, 1935 (49 Stat. 613), and July 17, 1953 (67 Stat. 181), are repealed.

(e) There are authorized to be appropriated not to exceed \$1,365,000 to carry out the purposes of this Act.

SEC. 309. (a) That the Secretary of the Interior is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange approximately four thousand two hundred and thirty-four acres comprising part of the Canada de Cochiti Grant adjacent to the southern boundary of Bandelier National Monument, New Mexico, and approximately three thousand and seventy-six acres containing the headwaters of the Rito de los Frijoles adjacent to the northwestern boundary for addition to the monument. Lands and interests therein owned by the State of New Mexico or any political subdivision thereof may be acquired only by donation or exchange.

(b) Lands and interests therein acquired pursuant to this Act shall thereupon become part of Bandelier National Monument and subject to all laws and regulations applicable thereto.

(c) There are hereby authorized to be appropriated not to exceed \$1,463,000 for the acquisition of land.

SEC. 310. Buffalo National River, Arkansas: section 7 of the Act of March 1, 1972 (86 Stat. 44), is amended by deleting "For development of the national river, there are authorized to be appropriated not more than \$283,000 in fiscal year 1974; \$2,923,000 in fiscal year 1975; \$3,643,000 in fiscal year 1976; \$1,262,000 in fiscal year 1977; and \$1,260,000 in fiscal year 1978. The sums appropriated each year shall remain available until expended." and inserting in lieu thereof "For development of the national river, there are authorized to be appropriated not to exceed \$9,371,000."

SEC. 311. Edison National Historic Site, New Jersey: the Act of September 5, 1962 (76 Stat. 428), is amended (a) by deleting the words "accept the donation of" in section 2 and

substituting the words "acquire, by donation, or purchase with donated or appropriated funds,"; and (b) by adding the following new section:

"Sec. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed \$75,000 for acquisition of lands or interests therein, and \$1,695,000 for development."

Sec. 312. The Act of September 13, 1961 (75 Stat. 489), authorizing the establishment of the Fort Smith National Historic Site, Arkansas, is amended as follows:

(a) in the first section, after "adjoining" insert "or related" in the first sentence, and add the following after the second sentence: "The total area so designed for the purposes of this Act may not exceed seventy-five acres.";

(b) in section 2, change the colon at the end of the second sentence to a period and delete the remainder of the section (through the second proviso); and

(c) revise section 4 to read as follows:

"Sec. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, not to exceed, however, \$1,719,000 for land acquisition and not to exceed \$4,580,000 for the development of Fort Smith National Historic Site undertaken after the effective date of this section."

Sec. 313. (a) The first section of the Act entitled "An Act to add certain lands on the Island of Hawaii to the Hawaii National Park, and for other purposes", approved June 20, 1938 (52 Stat. 781), is amended by changing the period at the end of the proviso to a colon and inserting the following immediately thereafter: "*Provided further*, That notwithstanding the foregoing limitation the Secretary of the Interior may acquire for addition to the park any land on the Island of Maui within the boundaries of the area generally depicted on the map entitled 'Haleakala National Park, Segment 03,' numbered 162-30,000-G, and dated May 1972, by donation, purchase with donated or appropriated funds, or exchange. The map shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior."

(b) There is authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not to exceed \$920,000.

Sec. 314. The second sentence of subsection (e) of section 6 of the John F. Kennedy Center Act (72 Stat. 1698), as amended, is amended to read as follows: "There is authorized to be appropriated to carry out this subsection not to exceed \$4,000,000 for the fiscal year ending September 30, 1978, and not to exceed \$4,300,000 for the fiscal year ending September 30, 1979."

Sec. 315. The Act of September 18, 1964 (78 Stat. 957), entitled "An Act to authorize the addition of lands to Morristown National Historical Park in the State of New Jersey, and for other purposes", as amended by the Act of October 26,

1974 (88 Stat. 1447), is amended by changing "465 acres" in both places in which it appears in the first section to "600 acres."

Sec. 316. Oregon Dunes National Recreation Area, Oregon: The first sentence of section 15 of the Act of March 23, 1972 (86 Stat. 102; 16 U.S.C. 460z-13) is hereby amended to read as follows: "There are hereby authorized to be appropriated for the acquisition of lands, waters, and interests therein such sums as are necessary, not to exceed \$5,750,000."

Sec. 317. The boundary of the Pecos National Monument is hereby revised to include the area as generally depicted on the map entitled "Boundary Map, Pecos National Monument, New Mexico", numbered 430-20017, and dated December 1975, which map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

Sec. 318. The boundary of Zion National Park is hereby revised to include the area as generally depicted on the map entitled "Land Ownership Types, Zion National Park, Utah", numbered 116-80,003, which map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary of the Interior may acquire the property included by this section by donation only.

PURPOSE

H.R. 13713 would amend numerous authorizing Acts administered by the Secretary of the Interior and the Secretary of Agriculture. The bill is divided into three titles:

Title I increases the authorization ceilings for land acquisition within thirteen units of the National Park System;

Title II raises the limitations on funds which may be appropriated for development purposes in ten areas; and

Title III contains miscellaneous provisions to make boundary adjustments, repeal certain provisions of existing law, and increase the authorizations for certain other areas not covered in Titles I and II.

BACKGROUND AND NEED

Due to land escalation costs and inflated development costs, the current ceilings on the units within this omnibus bill are inadequate. This bill will provide the changes in authority needed to complete the land acquisition programs and development projects and will make various minor changes in the enacting legislation which have been found necessary by experience.

A brief discussion of each of the areas follows:

ANDREW JOHNSON NATIONAL HISTORIC SITE, TENN.

An increase of \$200,000 is proposed in the development ceiling authorized for this site which preserves the homes and offices once occupied by President Andrew Johnson.

Restoration work has proceeded on the house occupied by President Johnson from 1831 to 1851. Historical and archeological research revealed that restoration of the structure will require more work than originally anticipated. Funds appropriated as a result of this additional authorization would be expended on completing the restoration of the house, including some associated landscaping and the installation of electrical systems for operating both interpretive displays and security alarms.

APPOMATTOX COURT HOUSE NATIONAL HISTORICAL PARK, VA.

Three changes are proposed by this provision.

First, the boundary will be enlarged by approximately 505 acres with \$1,365,000 authorized for acquisitions.

Second, the Secretary is authorized to use appropriated funds for land acquisition. The area being considered for purchase remain today much as they were at the time of Lee's surrender to Grant. However, impending residential development threatens to intrude on the visitor's enjoyment and understanding of the historic scene.

Third, three previous Acts will be repealed by this comprehensive measure.

ARCHES NATIONAL PARK, UTAH

An acquisition ceiling increase of \$150,000 here will permit acquisition of the last 1,246 acres of private lands within the park. Increases in land values in the area since enactment of the authorization legislation in 1971 make this amendment necessary.

ARKANSAS POST NATIONAL MEMORIAL, ARK.

This national memorial commemorates the site of the first permanent French settlement in the lower Mississippi Valley founded in 1686. Enactment of an increase of \$2,175,000 in authorized funds for development would permit construction of a combined visitor center and administrative headquarters, additional trail systems and interpretive exhibits, expanded water and sewer systems, underground utility lines, and a duplex residence for employees.

ASSATEAGUE ISLAND NATIONAL SEASHORE, MD. AND VA.

Several changes are proposed for this national seashore, first authorized in 1965.

First, an increase of \$1,350,000 will be authorized for land acquisition in the area. This will permit completion of the acquisition program for the seashore.

Second, two sections of the original Act will be repealed, one of which authorized a road to be built along the island. The second section set aside some 600 acres on the island for concession developments. It is now generally agreed that such roads and developments would constitute a serious intrusion upon the unique natural qualities of the area.

Third, the Secretary is directed to prepare a comprehensive plan for the seashore and to transmit the plan to the Congress. In addition, the Secretary must concur in any action by another Federal agency which would have a significant adverse impact on the seashore.

BANDELIER NATIONAL MONUMENT, N. MEX.

This boundary change will enlarge the monument by 7,310 acres located in two separate tracts adjacent to the northwest and to the south of the existing boundary.

The southern tract, containing approximately 4,234 acres, is owned by the University of New Mexico and the National Park Service proposes to acquire this tract through exchange.

The northwest tract, containing approximately 3,076 acres of privately owned land, will have to be acquired through purchase. This tract contains the headwaters of the Rito de los Frijoles which continues into the existing monument.

The acquisition authorization of \$1,463,000 will be used to purchase the land located in the northwest tract.

BUFFALO NATIONAL RIVER, ARK.

This acquisition ceiling increase of \$13,956,000 will permit the purchase of the remaining 33,578 acres to be included in this area. Drastic increases in land prices in this area over the past four years will require this additional amount to be expended.

When the bill was enacted in 1972, it was anticipated that the land acquisition program would be completed within several years. This has not been the case, and because of the delay, the development funds which are programmed over a five-year period, running from 1974 through 1978, have almost lapsed.

Therefore, the Committee has provided that \$9,371,000, sum of the funds previously authorized in annual installments, shall be authorized to be appropriated for the development of the national river, without fiscal year restraints.

CANYONLANDS NATIONAL PARK, UTAH

This acquisition ceiling increase of \$88,500 will permit the purchase of an 80-acre inholding. In December, 1975, a jury awarded \$94,560 to the owners. A monthly interest of \$472.80 has been computed through September 30, 1976, and is included in the acquisition ceiling increase.

CAPITOL REEF NATIONAL PARK, UTAH

This acquisition authority increase of \$1,750,000 will permit completion of the remaining 848 acres of privately owned lands, leases, and improvements within the boundaries of Capitol Reef National Park. Recent activity on a mineral lease close to the main visitor use area of the park is causing some undesirable disturbance of the park scene. Acquisition of this lease is included in this increase.

CHAMIZAL NATIONAL MEMORIAL, TEX.

A development ceiling increase of \$3,003,000 for this memorial in El Paso, Texas, will allow further development of the area in accordance with the plans for the memorial. This increase will allow completion of the amphitheater, additional landscaping construction of administrative and maintenance facilities, and other work to be accomplished. An outstanding claim of a contractor arising from work previously completed will also be satisfied.

CHANNEL ISLANDS NATIONAL MONUMENT, CALIF.

A development ceiling increase of \$2,516,000 will allow the completion of the visitor center, headquarters site and related facilities on the mainland within the Ventura Marina.

In the 93rd Congress, \$2,936,000 was authorized for this development. Due to a refinement of the plans and inflation in the cost of materials and labor the earlier estimate needs to be increased.

COLORADO NATIONAL MONUMENT, COLO.

This boundary change would permit enlargement of the national monument by approximately 2,770 acres, most of which are currently under the jurisdiction of the Bureau of Land Management. The acquisition authorization of \$460,000 will permit approximately 700 acres of privately owned lands to be acquired.

EDISON NATIONAL HISTORIC SITE, N.J.

The Secretary will be authorized to acquire land with appropriated funds. A ceiling of \$75,000 is authorized for the acquisition of 1.39 acres which will allow space for a visitors center, and a ceiling of \$1,695,000 is authorized for development purposes.

Most of the land now within the site was donated by Thomas A. Edison Industries, Inc., more than 15 years ago with the understanding that an appropriate visitor center would be built as soon as possible.

FIRE ISLAND NATIONAL SEASHORE, N.Y.

This authorization increase of \$2,000,000 will permit the National Park Service to continue to acquire properties as necessary in the seashore. In some instances, this may be required to prevent incompatible developments from occurring on properties where zoning variances have been granted. In other cases, there may be opportunities to purchase inholdings in the seashore. The National Park Service is completing a master plan for the area. The Committee views this authorization increase as an interim measure to permit continued protection of the area until further recommendations can be made in accordance with the master plan.

FORT LARNED NATIONAL HISTORIC SITE, KANS.

This increase of \$3,000,000 in the authorized development ceiling at Fort Larned will permit restoration work to proceed on the historic structures on the site. In some cases, this is needed to prevent the total loss of certain historic buildings. There is also a need for visitor facilities to be developed as called for in the planning for this area.

FORT SCOTT, KANS.

The additional \$580,000 authorized for this non-federally owned area would permit further reconstruction of buildings associated with the site, as well as any interpretive markings as may be necessary.

FORT SMITH NATIONAL HISTORIC SITE, ARK.

Several changes are proposed for this site.

First, the total area will be increased by approximately 56 acres by means of acquisition in fee and easement, with an increase of \$1,400,000 in the acquisition ceiling. The Secretary is authorized to acquire lands "related" to the site which will allow the acquisition of lands not adjacent to the present boundary.

Second, the specific metes and bounds description of the present 18.5 acre site will be deleted.

Third, a development ceiling of \$4,580,000 will provide for the restoration of the court house, adaptive use of the jail for administration offices and a visitor center, pedestrian railroad-overpass, demolition of non-historic structures and other related activities.

GOLDEN SPIKE NATIONAL HISTORIC SITE, UTAH

This development increase of \$4,254,000 will be used to recreate the scene at Promontory Point when the transcontinental railroad was completed. Two replica locomotives will be the center of this development, which will also include a restored grade, sheltering facilities and other improvements.

GULF ISLANDS NATIONAL SEASHORE, FLORIDA AND MISSISSIPPI

An increase of \$18,700,000 is requested to complete the land acquisition program for this area. Some 3,044 acres remain to be acquired, primarily on Perdido Key in the Florida portion of the seashore. A causeway was constructed to this key from the mainland, and has greatly increased property values in the area. Acquisition of these lands is in accordance with the original authorizing legislation enacted in 1971.

HALEAKALA NATIONAL PARK, HAWAII

A new acquisition ceiling of \$920,000 will permit the clearing of title on 131.5 acres of land within the present boundary and 117 acres contiguous to the park.

The 1938 Act limits land acquisition to public and private donations, and although these lands are to be donated, the new acquisition authority will be used to perfect title on these lands before they are transferred to the park.

This provision will amend the 1960 Act, establishing the Haleakala National Park as a separate unit of the Hawaii National Park, to provide for acquisition funds, notwithstanding the limitations of the 1938 Act.

JEFFERSON NATIONAL EXPANSION MEMORIAL NATIONAL HISTORIC SITE, MO.

This increase of \$9,500,000 in development authorization for the memorial will allow completion of the development plan as proposed for the site. Remaining work to be done includes additional landscaping of the site, improvements to the visitor center, construction of maintenance facilities, pedestrian overpasses and walkways, and other work.

It should be noted that under the terms of the original Act for this area, each three dollars of Federal funds will be matched by one dollar from non-Federal sources.

JOHN F. KENNEDY CENTER, DISTRICT OF COLUMBIA

This section will extend the operation and maintenance authorization of the Center through fiscal year 1979.

The 1977 authorization of \$3.1 million will be increased to \$4 million for fiscal year 1978 and \$4.3 million for fiscal year 1979.

LINCOLN HOME NATIONAL HISTORIC SITE, ILL.

An increase in the acquisition ceiling of \$1,056,000 will permit the purchase of 2.2 acres within the existing boundary, and will complete the acquisition program for the site. The area to be acquired contains buildings present during the residency of President Lincoln, and are part of the historic scene of the neighborhood.

MESA VERDE NATIONAL PARK, COLO.

The proposed increase of \$68,233 in the land acquisition ceiling will permit acquisition of the final remaining parcel of private land, some 232 acres, within the existing park boundary. Land values have been increasing from 6 to 10 percent each year in the Mesa Verde area which necessitates the ceiling increase.

MONTGOMERY COUNTY, MD.

This section will authorize a land exchange between the National Park Service and the Corps of Engineers. Some 1.41 acres of land which are now a part of the George Washington Memorial Parkway will be exchanged for approximately 1.79 acres of land from the Corps of Engineers which will become a part of the parkway. The effect of this transfer would simply be a realignment of a segment of the parkway boundary, with no additional costs incurred.

MORRISTOWN NATIONAL HISTORICAL PARK, N.J.

This boundary change will enlarge the park by 130 acres. This addition of woods and farm lands will provide a buffer zone necessary to the continued preservation of the rustic integrity of the park. No additional authorization will be needed for the acquisition.

NEZ PERCE NATIONAL HISTORICAL PARK, IDAHO

The development ceiling will be increased by \$2,763,000 in order to proceed with the construction of park headquarters, visitor center, stabilization and restoration of historic buildings and maintenance facilities at Spalding, Idaho.

The present development ceiling of the 1965 Act is inadequate to meet current construction costs.

NORTH CASCADES NATIONAL PARK AND ROSS LAKE AND LAKE CHELAN
NATIONAL RECREATION AREAS, WASH.

An increase of \$1,000,000 is proposed for the land acquisition limitation on this national park and the associated recreation areas, and will be used to acquire some 1,508 acres of inholdings within the currently authorized area. This will permit acquisition of a number of patented mining claims, and will preclude any future development on these sites. A group of claims in the Thunder Creek Basin area of the park is currently being considered for development, and the increase in acquisition authority is needed to acquire the inholdings in this area at an early date.

OREGON DUNES NATIONAL RECREATION AREA, OREGON

An increase in the acquisition ceiling of \$3,250,000 will provide for the acquisition of additional private lands identified by the master plan, and necessary for the protection and management of the area by the Secretary of Agriculture. Since the recreation area was established in 1972, the property values have increased rapidly requiring the additional authorization.

PADRE ISLAND NATIONAL SEASHORE, TEXAS

An increase in the acquisition ceiling of \$350,000 will provide for the purchase of approximately 274 acres of private lands south of and adjacent to Mansfield Channel. This site will provide for visitor access to the national seashore from the south, including a visitor contact station, interpretive center and ferry service across the Channel.

PECOS NATIONAL MONUMENT, N. MEX.

This boundary change will enlarge the monument by approximately 23.5 acres. The 20-acre addition will incorporate into the monument the remaining portion of the Forked Lightning Ruin from the Classic Pueblo period. The second addition of 3.5 acres will provide access to a proposed maintenance and employee quarters. Both of these tracts will be acquired by donation.

PISCATAWAY PARK, MD.

This change is a technical amendment to resolve a misunderstanding that has arisen from the Act in the 93rd Congress which authorized additions to the Piscataway Park. The National Park Service presently intends to terminate the operation of the marina. In reviewing the history of the legislation, it is apparent that there was no intent on the part of the Committee to force the closure of this facility. The concern of the Congress in this case is to protect the view from Mount Vernon. While an expansion of the marina, which would alter the appearance of this area, would not be acceptable, there is certainly no reason why the existing facility could not continue to provide a worthwhile service in the area. This amendment to the law is designed to

permit the continued operation of the marina. Any measures, such as repainting with an unobtrusive color, which the National Park Service can take to reduce the prominence of the marina as viewed from Mount Vernon would be in keeping with the purposes of the Act.

SAGUARO NATIONAL MONUMENT, ARIZ.

This boundary change adds approximately 5,373 acres to the Tucson Mountains unit of the monument. This unit of the National Monument is noted for its vigorous saguaro cactus forest and related plant and animal communities typical of the Sonoran Desert. The additional lands offer needed protection along the northern and eastern boundaries of the unit.

In addition, the boundary change reflects the deletion of approximately 775 acres from the East Unit of the monument. The deletion includes private lands which have been developed to such an extent that the acquisition of those inholdings is unjustified.

An authorization of \$1,700,000 is made in order to acquire the lands added by the boundary adjustment. A substantial percentage of the newly authorized area is already in Federal ownership under the administration of the Bureau of Land Management.

SAINT-GAUDENS NATIONAL HISTORIC SITE, N.H.

Three changes are made to this historic site.

First, a boundary change is made to the site adding approximately 64 acres to the existing 86-acre park.

Second, \$80,000 is authorized to be appropriated for the acquisition of the additional lands. Some of this area is currently protected by the National Park Foundation which will be reimbursed for its investment in these lands.

Third, an additional \$2,467,000 is authorized beyond the existing statute for development purposes in the area. This will permit construction of proper facilities to store and protect the art collection, to improve its display, and to better provide for the special events and exhibits which have played an important role in the maintenance of the site as a living memorial to the sculptor.

SCOTTS BLUFF NATIONAL MONUMENT, NEBR.

The additional \$130,000 authorization for land acquisition made by this amendment will permit the completion of the land purchase needs of the area. Some 171.9 acres currently in agricultural usage, but threatened by encroaching urban development, will be acquired.

VICKSBURG NATIONAL MILITARY PARK, MISS.

This increase of \$1,800,000 in the present development ceiling will permit completion of a bypass road around the park in accordance with existing law. This will permit the conversion of internal roads in the park to one-way interpretive roads, and divert local commuter traffic out of the park itself. This will fulfill the commitment made by the Congress in 1963 to provide for these changes in the area.

ZION NATIONAL PARK, UTAH

This boundary change will include the addition of 2.39 acres of donated land and the deletion of 8.13 acres.

The donated acres by the Zion National History Association are located at the south entrance of the park. The land to be deleted is separated from the park by Utah Highway 15, creating management difficulties. This tract will be transferred to the Utah State Road Commission.

LEGISLATIVE HISTORY

H.R. 13713 passed the House on June 8, 1976. The Subcommittee on Parks and Recreation held a hearing on H.R. 13713 including Senate companion measures and additional legislation on July 26, 1976. The provisions of the following Senate measures were considered during that hearing:

1. S. 1133—Golden Spike National Historic Site (Moss and Garn).
2. S. 1510—Andrew Johnson National Historic Site (Brock).
3. S. 2257—Edison National Historic Site (Case).
4. S. 2325—Gulf Islands National Seashore (Chiles and Stone).
5. S. 2904—Buffalo National River (Bumpers).
6. S. 2984—Bandelier National Monument (Domenici and Montoya).
7. S. 3012—Colorado National Monument (Haskell).
8. S. 3116—Haleakala National Park (Administration).
9. S. 3373—Nez Perce National Historic Park (Church and McClure).
10. S. 3410—Morristown National Historical Park (Case and Williams).
11. S. 3560—John F. Kennedy Center (Administration).

As referred to the Senate, H.R. 13713 contains four measures which have been passed by the Senate this Congress with similar provisions:

1. S. 82 —Assateague Island National Seashore (Mathias and Beall); passed June 4, 1975.
2. S. 867 —Fire Island National Seashore (Javits); passed April 7, 1976.
3. S. 1516—Arkansas Post National Memorial (Bumpers and McClellan); passed October 21, 1975.
4. S. 2158—Mission 66 Bypass Road at Vicksburg, Mississippi (Eastland and Stennis); passed December 1, 1975.

COMMITTEE RECOMMENDATION

The Senate Committee on Interior and Insular Affairs, in open business session on August 5, 1976, by unanimous vote of a quorum present recommends that the Senate pass H.R. 13173 if amended, as described herein.

COMMITTEE AMENDMENTS

Prior to ordering H.R. 13713 reported, the Committee agreed to a number of amendments, listed earlier in the report, in the nature of additions and technical corrections.

- (1) Reflects the most current acquisition ceiling figure.
- (2) Technical amendment.
- (3) Adds two additional units to Title I which require an increase in the acquisition ceiling:
 - Canyon Lands
 - National Park, Utah
 - Padre Island National Seashore, Texas
- (4) Technical amendment.
- (5) Technical amendment.
- (6) Adds two additional units to Title II which require an increase in the development ceiling:
 - Channel Islands National Monument, California
 - Nez Perce National Historical Park, Idaho
- (7) Strikes the House language amending the Assateague Island National Seashore and inserts the Senate language of S. 82, Assateague Island National Seashore, passed on June 4, 1975.
- (8) The new map reference reflects the deletion of approximately 775 acres of private land from the boundary of the monument.
- (9) Adds 11 new sections to Title III as follows:
 - Sec. 308—Appomattox Court House National Historical Park, Virginia.
 - Sec. 309—Bandelier National Monument, New Mexico.
 - Sec. 310—Buffalo National River, Arkansas.
 - Sec. 311—Edison National Historic Site, New Jersey.
 - Sec. 312—Fort Smith National Historic Site, Arkansas.
 - Sec. 313—Haleakala National Park, Hawaii.
 - Sec. 314—John F. Kennedy Center, District of Columbia.
 - Sec. 315—Morristown National Historical Park, New Jersey.
 - Sec. 316—Oregon Dunes National Recreation Area, Oregon.
 - Sec. 317—Pecos National Monument, New Mexico.
 - Sec. 318—Zion National Park, Utah.

SECTION-BY-SECTION ANALYSIS

Section 101 authorizes increased appropriation ceilings for land acquisition programs at thirteen park units: Arches National Park, Utah; Assateague Island National Seashore, Maryland and Virginia; Buffalo National River, Arkansas; Capitol Reef National Park, Utah; Fire Island National Seashore, New York; Gulf Islands National Seashore, Florida and Mississippi; Lincoln Home National Historic Site, Illinois; Mesa Verde National Park, Colorado; North Cascades National Park and Ross Lake and Lake Chelan National Recreation Areas, Washington; Saint-Gaudens National Historic Site, New Hampshire; Scotts Bluff National Monument, Nebraska; Canyonlands National Park, Utah; and Padre Island National Seashore, Texas.

Section 201 authorizes increased appropriation ceilings for development purposes at ten park units: Andrew Johnson National Historic Site, Tennessee; Arkansas Post National Memorial, Arkansas; Chamizal National Memorial, Texas; Fort Larned National Historic Site, Kansas; Golden Spike National Historic Site, Utah; Jefferson National Expansion Memorial National Historic Site, Missouri;

Saint-Gaudens National Historic Site, New Hampshire; Vicksburg National Military Park, Mississippi; Channel Islands National Monument, California; and Nez Perce National Historical Park, Idaho.

Section 301 repeals two sections of the Act which authorized Assateague Island National Seashore. Section 7 directed the Secretary to set aside some 600 acres on the island to be used for the development of public accommodations. Section 9 directed a road to be authorized along the island to connect the two access bridges. The Committee recognized that heavy development on this fragile barrier island would have severely compromised the significant natural features of the area.

A new section 7 is added to the Act which directs the preparation of a comprehensive master plan by the Secretary to be submitted to the Interior Committees of the Congress.

Section 302 authorizes the addition of 2,800 acres to Colorado National Monument, and authorizes up to \$460,000 to be appropriated for land acquisition purposes.

Section 303 authorizes an increase of \$580,000 in the funds which may be appropriated for the development of certain historic properties, including Fort Scott in Kansas.

Section 304 provides for a no-cost land exchange between the Departments of the Interior and Army along the George Washington Memorial Parkway in Montgomery County, Maryland.

Section 305 is a clarifying amendment which provides that the Fort Washington Marina in Piscataway Park, Maryland, continue in operation.

Section 306 authorizes the acquisition of an additional 64 acres of land at the Saint-Gaudens National Historic Site in New Hampshire.

Section 307 revised the boundary of the Saguaro National Monument to include additional lands for the Tucson Mountains unit and excludes 775 acres from the East Unit. The Secretary is permitted full authority to acquire the lands in the monument, and is directed to administer the area in accordance with the organic Act for the National Park Service. A limitation of \$1,700,000 is placed on funds which may be appropriated to acquire the additional lands.

Section 308 authorizes the use of appropriated funds to acquire 505 additional acres for the Appomattox Court House National Historical Park. A limitation of \$1,365,000 is placed on funds which may be appropriated to acquire the additional lands. This section also repeals three previous acts which are superseded by this section.

Section 309 permits the use of appropriated funds to acquire 7,310 acres outside the existing boundary of the Bandelier National Monument. A limitation of \$1,463,000 is placed on funds which may be appropriated to acquire the additional lands.

Section 310 substitutes revised language for the use of development funds for the Buffalo National River.

Section 311 permits the use of appropriated funds for land acquisition. A ceiling of \$75,000 for acquisition and a ceiling of \$1,695,000 for development is provided by a new section to the Edison National Historic Site Act.

Section 312 removes the proximity restriction on lands which may be included within the boundary of Fort Smith National Historic Site. It authorizes an additional 56 acres to be acquired. Up to \$1,719,000

is authorized for land acquisition and \$4,580,000 for development. The metes and bounds description is deleted on the present 18.5 acres.

Section 313 permits the use of appropriated funds for land acquisition in Haleakala National Park. A limit of \$920,000 is authorized for this purpose.

Section 314 extends the operation and maintenance authorization for the Kennedy Center through fiscal year 1979.

Section 315 adds 135 acres to the boundary of Morristown National Historical Park.

Section 316 increases the acquisition ceiling for Oregon Dunes National Recreation Area by \$3,250,000.

Section 317 adds 23.5 acres to the boundary of Pecos National Monument by means of a new map reference.

Section 318 revises the boundary of the Zion National Park by including 2.39 acres and deleting 8.13 acres as depicted by the new map reference.

COST AND BUDGETARY CONSIDERATIONS

The total increases in authorized ceilings on land acquisition amount to \$63,911,733; the total increases for development authorization ceilings are \$38,533,000; and the total funding for the operation and maintenance functions at the John F. Kennedy Center is \$8.3 million through fiscal year 1979. Individual authorizations are shown in the brief discussion for each individual unit.

Land acquisition funds authorized by H.R. 13713, as amended, will be appropriated from the Land and Water Conservation Fund. The actual appropriations will probably occur over a period of several fiscal years, as the National Park Service proceeds with its land acquisition program.

Development appropriations authorized here are also expected to be appropriated over an extended term. Development funding has customarily been a small part of National Park Service budgets. The authorizations in this case do identify approved projects and in many cases includes stabilization work necessary to prevent further deterioration of historic structures. No significant impact on the budget is expected to occur as a result of this legislation.

H.R. 13713 includes a provision extending the operation and maintenance functions at the Kennedy Center through fiscal year 1979. The authorization includes \$4 million for fiscal year 1978 and \$4.3 million for fiscal year 1979. Because the present authorization runs out at the end of fiscal year 1977, this provision is necessary for those continuing functions at the Center.

EXECUTIVE COMMUNICATIONS

The pertinent legislative reports and communications received by the committee from the Department of the Interior setting forth Executive agency recommendations relating to H.R. 13713 and on the various separate measures which have been combined to make up H.R. 13713 are set forth below:



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUL 23 1976

Dear Mr. Chairman:

This responds to the request of your Committee for the views of this Department on H.R. 13713, as passed by the House, an Act "To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes."

We recommend the enactment of this bill, if it is amended as recommended herein.

The following is an analysis of the provisions of H.R. 13713 by park area:

Arches National Park, Utah

Section 101(1) of the bill proposes an increase in the authorization ceiling for land acquisition from \$125,000 to \$275,000.

Andrew Johnson National Historic Site, Tennessee

Section 201(1) of the bill proposes an increase in the authorization ceiling for development from \$66,000 to \$266,000.

Arkansas Post National Memorial, Arkansas

Section 201(2) of the bill proposes an increase in the authorization ceiling for development from \$550,000 to \$2,750,000.

We oppose this increase in the development ceiling for the memorial at this time and recommend that this provision be deleted from the bill.

Assateague Island National Seashore, Maryland

Section 101(2) of the bill proposes an increase in the authorization ceiling for land acquisition from \$21,050,000 to \$22,400,000. The bill repeals the authorization for a road on the island and overnight facilities. It also requires the adoption of a comprehensive plan for the lands and waters adjacent to the seashore, and requires consultation with the Secretary of the Interior concerning projects that would adversely affect the seashore.

We recommend that the provisions of H.R. 13713 concerning Assateague Island be amended by deleting them and inserting the language of S. 82, as passed by the Senate on June 4, 1975. We believe that the provisions of S. 82, although similar to H.R. 13713, are better and provide more protection for the island. Specifically, the language of S. 82 requires the concurrence of, not just consultation with, the Secretary concerning projects which would adversely affect the seashore.

Buffalo National River, Arkansas

Section 101(3) of the bill would increase the authorization ceiling for acquisition of land from \$16,115,000 to \$30,071,500.

Capitol Reef National Park, Utah

Section 101(4) of the bill would increase the authorization ceiling for acquisition of land from \$423,000 to \$2,173,000.

We recommend that this subsection be amended to increase the authorization ceiling from \$423,000 to \$1,423,000, an increase of \$1,000,000.

The original cost estimate for this area was prepared in 1969. No funds, however, were included for minerals or for the acquisition of outstanding mineral interests for State mineral leases. State of Utah mineral lease interests existed at the time the State transferred some of its lands to the National Park Service. This cost estimate includes funds to acquire or extinguish such mineral interests.

Overall inflationary influences, increased raw land demand, effects of energy crisis speculation in mineralized areas and acquisition of State mineral leased interests have combined to require an increase of \$1,000,000 to the existing statutory ceiling.

Chamizal National Memorial, Texas

Sections 201(3) of the bill would increase the authorization ceiling for development from \$2,060,000 to \$5,063,000.

Colorado National Monument, Colorado

Section 302 of the bill would authorize a new boundary map to be published to include an additional 2,800 acres in the monument and provide an acquisition ceiling of \$460,000 for the acquisition of this addition.

Fire Island National Seashore, New York

Section 101(5) of the bill would increase the authorization ceiling for land acquisition from \$16,000,000 to \$18,000,000.

We recommend that this subsection be deleted from the bill and that any increase in the authorization ceiling for Fire Island be deferred pending the completion of a master plan for the seashore.

The master plan and environmental impact statement, in draft form, are now ready for review by the public. Until this comprehensive review is completed and the National Park Service is able to make specific recommendations, we do not know if additional funding will be necessary for land acquisition. Accordingly, we believe that the authorization of appropriation of an additional \$2 million for land acquisition, as proposed in this bill, would be premature.

Fort Larned National Historic Site, Kansas

Section 201(4) of the bill would increase the authorization ceiling for development from \$1,273,000 to \$4,273,000.

Fort Scott Historic Area, Kansas

Section 303 of the bill would increase the current authorization ceiling for development to \$2,000,000.

Funds appropriated for acquisition and development under separate earlier authorizations enacted in 1965 and 1973, through fiscal year 1976 amount to a total of \$1,606,758, leaving a balance of authorized funds that have not been appropriated of \$618,942. Only \$377,500 needs to be appropriated to accomplish the work envisioned in the 1965 Act, as amended, which established the site. Thus, no authorization increase is necessary. When the programmed development is completed, we estimate that the sum of \$241,442 will be available under the existing authorization for such additional work as may be needed in the future.

Accordingly, we believe that the existing authorization is adequate for the Fort Scott project at this time and we recommend that this subsection be deleted from the bill.

Golden Spike National Historic Site, Utah

Section 201(5) of the bill would increase the authorization ceiling for development from \$1,168,000 to \$5,422,000.

We oppose this increase in the ceiling authorization and we recommend that this subsection be deleted from the bill. The proposed authorization increase would permit construction of two replica locomotives and tenders similar to the original Jupiter and Rogers, a storage building to protect them from adverse weather, and 4,500 feet of historic tract, including restoration of 4,000 feet of grade, necessary to the occasional movement of the locomotives.

While these two locomotive replicas would enhance the significance of this historic event for the visitor, with the current unfunded development backlog in the parks nationwide, we cannot recommend an increase for this purpose at this time. We have an administrable unit in the present site that serves the visitor and additional developments are not essential.

Gulf Islands National Seashore, Florida and Mississippi

Section 101(6) of the bill would increase the authorization ceiling for land acquisition from \$3,120,000 to \$22,162,000.

This ceiling increase would be necessary to buy the remaining private lands within the boundaries of the Seashore. The remaining private holdings consists of:

1. Tracts on the eastern half of Perdido Key, an island off Pensacola, Florida, 537 acres, estimated cost \$17,556,000.
2. Tracts on three islands off the coast of Mississippi, roughly 60 miles west of the remainder of the Seashore, 2,504 acres, estimated cost \$1,144,000.

The cost of the tracts on Perdido Key has risen spectacularly since passage of the authorizing legislation in January 1971. This is as a result of general land price escalation in the Pensacola area, and also specifically because of a causeway recently built from the mainland to the Key. We believe that the present cost of acquisition of private lands on Perdido Key—roughly \$33,000 per acre—is excessive. We thus oppose an increase in the authorization ceiling to provide for further land acquisition on Perdido Key.

We recommend that this subsection be amended to increase the authorization ceiling from \$3,462,000 to \$4,606,000, an increase of \$1,144,000 which will provide for acquisition of the Mississippi Islands.

Jefferson National Expansion Memorial National Historic Site, Missouri

Section 201(6) of the bill would increase the ceiling authorization for development from \$23,250,000 to \$32,750,000.

We oppose this increase in the authorization ceiling and we recommend that this subsection be deleted from the bill.

Lincoln Home National Historic Site, Illinois

Section 101(7) of the bill would increase the authorization ceiling for land acquisition from \$2,003,000 to \$3,059,000.

This ceiling increase is proposed so that appropriations may be made to acquire an additional 2.20 acres of privately owned land within the existing site boundary. We oppose this ceiling increase for the following reasons: (1) the additional \$1,056,000 is an excessive amount to pay for the remaining 2.20 acres in terms of its value to the historic site; (2) at present, the historic site is functioning adequately without the acquisition of these tracts; and (3) the original agreement with the City of Springfield, whereby the City stated its intention to acquire these lands may yet be accomplished if the City can find other sources of acquisition funds. Thus, we recommend that this subsection be deleted from the bill.

Mesa Verde National Park, Colorado

Section 101(8) of the bill would increase the authorization ceiling for land acquisition from \$125,000 to \$193,233.

Montgomery County, Maryland

Section 304 of the bill would provide authority to permit the National Park Service to transfer to the Corps of Engineers approximately 1.41 acres of land which is now a part of the George Washington Memorial Parkway, in exchange for transfer from the Corps of Engineers of approximately 1.79 acres of land located in the Brookmont vicinity in Montgomery County, Maryland to become a part of the George Washington Memorial Parkway.

North Cascades National Park, Washington

Section 101(9) of the bill would increase the authorization ceiling for land acquisition from \$3,500,000 to \$4,500,000.

Piscataway Park, Maryland

Section 305 of the bill would specifically delete Parcel D (the Fort Washington Marina at Piscataway Park) from the phase out requirements of Public Law 93-444.

It is the opinion of the Solicitor of this Department that the provisions of Public Law 93-444, enacted on October 15, 1974, provide that the operations at Fort Washington Marina should be terminated in an orderly manner. Accordingly, this Department had proposed to phase out the marina. In the House Report (No. 94-1162) the House Committee stated that there was no intent on the part of the Committee to force the closure of this facility in Public Law 93-444. This Department does not object to this subsection of the bill and it welcomes action by the Congress to clarify the status of the marina operation.

Saguaro National Monument, New Mexico

Section 307 of the bill would provide for an authorization of \$1,700,000 for the acquisition of approximately 5,373.11 acres of land, consisting of 1,700.06 acres of Federal land, approximately 1,310.67 acres of State land, and approximately 2,362.38 acres of private land.

In our February 20, 1976 report to the House Committee, this Department recommended that action be deferred on this proposal pending the completion of a study on boundary revisions of both the east and west units of the monument. This study has now been completed. We believe that this proposed addition to the monument will provide a dramatic view at the eastern entrance to this unit of the monument, protect the scenic values from being spoiled by obtrusive development, and preserve an ecologically important watershed and a vigorous saguaro forest now vulnerable to development. Accordingly, we recommend the addition of these areas to the monument.

We would propose an amendment to this section however, which would delete certain acreage from the authorized boundary. The draft master plan proposes that certain portions of the East Unit of the monument be deleted from the authorized boundary. These are private lands now authorized to be included in the monument and consist of 640 acres in Section 8, Township 14 South, Range 16 East, and 135 acres lying west of the Old Spanish Trail (Pistol Hill Road) in Section 5, T. 15 S., R. 16 E. These lands are highly developed with numerous residences and one commercial restaurant and bar.

In view of this development, we do not believe the National Park Service is justified in pursuing acquisition of these inholdings. These developed portions of the monument are a continuing source of confusion to residents and visitors as to the extent of the monument. A recent review of this situation reaffirms this proposal. Accordingly, we recommend that Section 307 be amended to delete line 8 in its entirety and insert in lieu thereof "151-91,001-C, and dated July 1976, which map shall be". This new map reference will accomplish this boundary change and provide an expanded boundary for the additions to the monument which are proposed in Section 307.

Saint-Gaudens National Historic Site, New Hampshire

Section 101(10) of the bill would provide an authorization for land acquisition not to exceed \$80,000. Section 201(7) of the bill would increase the authorization ceiling for development from \$210,000 to \$2,677,000. Section 306 of the bill would authorize the acquisition of 64 acres for addition to the historic site.

Saint-Gaudens National Historic Site was authorized in 1964 to preserve the historically significant properties and collected works of Augustus Saint-Gaudens, provide for their enjoyment and study, and to permit presentation of appropriate art expositions, festivals and similar events at the site. The Act authorized acquisition of lands through donation or by purchase with donated funds, and limits acquisition to three acres in addition to the original 86 acres donated by the Saint-Gaudens Memorial group. The Act also authorized a development ceiling of \$210,000. To date, only \$65,000 of this development ceiling has been appropriated.

A private owner has proposed donating some of these 64 acres to the National Park Foundation. In addition, the Foundation has acquired certain historic lands adjacent to the park and is holding them for eventual acquisition by the park. The Department would want to reimburse this organization for its investment so that it may continue to invest funds in this and other conservation efforts. We estimate that the proposed land acquisition will cost about \$75,300 for a total of 63.28 acres.

The historic structures at the site have proven inadequate to properly exhibit the items of art in the collection or to properly safeguard them from the deteriorating effects of climate or from damage by insects, fire vandalism and theft. The historic structures themselves need extensive work to prevent deterioration.

This Department recommends that the authorization ceiling for the site be increased from \$210,000 to \$602,000, to accomplish the proposed expansion of the site and to provide for the development and proper maintenance of the site. Accordingly, we recommend that subsection 201(7) of the bill be amended to provide for a ceiling increase to \$602,000 for development.

Scotts Bluff National Monument, Nebraska

Section 101(11) of the bill would increase the authorization ceiling for land acquisition from \$15,000 to \$145,000.

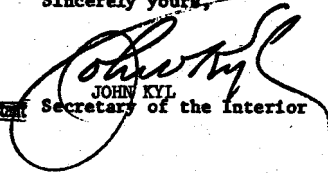
Vicksburg National Military Park, Mississippi

Section 201(8) of the bill would increase the authorization ceiling for development from \$2,050,000 to \$3,850,000.

Attached is a comparison of the dollar amounts for land acquisition and development, area-by-area, in H.R. 13713 and the Administration recommendations.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,


JOHN K. L.
Assistant Secretary of the Interior

Honorable Henry M. Jackson
Chairman, Committee on Interior
and Insular Affairs
United States Senate
Washington, D. C. 20510

Summary Comparison

Areas	H.R. 13713	Administration Position
<u>Acquisition Ceiling Increases:</u>		
Arches NP	150,000	150,000
Assateague Islands NS	1,350,000	1,350,000
Buffalo NR	13,956,500	13,956,500
Capitol Reef NP	1,750,000	1,000,000
Fire Island NS	2,000,000	0
Gulf Islands NS	18,700,000	1,144,000
Lincoln Home NM	1,056,000	0
Mesa Verde NP	68,233	68,233
North Cascades NP	1,000,000	1,000,000
Saint Gaudens NHS	80,000	80,000
Scotts Bluff NM	130,000	130,000
Colorado NM	460,000	460,000
Saguaro NM	1,700,000	1,700,000
<u>Development Ceiling Increases:</u>		
Andrew Johnson NHS	200,000	200,000
Arkansas Post NM	2,200,000	0
Chamizal NM	3,003,000	3,003,000
Fort Larned NM	3,000,000	3,000,000
Golden Spike NM	4,254,000	0
Jefferson NEM	9,500,000	0
Saint Gaudens NHS	2,467,000	392,000
Vicksburg NMP	1,800,000	1,800,000
Totals	68,824,733	29,433,733



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUN 21 1976

Dear Mr. Chairman:

Your Committee has requested the views of this Department on S. 1510, a bill "To increase the appropriation authorization relating to the Andrew Johnson National Historic Site, and for other purposes."

We recommend that this bill be enacted.

S. 1510 would amend the Act of December 11, 1963, to increase the authorized appropriation for acquisition, restoration, and development of the parcel known as the "1831 house" from \$66,000 to \$266,000.

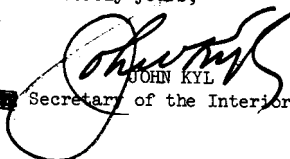
The Andrew Johnson National Historic Site was first authorized as the Andrew Johnson Homestead National Monument by the Act of August 29, 1935, which contained no appropriation limitation. The monument was established by Presidential Proclamation No. 2554 of April 27, 1942. It included the Andrew Johnson Homestead where Johnson lived from 1851 to 1875, the Andrew Johnson Tailor Shop where he worked prior to his political career, and the Andrew Johnson National Cemetery where he is buried.

The 1963 Act changed the designation of the area to a national historic site and added the historic house across the street from the tailor shop, where Johnson lived from 1831 to 1851. That legislation contained a ceiling of \$66,000, for acquisition, restoration, and development costs relating to the 1831 house, which has essentially been expended. Acquisition costs were \$49,200, a parking lot was constructed for \$5,200 and interim restoration of the exterior of the building was accomplished for about \$8,800, these expenditures totaling about \$63,200. The remainder of the ceiling has been programmed to complete the necessary historic and architectural research.

This necessary research had not been completed in 1963, when we had estimated restoration of the house to cost about \$10,000. The completed research has revealed that restoration of the interior of the building will be more extensive than originally anticipated. Construction and labor costs have also risen dramatically since 1963, thus increasing our estimate of the restoration and associated landscaping, and miscellaneous site work. Electrical installations are also necessary for purposes of operating interpretive devices and security alarms. The National Park Service estimates for accomplishing this plan indicate that the cost will approximate the \$200,000 increase that would be authorized in the bill.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,


JOHN KYL
Assistant Secretary of the Interior

Honorable Henry M. Jackson
Chairman, Committee on
Interior and Insular Affairs
United States Senate
Washington, D. C.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUL 29 1976

Dear Mr. Chairman:

There is pending before your Committee S. 2984, a bill "To authorize the addition of certain lands to Bandelier National Monument in the State of New Mexico, and for other purposes."

We recommend that the Committee defer action on S. 2984 until we are able to thoroughly review all the alternatives.

S. 2984 would authorize the acquisition of two parcels of land for addition to Bandelier National Monument, New Mexico. The first parcel consists of approximately 4,234 acres adjacent to the southern boundary of the monument, and the second, of approximately 3,076 acres, lies adjacent to the northwest boundary of the monument. The bill authorizes the appropriation of such sums as may be necessary to carry out its purposes.

Bandelier National Monument in New Mexico was established by Proclamation No. 1322 of February 11, 1916 (39 Stat. 1764), pursuant to the authority of the Act of June 8, 1906. It was enlarged by Proclamation No. 1991 of February 25, 1932 (47 Stat. 2503). The monument was further enlarged by Proclamations No. 3388 of January 9, 1961 (75 Stat. 1014), and No. 3539 of May 27, 1963 (77 Stat. 1006). The monument currently consists of 29,661.20 acres.

Bandelier National Monument lies on the Pajarito Plateau, which contains one of the largest concentrations of prehistoric Indian ruins in the southwest. Some of the remains are pit dwellings occupied in the 12th Century, and during the 13th Century the Pueblo Indians built a number of large villages in the area and continued to flourish there for some 300 years. A variety of ancient structures is represented within the monument, including houses of tuff blocks and stone, kivas, and hand-dug cave rooms. Visitation to the monument in 1974 was 149,028.

The first parcel, adjacent to the southern boundary of the monument, consists of approximately 4,234 acres comprising a portion of lands known as the Canada de Cochiti Grant, owned by the University of New Mexico. Lands owned by the State of New Mexico or any political subdivision thereof could be acquired only by donation or exchange.

We have not been informed of what lands the State of New Mexico wishes to acquire or would accept. Thus, we cannot comment on what particular public values may be lost or land management problems created if such a transaction were to take place. We believe that without further discussion and study, a commitment to acquire certain lands by exchanging lands apparently administered by the Bureau of Land Management may be irresponsible and would be inconsistent with principles of the Department's proposed National Resource Lands Management Act, which provides for transfer of national resource lands out of Federal ownership only, if as a result of land use planning, it is determined that certain limited criteria have been met and which authorizes the Secretary to acquire lands by exchange, where necessary, for proper management of national resource lands.


The second parcel which would be added to the monument by S. 2984 consists of approximately 3,076 acres of private land adjacent to the existing northwestern boundary. Acquisition of this property might enable the National Park Service to protect the entire headwaters of the Rito de los Frijoles, a year-round spring-fed stream in Frijoles Canyon, the lower part of which is within the existing monument. The headwaters area of Frijoles Canyon is at an elevation of 8,000 to 10,000 feet. The lower part of the canyon within the national monument has been developed as a primary visitor use area which contains significant archeological ruins, a visitor center, headquarters, snackbar, lodge, and a curio shop.

The proposed addition is part of the 100,000-acre Baca Ranch. Half of the ranch, not including the headwaters of Frijoles Canyon, has been subjected to present clear-cutting techniques. If clear-cutting practices are used in the headwaters areas of Frijoles Canyon, normal drainage and runoff could cause serious flood damage in the lower canyon which is located within the monument. At this time, however, it is not clear what cross cutting is contemplated in this area. Since there might be less expensive ways of assuring protection of the lower canyon, we would appreciate an opportunity to review further the alternatives.

The National Park Service has obtained an option from the single owner for the acquisition of this property at a value of \$1,350,000. In addition, we estimate that \$112,900 would be needed for administrative and technical costs, and Relocation Act expenses.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,


 Deputy Assistant Secretary of the Interior
 CURTIS BOHLEN

Honorable Henry M. Jackson
 Chairman, Committee on
 Interior and Insular Affairs
 United States Senate
 Washington, D. C.



United States Department of the Interior

OFFICE OF THE SECRETARY
 WASHINGTON, D.C. 20240

JUL 21 1976

Dear Mr. Chairman:

This responds to the request of your Committee for the views of this Department on S. 2904, a bill "To Amend 'An Act to provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes' (86 Stat. 44) and for other purposes."

We recommend the enactment of the bill.

S. 2904 would provide for an increase from \$16,115,000 to \$30,071,500 in the authorization ceiling for land acquisition on the Buffalo National River in Arkansas.

Public Law 92-237, which was enacted March 1, 1972, authorized an appropriation of \$16,115,000 for acquisition of lands and interests in lands at Buffalo National River. However, after years of a static economy and low land values, the increasing demand for vacation homesites and the development of additional recreation facilities nationwide has created significant increases in land values. Through calendar year 1970, many people discovered that the Ozark region is an attractive area for recreation and retirement purposes. The construction of several dams in the past few years increased the recreational use aspect of the area while depleting privately owned land.

The escalation rate in land values was most pronounced in 1972, with an increase from 25 to 35 percent. Some buyer resistance reduced the rate of increase in 1973 to 18 to 20 percent. The energy crisis of late 1973 and early 1974, the ensuing higher fuel prices, and the general limitations on discretionary spending imposed by inflation, have forced a leveling off of the market during the past 9 months, particularly among potential recreational homesite purchasers and speculative developers. Therefore, the 1974 escalation rate has slowed to an estimated ten percent.

Based on these factors, i.e., the unforeseen rapid escalation followed by the present leveling off of land values, we believe that an additional \$13,956,000 authorization will be sufficient to purchase all the lands and interests in lands authorized by Public Law 92-237.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,


 JOHN KYL
 Assistant Secretary of the Interior

Honorable Henry M. Jackson
 Chairman, Committee on Interior
 and Insular Affairs
 United States Senate
 Washington, D. C.



United States Department of the Interior

OFFICE OF THE SECRETARY
 WASHINGTON, D.C. 20240

JUL 23 1976

Dear Mr. Chairman:

This responds to your request for the views of this Department on S. 2257, a bill "To amend the Act of September 5, 1962, to authorize the acquisition of land for the Edison National Historic Site in the State of New Jersey, and for other purposes."

We recommend that the bill be enacted if amended as suggested herein.

The Edison National Historic Site presently consists of an area of approximately 20 acres containing the Edison home and his nearby laboratory, both in the town of West Orange, New Jersey. All but 2 acres were donated to the Federal Government from 1955 to 1963. The 2 additional acres were purchased in 1966 under an authorization passed in 1959 allowing acquisition of up to 2-1/2 acres. The donations came largely from Thomas A. Edison Industries, Inc., with the understanding that an appropriate visitor center would be built as soon as possible.

The historic site was designated in 1962 by combining the Edison Home National Historic Site (created 1955) and the Edison Laboratory National Monument (1956). Edison lived and worked in these buildings for 44 years, and both the home and the laboratory are little changed from their appearance in his own time. Visitation at the site, which is located in northern New Jersey near New York City, was approximately 50,000 in FY 1975. This figure is estimated to increase to 61,000 for FY 1977. Presently, the only use of the park is by guided tour, but with proper facilities and a pleasing adjacent environment, a much higher quality visitor experience will be assured.

The land which would be acquired under this legislation encompasses 1.39 acres, which would be purchased from the West Orange Redevelopment Agency. The acquisition of this land would allow space for a visitor center as contemplated in the Edison Industries donation as well as create a more regular boundary and improve the appearance of the laboratory environs. At present, the administrative and maintenance personnel at the site do not have office and working space other than the historic laboratories and buildings themselves, which is unsatisfactory to both the staff and to the visitor.

In the event that the National Park Service does not acquire this land, the West Orange Redevelopment Agency fully intends to dispose of the parcel, most likely for industrial purposes. This could lead to undesirable development adjacent to the site, instead of providing a much needed buffer zone between the site and the adjacent industrial zone.

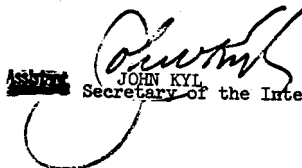
S. 2257 is similar to the proposal that the Administration transmitted to the Congress on July 15, 1976. However, while S. 2257 authorizes \$75,000 to cover the costs of land acquisition, the bill does not authorize any funds for development. The cost of acquiring the tract would be \$75,000. Development costs relating to it are estimated to be \$1,695,000. Of this latter amount, \$1,250,000 would be expended for the visitor center and the remainder primarily for rehabilitating, and for relocating existing structures and landscaping.

Accordingly, we recommend that lines 9 - 10 of S. 2257 be deleted and the following language be substituted in lieu thereof:

"sums as may be necessary to carry out the provisions of this Act, but not to exceed \$75,000 for acquisition of lands or interests therein, and \$1,695,000 for development."

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,


JOHN KYL
Secretary of the Interior

Honorable Henry M. Jackson
Chairman, Committee on
Interior and Insular Affairs
United States Senate
Washington, D.C.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUL 21 1976

Dear Mr. Chairman:

This responds to the request of your Committee for the views of this Department on S. 1133, a bill "To amend the Act of July 30, 1965 (79 Stat. 426), which authorized establishment of the Golden Spike National Historic Site to increase the appropriation authorization ceiling relating to that site."

We recommend against the enactment of the bill.

The Golden Spike National Historic Site was established pursuant to the Act of July 30, 1965 (79 Stat. 426), to preserve and interpret the site where the Nation's first transcontinental railroad was completed.

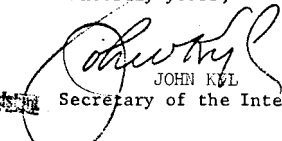
A visitors center now on the site has offered information services, a museum exhibit, and an audio-visual program to more than 500,000 visitors since 1968. In addition, two replica locomotives are displayed on a 4,000 foot reconstructed section of the old railroad. These locomotives which are similar to the original Jupiter and Rogers which met at Promontory Summit, Utah, on May 10, 1869, when the Golden Spike was driven to complete the railroad, are on loan from the State of Nevada, and are scheduled to be returned to the State early in 1976. When this occurs, the historic site will lose its major interpretive exhibit.

S. 1133 would amend section 3 of the Act of July 30, 1965, to increase from \$1,168,000 to \$5,422,000 the land acquisition and development appropriation authorization ceiling applying to the Golden Spike National Historic Site. This increase would permit construction of two replica locomotives and tenders similar to the original Jupiter and Rogers, a storage building to protect them from adverse weather, and 4,500 feet of historic tract, including restoration of 4,000 feet of grade, necessary to the occasional movement of the locomotives.

While these two locomotive replicas would enhance the significance of this historic event for the visitor, with the current unfunded development backlog in the parks nationwide, we cannot recommend an increase for this purpose at this time. We have an administrable unit in the the present site that serves the visitor and additional developments are not essential.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,


JOHN K. L.
Assistant Secretary of the Interior

Honorable Henry M. Jackson
Chairman, Committee on
Interior and Insular Affairs
United States Senate
Washington, D. C. 20510



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUL 21 1976

Dear Mr. Chairman:

This responds to the request of your Committee for the views of this Department on S. 3116, a bill "To amend the Act of June 20, 1938, to authorize the purchase of lands for addition to Haleakala National Park on the Island of Maui, in the State of Hawaii, and for other purposes."

We recommend that this bill be enacted, if the bill is amended as described herein.

The Act of August 1, 1916, established certain federally owned lands on the Island of Hawaii and the Island of Maui, as "Hawaii National Park." The Act of June 20, 1938, authorized additions of "any lands adjacent or contiguous to Hawaii National Park *** which, in the discretion of the Secretary of the Interior, are necessary for the proper rounding out of the boundaries of the park." The 1938 Act limited the method by which such adjacent or contiguous lands could be acquired to "public and private donations." S. 3116 would amend the 1938 Act to authorize the acquisition of certain lands on the Island of Maui by purchase with appropriated funds or exchange, notwithstanding the limitation of the present law.

The purpose of S. 3116 is to authorize the Secretary to perfect title to certain lands in and contiguous to the park, but not currently under Federal ownership, which the Nature Conservancy has been acquiring for eventual addition to Haleakala. In a number of cases, title to these lands is clouded, and ownership will have to be settled, probably through condemnation. Rather than accept a clouded title, we believe it is in the public interest to perfect the title to the lands before accepting the donation from the Nature Conservancy.

The lands in question are in the extreme southeastern end of the park, at the lower part of the unique Kipahula Valley, in the vicinity of the Seven Pools area, which has already been donated to the United States. These lands, consisting of 131.583 acres, are already within the authorized park boundaries. These parcels are interspersed with land already obtained from the State of Hawaii and private donors and are all within a historical district that has been declared eligible for nomination to the National Register of Historic Places. Without these lands the proper protection, administration and interpretation of the Seven Pools area will be severely hindered.

There are also some 117,023 acres of lands in the Seven Pools vicinity where the Nature Conservancy has clouded title, but that are outside the authorized boundary of Haleakala National Park. These lands adjoin other properties that are also outside the boundary and which are now available for donation. Thus these other tracts acquired by the Nature Conservancy would also become candidates for donation to the park when the titles are perfected.

These lands too are within the historic district mentioned above but since they lie outside the existing park boundaries, the National Park Service has not studied them as to their eligibility for nomination to the National Register of Historic Places. Significant archeological values include a major Hawaiian temple (heiau), Hawaiian trails, and house site and walls that evoke the prehistoric and historic past. Natural values include pockets of native vegetation and associated animal life. Some of this land is in clear view from the busiest visitor use area, and provides an important background for the spectacular scenery.

In addition, these lands offer an opportunity to develop support services for visitor use far enough away from the prime values so as not to compromise them. Without these lands visitor use will be over-concentrated in highly fragile natural areas, archeological interpretation will be hindered for lack of a full range of sites, natural values will be subject to overwhelming pressure, and scenic vistas will be severely compromised.

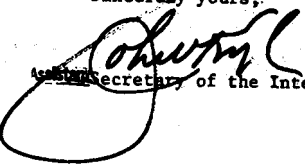
We have estimated the cost of acquiring the 131,583 acres presently within the park boundaries at approximately \$407,000. The cost of acquiring the 117,023 acres of lands adjacent to other properties available for donation outside the boundary is estimated at \$509,750. These are estimates for acquiring fee simple title, and accordingly, these costs would be reduced to the extent that quiet title proceedings may show good title in the donor.

We recommend that S. 3116 be amended to add a section 2 as follows to provide for an authorization ceiling:

"There is authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not to exceed \$920,000."

The Office of Management and Budget has advised that there is no objection to the presentation of this draft legislation from the standpoint of the Administration's program.

Sincerely yours,


JOHN KYL
Secretary of the Interior

Honorable Henry M. Jackson
Chairman, Committee on Interior
and Insular Affairs
United States Senate
Washington, D. C.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUL 15 1976

Dear Mr. Chairman:

This responds to your request for the views of this Department on S. 3560, a bill, "Authorizing appropriations to the Secretary of the Interior and services necessary to the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, and for other purposes."

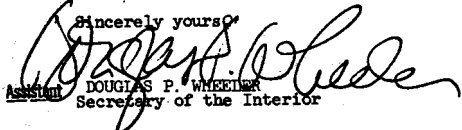
We recommend that the bill be enacted.

S. 3560 was introduced at the request of this Administration. The bill would amend the Act to extend the appropriation authorization for carrying out the nonperforming arts functions for the Center through fiscal year 1978 at a level of \$4.0 million.

Public Law 93-67 of July 10, 1973 (87 Stat. 161) amended Section 6 of the John F. Kennedy Center Act, as amended, to authorize appropriations to carry out the nonperforming arts functions of the Center through the fiscal year ending June 30, 1975. Public Law 94-119 extended the authorization at \$3.1 million through fiscal year 1977.

We estimate that in FY 1978 approximately \$900,000 will be needed over and above the current authorization for FY 1977. This increase is estimated to be \$204,000 for electricity, \$303,000 for additional materials, \$83,000 for heating and maintenance of the new studio center, and \$310,000 as an allowance for contingencies.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

Acting Assistant Secretary of the Interior
DOUGLAS P. WHEELER

Honorable Henry M. Jackson
Chairman, Committee on
Interior and Insular Affairs
United States Senate
Washington, D. C.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUL 23 1976

Dear Mr. Chairman:

This will respond to your request for this Department's views on S. 3410, a bill "To amend the Act of September 18, 1964, as amended, authorizing the addition of lands to Morristown National Historical Park in the State of New Jersey, and for other purposes."

We recommend enactment of S. 3410.

S. 3410 would authorize a boundary change for Morristown National Historical Park, thus permitting acquisition of the property known as the "Jarvis Tract." S. 3410 would complement the additions to the park authorized by the 93rd Congress. At that time, it was anticipated that the Jarvis property would be donated to the park. However, that donation was not forthcoming, and the New Jersey Conservation Foundation has since acquired an option to purchase the property for transfer to the National Park Service.

The tract is contiguous with a detached unit of the park and also with lands held by the Girl Scouts of America and the New Jersey Audubon Society. Its acquisition would thus assure a continuous area of open space that will perpetuate the historical, rural character of the park.

We would wish to reimburse the New Jersey Conservation Foundation for its timely action in forestalling adverse development, thus making its funds available for future conservation projects. The cost of the property is estimated at \$433,300. This cost is to be met by the remaining \$400,000 balance of the land acquisition appropriation authorization for the park, while the National Park Foundation is expected to pay additional costs in

excess of this authorization. Thus, no increase in the appropriation authorization is required.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

Curtis Bohlen
CURTIS BOHLEN
Deputy Assistant Secretary of the Interior

Honorable Henry M. Jackson
Chairman, Committee on
Interior and Insular Affairs
United States Senate
Washington, D.C.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

JUL 23 1976

Dear Mr. Chairman:

This will respond to your request for this Department's views on S. 3373, a bill "To provide for an increased appropriation ceiling at Nez Perce National Historic Park."

We recommend that the committee defer action on S. 3373 until we are able to more thoroughly review all the alternatives.

S. 3373 would increase the authorization for development at Nez Perce National Historical Park in the State of Idaho from \$1,337,000 to \$4,100,000, an increase of \$2,763,000.

The Act of May 15, 1965, provided for the establishment of the Nez Perce National Historical Park in Idaho. It authorized \$1,337,000 for development. This figure was based on the Department of the Interior recommendation to the Congress for development at the Spalding Site, East Kamiah Site, Whitebird Battlefield, on lands to be acquired by the Federal Government, together with the costs of providing signs, markers and exhibits at other sites not to be acquired but with respect to which cooperative agreements would be developed with the owners. To date only \$428,000 of the original development ceiling has been programmed or expended. Most of the funds that have been appropriated for development have been used for stabilization and restoration of the historic structures at the Spalding Site. This leaves under the current ceiling an amount of \$909,000 to complete development of the park.

The original development plan worked out and submitted to the Congress in 1965 did not include sufficient emphasis on the need to fully interpret the story of the Nez Perce campaign, including major stabilization and rehabilitation of historic structures associated with these three sites. A new development concept for the park is being completed which will better demonstrate the significance of this major event. Additional funds will probably be needed to complete the development at Spalding and provide developments at the other two sites in Federal ownership - East Kamiah, and Whitebird.

Accordingly, we would like an opportunity to review further the potential interpretive alternatives in this area and to complete our new development concept.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

Curtis Bohlen
Deputy Assistant

CURTIS BOHLEN
Secretary of the Interior

Honorable Henry M. Jackson
Chairman, Committee on
Interior and Insular Affairs
United States Senate
Washington, D.C.

CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the standing rules of the Senate, changes in existing law made by the bill H.R. 13713, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman) :

ANDREW JOHNSON NATIONAL HISTORIC SITE ACT OF DECEMBER 11, 1963

(77 Stat. 350)

* * * * *

SEC. 3. There are authorized to be appropriated such sums, but not more than **[\$66,000]** *\$266,000* for acquisition, restoration, and development costs, as are necessary to carry out the purposes of this Act.

APPOMATTOX COURT HOUSE NATIONAL HISTORICAL PARK

(46 Stat. 777)

[An Act To provide for the commemoration of the termination of the War between the States at Appomattox Court House, Virginia, approved June 18, 1930 (46 Stat. 777)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of commemorating the termination of the War between the States which was brought about by the surrender of the army under General Robert E. Lee to Lieutenant General U. S. Grant at Appomattox Court House, in the State of Virginia, on April 9, 1865, and for the further purpose of honoring those who engaged in this tremendous conflict, the Secretary of War is authorized and directed to acquire at the scene of said surrender approximately one acre of land, free of cost to the United States, at the above-named place, fence the parcel of land so acquired or demarcate its limits, and erect a monument thereon.

SEC. 2. There is hereby authorized to be appropriated the sum of \$100,000, or so much thereof as may be necessary, to carry out the provisions of section 1 of this Act.

SEC. 3. The land acquired under section 1 of this Act shall be under the jurisdiction and control of the Secretary of War, and there is authorized to be appropriated for the maintenance of such tract of land and monument a sum not to exceed \$250 per annum.]

(49 Stat. 6B)

An Act to amend sections 1, 2, and 3 of the Act entitled "An Act to provide for the commemoration of the termination of the War between the States at Appomattox Court House, Virginia", approved June 18, 1930, and to establish the Appomattox Court House National Historical Monument, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1, 2,

and 3 of the Act entitled "An Act to provide for the commemoration of the termination of the War between the States at Appomattox Court House, Virginia", approved June 18, 1930, are hereby amended to read as follows:

"That when title to all the land, structures, and other property within a distance of one and one-half miles from the Appomattox Court House site, Virginia, as shall be designated by the Secretary of the Interior in the exercise of his discretion as necessary or desirable for national-monument purposes, shall have been vested in the United States in fee simple, such area or areas shall be, and they are hereby, established, dedicated, and set apart as a public monument for the benefit and enjoyment of the people and shall be known as the 'Appomattox Court House National Historical Monument.'

"SEC. 2. That there is hereby authorized to be appropriated the sum of \$100,000, or so much thereof as may be necessary, to carry out the provisions of this Act as amended hereby.

"SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land and/or buildings, structures, and so forth, within the boundaries of said park as determined and fixed hereunder and donations of funds for the purchase and/or maintenance thereof: *Provided*, That he may acquire on behalf of the United States, by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said park as may be necessary for the completion thereof within the limits of the appropriation as authorized in Section 2."

SEC. 2. Such Act of June 18, 1930, is amended by adding at the end thereof a new section to read as follows:

"SEC. 4. The administration, protection, and development of the Appomattox Court House National Historical Monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled 'An Act to establish a National Park Service, and for other purposes', as amended."]

(67 Stat. 181)

[An Act To authorize the exchange of lands of the Appomattox Court House National Historical Monument, Virginia, for non-Federal lands, approved July 17, 1953 (67 Stat. 181)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to exchange lands of the Appomattox Court House National Historical Monument, Virginia, for non-Federal lands of approximately equal value when, in his opinion, such action is in the interest of the United States. Lands acquired pursuant to this Act shall be within a distance of one and one-half miles from the historic Appomattox Court House site, Virginia, and shall become a part of the monument upon acquisition of title thereto by the United States. The total area of this national monument as it may be revised pursuant to this Act shall be no greater than its present acreage.]

ARCHES NATIONAL PARK ACT OF DECEMBER 12, 1971

* * * * *

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, not to exceed, however, ~~[\$125,000]~~ \$275,000 for the acquisition of lands, and interests in lands and not to exceed \$1,031,800 (April 1970 prices) for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved herein. The sums authorized in this section shall be available for acquisition and development undertaken subsequent to the approval of this Act.

ARKANSAS POST NATIONAL MEMORIAL ACT OF JULY 6, 1960

(74 Stat. 334), as amended (80 Stat. 339)

* * * * *

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than ~~[\$550,000]~~ \$2,750,000 as may be needed for the acquisition of lands and interests in lands and for development of the Arkansas Post National Memorial, of which not more than \$25,000 shall be used for acquisition purposes, and in addition thereto, such sums as may be needed for its administration and maintenance.

ASSATEAGUE ISLAND NATIONAL SEASHORE

Act of September 21, 1965 (79 Stat. 824; 16 U.S.C. 459)

* * * * *

[SEC. 7. (a) In order that suitable overnight and other public accommodations on Assateague Island will be provided for visitors to the seashore, the Secretary shall select and set aside one or more parcels of land in Maryland having a suitable elevation in the area south of the island terminus of the Sandy Point-Assateague Island Bridge, the total of which shall not exceed six hundred acres, and the public use area on the Chincoteague National Wildlife Refuge now operated by the Chincoteague-Assateague Bridge and Beach Authority of the Commonwealth of Virginia, and shall provide or allow the provision of such land fill within the areas selected as he deems necessary to permit and protect permanent construction work thereon: *Provided*, That the United States shall not be liable for any damage that may be incurred by persons interested therein by reason of the inadequacy of the fill for the structures erected thereon.

(b) Within the areas designated under subsection (a) of this section the Secretary shall permit the construction by private persons of suitable overnight and other public accommodations for visitors to the seashore under such terms and conditions as he deems necessary in the public interest and in accordance with the laws relating to concessions within the national park system.

(c) The site of any facility constructed under authority of this section shall remain the property of the United States. Each pri-

vately constructed concession facility, whether within or outside of an area designated under subsection (a) of this section, shall be mortgageable, taxable, and subject to foreclosure proceedings, all in accordance with the laws of the State in which it is located and the political subdivisions thereof.

(d) The Secretary shall make such rules and regulations as may be necessary to carry out this section.

(e) Nothing in this section shall be deemed to restrict or limit any other authority of the Secretary relating to the administration of the seashore.]

SEC. 7. The Secretary is authorized to undertake, in consultation with other interested Federal, State, local, and private agencies and interests, the development of a comprehensive plan for the lands and waters adjacent or related to the seashore, the use of which could reasonably be expected to influence the administration, use, and environmental quality of the seashore. Such plan shall set forth the most feasible and prudent methods for providing solid waste disposal, wetlands managements, development of visitor facilities, and other land uses all in a manner compatible with the preservation of the seashore. The Secretary may revise the plan from time to time, and he shall encourage Federal, State, local, and private agencies and interests to be guided thereby. Notwithstanding any other provision of law, no Federal loan, grant, license, or other form of assistance for any project which in the opinion of the Secretary, would significantly effect the administration, use, and environmental quality of the seashore shall be made, issued or approved by the head of any Federal agency without the concurrence of the Secretary unless such project is consistent with the plan developed pursuant to this section.

* * * * *

[SEC. 9. (a) The Secretary of the Interior is authorized and directed to construct and maintain a road from the Chincoteague-Assateague Island Bridge to the area in the wildlife refuge that he deems appropriate for recreation purposes.

(b) The Secretary of the Interior is authorized and directed to construct a road, and to acquire the necessary land and rights-of-way therefor, from the Chincoteague-Assateague Island Bridge to the Sandy Point-Assateague Bridge in such manner and in such location as he may select, giving proper consideration to the purpose for which the wildlife refuge was established and the other purposes intended to be accomplished by this Act.]

[SEC. 10.] *SEC. 9.* The Secretary of the Interior is authorized to purchase from a public utility any facilities of that utility which are no longer of value to it as a result of the establishment of the Assateague Island National Seashore and shall pay for such facilities an amount equal to the cost of constructing such facilities less depreciation.

[SEC. 11.] *SEC. 10.* There are hereby authorized to be appropriated the sum of not more than ~~[\$21,050,000]~~ \$22,400,000 (including such sums, together with interest, as may be necessary to satisfy final judgments rendered against the United States) for the acquisition of lands and interests in land and such sums as may be necessary for the development of the area authorized under section 459f to 459f-10 of this title.

BUFFALO NATIONAL RIVER ACT OF MARCH 1, 1972

(86 Stat. 44)

* * * * *

SEC. 7. For the acquisition of lands and interests in lands, there are authorized to be appropriated not more than **[\$16,115,000]** \$30,071,500. [For development of the national river, there are authorized to be appropriated not more than \$283,000 in fiscal year 1974; \$2,923,000 in fiscal year 1975; \$3,643,000 in fiscal year 1976; \$1,262,000 in fiscal year 1977; and \$1,260,000 in fiscal year 1978. The sums appropriated each year shall remain available until expended.] *For development of the national river, there are authorized to be appropriated not to exceed \$9,371,000.*

CANYONLANDS NATIONAL PARK ACT OF SEPTEMBER 12, 1964

(78 Stat. 934), as amended (85 Stat. 421)

* * * * *

“SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, not to exceed, however, **[\$16,000]** \$104,500 for the acquisition of lands and not to exceed \$5,102,000 (April 1970 prices) for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein. The sums authorized in this section shall be available for acquisition and development in the areas added by this act.”

CAPITOL REEF NATIONAL PARK ACT OF DECEMBER 18, 1971

(85 Stat. 739)

* * * * *

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, not to exceed, however **[\$423,000]** \$2,173,000 for the acquisition of lands and interests in lands and not to exceed \$1,052,700 (April 1970 prices) for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein. The sums authorized in this section shall be available for acquisition and development undertaken subsequent to the approval of this Act.

CHAMIZAL NATIONAL MEMORIAL ACT OF JUNE 30, 1966

(80 Stat. 232)

* * * * *

SEC. 5. There are hereby authorized to be appropriated such sums, but not more than **[\$2,060,000]** \$5,063,000, for the development of the Chamizal National Memorial.

CHANNEL ISLANDS NATIONAL MONUMENT ACT OF OCTOBER 26, 1974

(88 Stat. 1445, 1446)

* * * * *

SEC. 201. The limitations on appropriations for development of units of the National Park System contained in the following Acts are amended as follows:

(1) Channel Islands National Monument, California: For the purposes of development of the administrative site and visitor facilities authorized by section 401 of this Act, there are authorized to be appropriated **[\$2,936,000]** \$5,452,000;

EDISON NATIONAL HISTORIC SITE ACT OF SEPTEMBER 5, 1962

(76 Stat. 428)

* * * * *

SEC. 2. The Secretary of the Interior may **[accept the donation of]** *acquire, by donation, or purchase with donated or appropriated funds* such lands and interests in lands, for addition to the site, as he determines will further the preservation of the Edison National Historic Site and its enjoyment by the public.

SEC. 3. The Edison National Historic Site shall be administered by the Secretary of the Interior pursuant to the Act entitled “An Act to establish a National Park Service and for other purposes,” approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2, 3), as amended and supplemented.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed \$75,000 for acquisition of lands or interests therein, and \$1,695,000 for development.

FIRE ISLAND NATIONAL SEASHORE ACT OF SEPTEMBER 11, 1964

(78 Stat. 928)

* * * * *

SEC. 10. There is hereby authorized to be appropriated not more than **[\$16,000,000]** \$18,000,000 for the acquisition of lands and interests in land pursuant to this Act.

FORT LARNED NATIONAL HISTORIC SITE ACT OF AUGUST 31, 1964

(78 Stat. 748)

* * * * *

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than **[\$1,273,000]** \$4,273,000 for acquisition and development costs, as are necessary to carry out the purposes of this Act.

HISTORICAL EVENTS IN KANSAS ACT OF AUGUST 31, 1965 (79 STAT. 588), AS AMENDED (87 STAT. 456)

* * * * *

SEC. 4. In addition to those funds heretofore authorized and appropriated, there are authorized to be appropriated for the purposes of this Act not more than ~~[\$1,420,000]~~ \$2,000,000. Such sums, when appropriated, shall be available for planning, site rehabilitation, development, and marking of historic sites pursuant to the provisions of this Act.

FORT SMITH NATIONAL HISTORIC SITE ACT OF SEPTEMBER 13, 1961

(75 Stat. 489)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to designate for preservation as the Fort Smith National Historic Site the site of the original Fort Smith established in 1817 on LaBelle Point at the confluence of the Arkansas and Poteau Rivers, together with such adjoining or related property as the Secretary may deem necessary to accomplish the purposes of this Act. The area so designated shall include also the commissary building and the barracks building in which Judge Isaac Parker's courtroom has been restored, both of such buildings having been a part of the fort built during the latter part of the 1830's. *The total area so designed for the purposes of this Act may not exceed seventy-five acres.*

SEC. 2. Within the area designated pursuant to section 1 hereof, the Secretary of the Interior is authorized to procure by purchase, donation, with donated funds, or otherwise, land and interests in lands: *Provided,* That the Secretary shall purchase no property under this Act until the city of Fort Smith, Arkansas, conveys to the United States, without expense thereto, all right, title, and interest of such city in and to the property designated by the Secretary as necessary for the establishment of the Fort Smith National Historic Site. When the historically significant lands and structures comprising the designated area have been acquired as herein provided, the Fort Smith National Historic Site shall be established and notice thereof shall be published in the Federal Register *[: Provided further,* That lands purchased by the Secretary for the purposes of this Act shall be within the exterior boundaries of the following described tracts of land:

A three-sided, approximately 0.3-acre tract about 250 feet eastward of the easterly abutment of the Missouri Pacific Railroad bridge over the Arkansas River, bounded on all sides by railroad right-of-way 100 feet wide, approved by the Department of the Interior May 2, 1887, as delineated on the plat of West Fort Smith (Choctaw Nation), approved by the Acting Secretary of the Interior August 3, 1904, and filed June 24, 1911, and being block 2 thereon.

A tract of land beginning at the intersection of the easterly right-of-way line of the Saint Louis and San Francisco Railroad and the northerly line of Garland Avenue; thence easterly along the northerly line of Garland Avenue to its intersection with the westerly line of Third Street; thence northerly along the westerly line of Third Street to its intersection with the southerly line of Rogers Avenue; thence westerly along the southerly line of Rogers Avenue to its intersection with the westerly line of Second Street; thence northerly along the westerly line of Second Street to the

northeasterly corner of property of the Arkansas Warehouse Company; thence westerly along the northerly property lines of the Arkansas Warehouse Company and of the city of Fort Smith (known as the commissary) to the easterly right-of-way line of the Saint Louis and San Francisco Railroad; thence southerly along the easterly right-of-way line of the Saint Louis and San Francisco Railroad to the point of beginning.】

SEC. 3. The Fort Smith National Historic Site, as constituted under this Act, shall be administered by the Secretary of the Interior as a part of the National Park System pursuant to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535), as amended and supplemented.

【SEC. 4. There are hereby authorized to be appropriated such sums, not in excess of \$319,000, as are necessary to acquire the real property necessary to carry out the purposes of this Act.】

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, not to exceed, however, \$1,719,000 for land acquisition and not to exceed \$4,580,000 for the development of Fort Smith National Historic Site undertaken after the effective date of this section.

GOLDEN SPIKE NATIONAL HISTORIC SITE ACT OF JULY 30, 1965

(75 Stat. 426)

* * * * *

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than ~~[\$1,168,000]~~ \$5,422,000 as may be necessary for the acquisition of land and interests in land and for the development of the Golden Spike National Historic Site pursuant to this Act.

GULF ISLANDS NATIONAL SEASHORE ACT OF JANUARY 8, 1971

(84 Stat. 1967) as amended (86 Stat. 123)

* * * * *

SEC. 11. There are authorized to be appropriated not more than ~~[\$3,462,000]~~ \$22,162,000 for the acquisition of lands and interests in lands and not more than \$14,779,000 (1970 prices) for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering costs indices applicable to the types of construction involved herein.

HALEAKALA NATIONAL PARK ACT OF SEPTEMBER 13, 1960

(74 Stat. 881)

An Act To designate and establish that portion of the Hawaii National Park on the island of Maui, in the State of Hawaii, as the Haleakala National Park, and for other purposes, approved September 13, 1960 (74 Stat. 881)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective July 1, 1961, the detached portion of the Hawaii National Park which

lies on the island of Maui is hereby established as a separate unit of the national park system to be known as Haleakala National Park. The park so established shall be administered in accordance with the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and in accordance with any other applicable provision of law relating to the Maui portion of Hawaii National Park.

SEC. 2. (a) *Notwithstanding any limitations on land acquisition as provided by the Act of June 20, 1938 (52 Stat. 781), the Secretary of the Interior may acquire for addition to the park any land on the Island of Maui within the boundaries of the area generally depicted on the map entitled "Haleakala National Park, Segment 03," numbered 162-30,000-G, and dated May 1972, by donation, purchase with donated or appropriated funds, or exchange. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.*

(b) *There is authorized to be appropriated such sums but not to exceed \$920,000 as may be necessary to carry out the purposes of this section.*

JEFFERSON NATIONAL EXPANSION MEMORIAL NATIONAL HISTORIC
SITE ACT OF MAY 17, 1954

(68 Stat. 98) as amended (16 U.S.C. 450jj)

* * * * *
SEC. 4. There is hereby authorized to be appropriated not to exceed **[\$23,250,000]** *\$32,750,000* to carry out the purposes of this Act shall be expended by the United States for construction of the memorial in the ratio of \$3 of Federal funds for each \$1 of money contributed hereafter by the city of Saint Louis or other non-Federal source for purposes of the memorial, and for such purposes the Secretary is authorized to accept from the said city or other non-Federal sources, and to utilize for purposes of this Act, any money so contributed: *Provided further*, That the value of any land hereafter contributed by the city of Saint Louis shall be excluded from the computation of the city's share.

JOHN F. KENNEDY CENTER ACT (72 STAT. 1698) AS AMENDED

(87 Stat. 161)

* * * * *
(e) The Secretary of the Interior, acting through the National Park Service, shall provide maintenance, security, information, interpretation, janitorial and all other services necessary to the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts. There is authorized to be appropriated to carry out this subsection not to exceed **[\$2,800,000** for the fiscal year ending June 30, 1976 **\$741,000** for the transition period ending September 30, 1976, and **\$3,100,000** for the fiscal year ending September 30, 1977.] *\$4,000,000 for the fiscal year ending September 30, 1978 and not to exceed \$4,300,000 for the fiscal year ending September 30, 1979.*

LINCOLN HOME NATIONAL HISTORICAL SITE ACT OF AUGUST 18, 1971

(85 Stat. 347)

* * * * *
SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not more than **[\$2,003,000]** *\$3,059,000* (said sum shall include relocation assistance required by Public Law 91-646) for the acquisition of property, and not more than \$5,860,000 (February 1970 prices) for development of the area, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction cost as indicated by engineering cost indexes applicable to the types of construction involved herein.

MESA VERDE NATIONAL PARK ACT OF DECEMBER 23, 1963

(77 Stat. 473)

* * * * *
SEC. 3. There are hereby authorized to be appropriated such sums, but not more than **[\$125,000]** *\$193,233* as may be necessary to carry out the provisions of this Act.

MORRISTOWN NATIONAL HISTORICAL PARK ACT OF SEPTEMBER 18, 1964

(78 Stat. 957) as amended (88 Stat. 1447)

* * * * *
SEC. 1. That, in order to preserve for the benefit and inspiration of the public certain lands historically associated with the winter encampment of General George Washington's Continental Army at Jockey Hollow in 1779 and 1780, and to facilitate the administration and interpretation of the Morristown National Historical Park, the Secretary of the Interior is authorized to procure by purchase, donation, purchase with appropriated funds, or otherwise, not to exceed **[465]** *600* acres of land and interests therein which **[465]** *600* acres shall include Stark's Brigade campsite and other lands necessary for the proper administration and interpretation of the Morristown National Historical Park: *Provided*, That title to the property known as the Cross estate may not be accepted until the property is vacant.

NEZ PERCE NATIONAL HISTORICAL PARK ACT OF MAY 15, 1965

(79 Stat. 110)

* * * * *
SEC. 7. There are hereby authorized to be appropriated the sums of not more than \$630,000 for the acquisition of lands and interests in land and not more than **[\$1,337,000]** *\$4,100,000* for construction, restoration work, and other improvements at the Nez Perce National Historical Park under this Act.

NORTH CASCADES NATIONAL PARK AND ROSS LAKE AND LAKE CHELAN
NATIONAL RECREATION AREA ACT OF OCTOBER 2, 1968

(82 Stat. 926)

* * * * *
SEC. 506. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than ~~[\$3,500,000]~~ \$4,500,000 shall be appropriated for the acquisition of lands or interest in lands.

OREGON DUNES NATIONAL RECREATION AREA ACT OF MARCH 23, 1972

(86 Stat. 102)

* * * * *
SEC. 15. ~~[Money appropriated from the Land and Water Conservation Fund shall be available for the acquisition of lands, waters, and interests therein within the recreation area, but not more than \$2,500,000 is authorized to be appropriated for such purposes.]~~ *There are hereby authorized to be appropriated for the acquisition of lands, waters, and, interests therein such sums as are necessary, not to exceed \$5,750,000.* For development of the recreation area, not more than \$12,700,000 is authorized to be appropriated.

PADRE ISLAND NATIONAL SEASHORE ACT OF SEPTEMBER 28, 1962

(76 Stat. 650)

* * * * *
SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act; except that no more than ~~[\$5,000,000]~~ \$5,350,000 shall be appropriated for the acquisition of land and waters and improvements thereon, and interests therein, and incidental costs relating thereto, in accordance with the provisions of this Act.

PISCATAWAY PARK (75 STAT. 780), AS AMENDED (88 STAT. 1304)

* * * * *
SEC. 2. (c) Effective on the date of enactment of this Act, there is hereby vested in the United States all right, title and interest in, and the right to immediate possession of, all real property within the boundaries of the parcels designated A, B, C, and D, as shown on the drawing referenced in subsection 2(b). The United States will pay just compensation to the owners of any property taken pursuant to this subsection and the full faith and credit of the United States is hereby pledged to the payment of any judgment so entered against the United States. Payment shall be made by the Secretary of the Treasury from moneys available and appropriated from the Land and Water Conservation Fund, subject to the appropriation limitation contained in section 4 of this Act, upon certification to him by the Secretary of the Interior of the agreed negotiated value of such property, or the valua-

tion of the property awarded by judgment, including interest at the rate of 6 per centum per annum from the date of taking to the date of payment therefor. In the absence of a negotiated settlement or an action by the owner within one year after the date of enactment of this Act, the Secretary may initiate proceedings at any time seeking a determination of just compensation in a court of competent jurisdiction. The Secretary shall allow for the orderly termination of all operations on real property acquired by the United States in ~~[parcels A, B, C, and D]~~ *parcels A, B, and C* of this subsection, and for the removal of equipment, facilities, and personal property therefrom: *Provided*, That in no event shall the Secretary allow operations at the Marshall Hall Amusement Park to continue beyond January 1, 1980. The Secretary shall, on lands acquired for the purposes of this park, implement a development plan which will assure public access to, and public use and enjoyment of, such lands. To further the preservation objective of this Act, the Secretary of the Interior may accept donations of scenic easements in the land within the area designated as "Scenic Protection Area" on the drawing referred to in subsection (b) of this section. The Secretary may also acquire by other appropriate means scenic easements in the area referred to in this subsection when, in his judgment, such action is necessary in order to assure uniform application of scenic control. To further achieve the purpose of this Act he may cooperate and enter into agreements and covenants with property owners, groups thereof, and nonprofit organizations and may also cooperate with the State of Maryland and the political subdivisions thereof in order to promote and achieve scenic preservation through zoning and such other means as may be feasible.

SAINT-GAUDENS NATIONAL HISTORIC SITE ACT OF AUGUST 31, 1964

(78 Stat. 749)

* * * * *
SEC. 3. When the sites, structures, and other properties authorized for acquisition under the first section of this Act and endowment funds in the amount of \$100,000 have been transferred to the United States, the Secretary of the Interior shall establish the Saint-Gaudens National Historic Site by publication of notice thereof in the Federal Register. *Following such establishment the Secretary may acquire by donation, purchase with donated or appropriated funds, or exchange not to exceed sixty-four acres of lands and interests therein which he deems necessary for addition to the national historic site and which, when acquired, shall become a part of the site.*

* * * * *
SEC. 6. There are hereby authorized to be appropriated such sums, but not more than ~~[\$210,000]~~ \$2,677,000 for development, as may be necessary to carry out the purposes of this Act. *For the acquisition of lands or interests therein, there is authorized to be appropriated not to exceed \$80,000.*

SCOTTS BLUFF NATIONAL MONUMENT ACT OF JUNE 30, 1961

(75 Stat. 148)

* * * * *

SEC. 3. There are authorized to be appropriated such sums, but not more than ~~[\$15,000]~~ \$145,000, as may be necessary for the acquisition of lands newly included within the boundaries of the monument as revised pursuant to this Act.

VICKSBURG NATIONAL MILITARY PARK ACT OF JUNE 4, 1963

(75 Stat. 55)

* * * * *

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than ~~[\$2,050,000]~~ \$3,850,000, as are required for acquisition of lands and interests in lands and for construction and relocation of roads pursuant to this Act.



Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the nineteenth day of January,
one thousand nine hundred and seventy-six*

An Act

To provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—ACQUISITION CEILING INCREASES

SEC. 101. The limitations on appropriations for the acquisition of lands and interests therein within units of the National Park System contained in the following Acts are amended as follows:

(1) Arches National Park, Utah: section 7 of the Act of November 12, 1971 (85 Stat. 422), is amended by changing "\$125,000" to "\$275,000";

(2) Assateague Island National Seashore, Maryland and Virginia: section 11 of the Act of September 21, 1965 (79 Stat. 824), as amended (16 U.S.C. 459f), is further amended by changing "\$21,050,000" to "\$22,400,000";

(3) Buffalo National River, Arkansas: section 7 of the Act of March 1, 1972 (86 Stat. 44), is amended by changing "\$16,115,000" to "\$30,071,500";

(4) Capitol Reef National Park, Utah: section 7 of the Act of December 18, 1971 (85 Stat. 739), is amended by changing "\$423,000" to "\$2,173,000";

(5) Fire Island National Seashore, New York: section 10 of the Act of September 11, 1964 (78 Stat. 928), is amended by changing "\$16,000,000" to "\$18,000,000";

(6) Gulf Islands National Seashore, Florida and Mississippi: section 11 of the Act of January 8, 1971 (84 Stat. 1967), is amended by changing "\$3,462,000" to "\$22,162,000";

(7) Lincoln Home National Historic Site, Illinois: section 3 of the Act of August 18, 1971 (85 Stat. 347), is amended by changing "\$2,003,000" to "\$3,059,000";

(8) Mesa Verde National Park, Colorado: section 3 of the Act of December 23, 1963 (77 Stat. 473), is amended by changing "\$125,000" to "\$193,233";

(9) North Cascades National Park and Lake Chelan National Recreation Area, Washington: section 506 of the Act of October 2, 1968 (82 Stat. 926), is amended by changing "\$3,500,000" to "\$4,500,000";

(10) Saint-Gaudens National Historic Site, New Hampshire: section 6 of the Act of August 31, 1964 (78 Stat. 749), is amended by adding a new sentence as follows: "For the acquisition of lands or interest therein, there is authorized to be appropriated not to exceed \$80,000.";

(11) Scotts Bluff National Monument, Nebraska: section 3 of the Act of June 30, 1961 (75 Stat. 148), is amended by changing "\$15,000" to "\$145,000";

(12) Canyonlands National Park, Utah: section 8 of the Act of September 12, 1964 (78 Stat. 934) as amended (85 Stat. 421) is further amended by changing "\$16,000" to "\$104,500"; and

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(13) Padre Island National Seashore, Texas: section 8 of the Act of September 28, 1962 (76 Stat. 650) is amended by changing "\$5,000,000" to "\$5,350,000".

TITLE II—DEVELOPMENT CEILING INCREASES

SEC. 201. The limitations on appropriations for development of units of the National Park System contained in the following Acts are amended as follows:

(1) Andrew Johnson National Historic Site, Tennessee: section 3 of the Act of December 11, 1963 (77 Stat. 350), is amended by changing "\$66,000" to "\$266,000";

(2) Arkansas Post National Memorial, Arkansas: section 3 of the Act of July 6, 1960 (74 Stat. 334), as amended (80 Stat. 339), is further amended by changing "\$550,000" to "\$2,750,000";

(3) Chamizal National Memorial, Texas: section 5 of the Act of June 30, 1966 (80 Stat. 232), is amended by changing "\$2,060,000" to "\$5,063,000";

(4) Fort Larned National Historic Site, Kansas: section 3 of the Act of August 31, 1964 (78 Stat. 748), is amended by changing "\$1,273,000" to "\$4,273,000";

(5) Golden Spike National Historic Site, Utah: section 3 of the Act of July 30, 1965 (79 Stat. 426), is amended by changing "\$1,168,000" to "\$5,422,000";

(6) Jefferson National Expansion Memorial National Historic Site, Missouri: section 4 of the Act of May 17, 1954 (68 Stat. 98), as amended (16 U.S.C. 450jj), is further amended by changing "\$23,250,000" to "\$32,750,000";

(7) Saint Gaudens National Historic Site, New Hampshire: section 6 of the Act of August 31, 1964 (78 Stat. 749), is amended by changing "\$210,000" to "\$2,677,000";

(8) Vicksburg National Military Park, Mississippi: section 3 of the Act of June 4, 1963 (77 Stat. 55), is amended by changing "\$2,050,000" to "\$3,850,000";

(9) Channel Islands National Monument, California: paragraph (1) of section 201 of the Act of October 26, 1974 (88 Stat. 1445, 1446), is amended by changing "\$2,936,000" to "\$5,452,000"; and

(10) Nez Perce National Historical Park, Idaho: section 7 of the Act of May 15, 1965 (79 Stat. 110) is amended by changing "\$1,337,000" to "\$4,100,000".

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. The Act of September 21, 1965 (79 Stat. 824), as amended (16 U.S.C. 459f), providing for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, is further amended by repealing sections 7 and 9 in their entirety, and by adding the following new section 12:

"SEC. 12. (a) Within two years of the date of enactment of this section, the Secretary shall develop and transmit to the Committees on Interior and Insular Affairs of the Senate and the House of Representatives a comprehensive plan for the protection, management, and use of the seashore, to include but not be limited to the following considerations:

"(1) measures for the full protection and management of the natural resources and natural ecosystems of the seashore;

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“(2) present and proposed uses of the seashore and the lands and waters adjacent or related thereto, the uses of which would reasonably be expected to influence the administration, use, and environmental quality of the seashore;

“(3) plans for the development of facilities necessary and appropriate for visitor use and enjoyment of the seashore, with identification of resource and user carrying capacities, along with the anticipated costs for all proposed development;

“(4) plans for visitor transportation systems integrated and coordinated with lands and facilities adjacent to, but outside of, the seashore; and

“(5) plans for fostering the development of cooperative agreements and land and resource use patterns outside the seashore which would be compatible with the protection and management of the seashore.

“(b) Notwithstanding any other provision of law, no Federal loan, grant, license, or other form of assistance for any project which, in the opinion of the Secretary would significantly adversely affect the administration, use, and environmental quality of the seashore shall be made, issued, or approved by the head of any Federal agency without first consulting with the Secretary to determine whether or not such project is consistent with the plan developed pursuant to this section and allowing him at least thirty days to comment in writing on such proposed action.”

SEC. 302. (a) The Secretary of the Interior is authorized to designate by publication of a map or other boundary description in the Federal Register certain areas of scenic, historic, and geological significance including portions of No Thoroughfare Canyon and Red Canyon, but not to exceed two thousand eight hundred acres, for addition to Colorado National Monument, Colorado. Within the areas so designated the Secretary may acquire lands and interests therein by donation, purchase with donated or appropriated funds, or exchange. Property so acquired and any Federal property so designated shall thereupon become part of the Colorado National Monument, subject to the laws and regulations applicable to the monument.

(b) There is authorized to be appropriated not to exceed \$460,000 for the acquisition of lands and interests therein.

SEC. 303. Section 4 of the Act approved August 31, 1965 (79 Stat. 588), as amended (87 Stat. 456), providing for the commemoration of certain historical events in the State of Kansas, is further amended by changing “\$1,420,000” to “\$2,000,000”.

SEC. 304. (a) In order to facilitate the administration of certain areas of the National Park System located in Montgomery County, Maryland, the Secretary of the Interior (hereafter in this Act referred to as the “Secretary”) may transfer, without monetary reimbursement, to the jurisdiction of the Director of the National Park Service in Montgomery County, Maryland, as set forth in the drawing entitled “Transfer of Land for Washington Aqueduct Shops and Storehouse Projects”, numbered 40.1—103.3—1, and dated January 30, 1970 (a copy of which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior), and which the Secretary of the Army has had use of under a permit dated March 5, 1965, issued by the Director of the National Park Service.

(b) The Secretary of the Army may transfer, without monetary reimbursement, to the jurisdiction of the Secretary the land located in Montgomery County, Maryland, administered by the Secretary of the Army as part of the Washington Aqueduct at the Dalecarlia Shops

area, as set forth in the drawing of January 30, 1970, specified in subsection (a).

SEC. 305. Section 2(c) of the Act of October 4, 1961 (75 Stat. 780), providing for the preservation and protection of certain lands in Prince Georges and Charles Counties, Maryland, as amended (88 Stat. 1304), is further amended by changing the fifth sentence by deleting "parcels A, B, C, and D" and inserting in lieu thereof "parcels A, B, and C".

SEC. 306. Section 3 of the Act of August 31, 1964 (78 Stat. 749), authorizing the establishment of the Saint-Gaudens National Historic Site, New Hampshire, is amended by adding the following sentence: "Following such establishment the Secretary may acquire by donation, purchase with donated or appropriated funds, or exchange not to exceed sixty-four acres of lands and interests therein which he deems necessary for addition to the national historical site and which, when acquired, shall become a part of the site."

SEC. 307. (a) The boundary of the Saguaro National Monument is hereby revised to include the area as generally depicted on the map entitled "Boundary Map, Saguaro National Monument, Pima County, Arizona", numbered 151-91,001-C, and dated July 1976, which map shall be on file and available for public inspection in the Offices of the National Park Service, Department of the Interior. The Secretary of the Interior may acquire property within the revised boundary by donation, purchase, transfer from any other Federal agency, exchange, or by any other means. The monument shall hereafter be administered in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented.

(b) There is authorized to be appropriated not to exceed \$1,700,000 in the acquisition of lands and interests added to the Saguaro Monument pursuant to subsection (a).

SEC. 308. (a) The Appomattox Court House National Historical Park shall hereafter comprise the area depicted on the map entitled "Boundary Map, Appomattox Court House National Historical Park", numbered 340-20,000A, and dated September 1976, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

(b) Within the boundaries of the park, the Secretary may acquire lands and interests in lands, by donation, purchase with donated or appropriated funds, or exchange. Any lands or interests in lands owned by the State of Virginia or its political subdivisions may be acquired only by donation.

(c) (1) The owner of an improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for himself and his heirs and assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term of not more than twenty-five years or, in lieu thereof, for a term ending at the death of the owner or the death of his spouse, whichever is later. The owner shall elect the term to be reserved. Unless this property is wholly or partially donated to the United States, the Secretary shall pay the owner the fair market value of the property on the date of acquisition, less the fair market value, on that date, of the right retained by the owner. A right retained pursuant to this section shall be subject to termination by the Secretary upon his determination that it is being exercised in a manner inconsistent with the purposes of this Act, and it shall terminate by operation of law

upon the Secretary's notifying the holder of the right of such determination and tendering to him an amount equal to the fair market value of that portion of the right which remains unexpired.

(2) As used in this Act, the term "improved property" means a detached, single-family dwelling, construction of which was begun before June 8, 1976, which is used for noncommercial residential purposes, together with such additional lands or interests therein as the Secretary deems to be reasonably necessary for access thereto, such lands being in the same ownership as the dwelling, together with any structures accessory to the dwelling which are situated on such land.

(3) Whenever an owner of property elects to retain a right of use and occupancy as provided in this section, such owner shall be deemed to have waived any benefits or rights accruing under sections 203, 204, 205, and 206 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894), and for the purposes of such sections such owner shall not be considered a displaced person as defined in section 101(6) of such Act.

(d) The Secretary shall administer the park in accordance with the Acts of August 25, 1916 (39 Stat. 535), as amended and supplemented, and August 21, 1935 (49 Stat. 666) as amended.

(e) The Acts of June 18, 1930 (46 Stat. 777), August 13, 1935 (49 Stat. 613), and July 17, 1953 (67 Stat. 181), are repealed.

(f) There are authorized to be appropriated not to exceed \$1,335,000 to carry out the purposes of this Act.

Sec. 309. (a) That the Secretary of the Interior is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange approximately four thousand two hundred and thirty-four acres comprising part of the Canada de Cochiti Grant adjacent to the southern boundary of Bandelier National Monument, New Mexico, and approximately three thousand and seventy-six acres containing the headwaters of the Rito de los Frijoles adjacent to the northwestern boundary for addition to the monument. Lands and interests therein owned by the State of New Mexico or any political subdivision thereof may be acquired only by donation or exchange.

(b) Lands and interests therein acquired pursuant to this Act shall thereupon become part of Bandelier National Monument and subject to all laws and regulations applicable thereto.

(c) There are hereby authorized to be appropriated not to exceed \$1,463,000 for the acquisition of land.

Sec. 310. Section 7 of the Act of March 1, 1972 (86 Stat. 44) which establishes the Buffalo National River, is amended by deleting "For development of the national river, there are authorized to be appropriated not more than \$283,000 in fiscal year 1974; \$2,923,000 in fiscal year 1975; \$3,643,000 in fiscal year 1976; \$1,262,000 in fiscal year 1977; and \$1,260,000 in fiscal year 1978. The sums appropriated each year shall remain available until expended." and inserting in lieu thereof "For development of the national river, there are authorized to be appropriated not to exceed \$9,371,000."

Sec. 311. The Act of September 5, 1962 (76 Stat. 428) which designates the Edison National Historic Site, is amended (a) by deleting the words "accept the donation of" in section 2 and substituting the words "acquire, by donation, or purchase with donated or appropriated funds,"; and (b) by adding the following new section:

"Sec. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed

\$75,000 for acquisition of lands or interests therein, and \$1,695,000 for development.”

SEC. 312. The Act of September 13, 1961 (75 Stat. 489), authorizing the establishment of the Fort Smith National Historic Site, Arkansas, is amended as follows:

(a) in section 1, after “adjoining” insert “or related” in the first sentence, and add the following after the second sentence: “The total area so designed for the purposes of this Act may not exceed seventy-five acres.”;

(b) in section 2, change the colon at the end of the second sentence to a period and delete the remainder of the section (through the second proviso); and

(c) revise section 4 to read as follows:

“SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, not to exceed, however, \$1,719,000 for land acquisition and not to exceed \$4,580,000 for the development of Fort Smith National Historic Site undertaken after the effective date of this section.”

SEC. 313. The Act of September 13, 1960 (74 Stat. 881) which designates and establishes that portion of the Hawaii National Park on the island of Maui, in the State of Hawaii, as the Haleakala National Park, is amended by adding the following new section:

“SEC. 2. (a) Notwithstanding any limitations on land acquisition as provided by the Act of June 20, 1938 (52 Stat. 781), the Secretary of the Interior may acquire for addition to the park any land on the island of Maui within the boundaries of the area generally depicted on the map entitled ‘Haleakala National Park, Segment 03,’ numbered 162-30,000-G, and dated May 1972, by donation, purchase with donated or appropriated funds, or exchange. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

“(b) There is authorized to be appropriated such sums but not to exceed \$920,000 as may be necessary to carry out the purposes of this section.”

SEC. 314. The second sentence of subsection (e) of section 6 of the John F. Kennedy Center Act (72 Stat. 1698), as amended, is amended to read as follows: “There is authorized to be appropriated to carry out this subsection not to exceed \$4,000,000 for the fiscal year ending September 30, 1978, and not to exceed \$4,300,000 for the fiscal year ending September 30, 1979.”

SEC. 315. The Act of September 18, 1964 (78 Stat. 957), entitled “An Act to authorize the addition of lands to Morristown National Historical Park in the State of New Jersey, and for other purposes”, as amended by the Act of October 26, 1974 (88 Stat. 1447), is amended by changing “465 acres” in both places in which it appears in the first section to “600 acres”.

SEC. 316. The first sentence of section 15 of the Act of March 23, 1972 (86 Stat. 102; 16 U.S.C. 460z-13) which establishes the Oregon Dunes National Recreation Area, is hereby amended to read as follows: “There are hereby authorized to be appropriated for the acquisition of lands, waters, and interests therein such sums as are necessary, not to exceed \$5,750,000.”

SEC. 317. The boundary of the Pecos National Monument is hereby revised to include the area as generally depicted on the map entitled “Boundary Map, Pecos National Monument, New Mexico”, numbered 430-20017, and dated December 1975, which map shall be on file and

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available for public inspection in the offices of the National Park Service, Department of the Interior.

SEC. 318. The boundary of Zion National Park is hereby revised to include the area as generally depicted on the map entitled "Land Ownership Types, Zion National Park, Utah", numbered 116-80,003, which map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary of the Interior may acquire the property included by this section by donation only.

SEC. 319. The Act of June 21, 1934 (48 Stat. 1198; 16 U.S.C. 430j) is amended as follows:

(1) In section 1:

(a) change "national military park" to "national battlefield" and

(b) change "Monocacy National Military Park" to "Monocacy National Battlefield" (hereinafter referred to as "the battlefield"). The battlefield shall comprise the area generally depicted on the drawing entitled "Boundary, Monocacy National Battlefield", numbered 894-40,000 and dated May 1976, and delete the remainder of the sentence.

(2) In section 2, change "Monocacy National Military Park" to "battlefield" wherever it occurs.

(3) In section 3, delete "enter into leases with the owners of such of the lands, works, defenses, and buildings thereon within the Monocacy National Military Park, as in his discretion it is unnecessary to forthwith acquire title to, and such leases shall be on such terms and conditions as the Secretary of the Interior may prescribe, and may contain options to purchase, subject to later acceptance, if, in the judgment of the Secretary of the Interior, it is as economical to purchase as condemn title to property: *Provided*, That the Secretary of the Interior may enter into agreements upon such nominal terms as he may prescribe, permitting the present owners or their tenants to occupy or cultivate their present holdings, upon condition", and insert in lieu thereof, "lease to the immediately preceding owner or owners any lands acquired pursuant to an agreement that such lessee or lessees will occupy such lands in a manner consistent with the purposes of this Act and".

(4) Change section 4 to read:

"Sec. 4. The administration, development, preservation, and maintenance of the battlefield shall be exercised by the Secretary of the Interior in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666)."

(5) Repeal all of section 5.

(6) In section 6:

(a) delete "said Office of National Parks, Buildings, and Reservations, acting through the", and

(b) change "Monocacy National Military Park:" to "battlefield", delete the remainder of the sentence and insert in lieu thereof "for carrying out the provisions of this Act."

(7) In section 7:

(a) change "Monocacy National Military Park" to "battlefield", and

(b) delete the comma and "which approval shall be based on formal written reports made to him in each case by the Office of National Parks, Buildings, and Reservations; *Provided*," and insert in lieu thereof "*Provided further*,".

(8) In section 8, change the comma to a period and delete "of not less than \$5 nor more than \$500."

(9) Change section 10 to read:

"Sec. 10. There are hereby authorized to be appropriated such sums as may be necessary, but not more than \$3,525,000 for the acquisition of lands and interests in lands, and not to exceed \$500,000 for the development of essential public facilities. Within three years from the date of the enactment of this section, the Secretary shall develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a final master plan for the full development of the battlefield consistent with the preservation objectives of this Act, indicating:

"(1) the facilities needed to accommodate the health, safety, and interpretive needs of the visiting public;

"(2) the location and estimated cost of all facilities; and

"(3) the projected need for any additional facilities within the battlefield.

No funds authorized to be appropriated pursuant to this section shall be available prior to October 1, 1977."

Sec. 320. (a) The boundaries of Olympic National Park as established by the Act of June 29, 1938 (52 Stat. 1241), and as revised by proclamation pursuant to that Act and by or pursuant to the Act of December 22, 1942 (56 Stat. 1070), and the Act of June 11, 1958 (72 Stat. 185), are hereby revised to include the lands, privately owned aquatic lands, and interests therein within the boundaries depicted on the map entitled "Boundary Map, Olympic National Park, Washington," numbered 149-80-001-B, and dated January 1976, which shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior.

(b) The Secretary of the Interior (hereinafter referred to as the "Secretary") shall, beginning within thirty days after the date of enactment of this Act, consult with the Governor of the State of Washington, the Board of Commissioners of Clallam County, and the affected landowners, and shall locate a boundary encompassing all of the shoreline of Lake Ozette, including privately owned aquatic lands not within the boundary of the park on the date of enactment of this Act: *Provided*, That such boundary shall be located not less than two hundred feet set back from the ordinary high-water mark of Lake Ozette: *Provided further*, That the privately owned lands encompassed within the park by such boundary shall not exceed one thousand five hundred acres. The Secretary shall, within one hundred and eighty days after the date of enactment of this Act, and following reasonable notice in writing to the Committees on Interior and Insular Affairs of the Senate and House of Representatives of his intention to do so, publish in the Federal Register a detailed description of the boundary located pursuant to this subsection. Upon such publication the Secretary is authorized to revise the map on file pursuant to subsection (a) of this section accordingly, and such revised map shall have the same force and effect as if included in this Act.

(c) Section 5 of the said Act of June 29, 1938, is amended by deleting the second sentence, and inserting in lieu thereof: "The boundaries of Olympic National Park may be revised only by Act of Congress."

(d) Notwithstanding any other provision of law, within the boundaries of the park as revised by and pursuant to this Act, the Secretary is authorized to acquire lands, privately owned aquatic lands, and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any Federal agency. Property so acquired shall become part of Olympic National Park and shall be administered by the Secretary subject to the laws and regulations

applicable to such park. The Secretary is authorized and directed to exclude from the boundaries of the park such private lands and publicly owned and maintained roads within Grays Harbor County which are near and adjacent to Lake Quinault, and which do not exceed two thousand, one hundred and sixty-eight acres in total. Prior to excluding such lands from the park, the Secretary shall study and investigate current and prospective uses of the private lands, as well as the implications of their exclusion both for the lands involved and for Olympic National Park. The results of such study shall be transmitted to the President and to the Congress within two years of the enactment of this Act, and shall take effect unless disapproved by simple majority vote of the House of Representatives or the Senate of the United States of America within ninety legislative days of their submission to the Congress. Property excluded from the boundaries of the park by this Act may be exchanged for non-Federal property within the boundaries; or it may be transferred to the jurisdiction of any Federal agency or to the State of Washington or a political subdivision thereof, without monetary consideration, as the Secretary may deem appropriate. Any such Federal property transferred to the jurisdiction of the Secretary of Agriculture for national forest purposes shall upon such transfer become part of the national forest and subject to the laws and regulations pertaining thereto. Any property excluded from the park by this Act which is within the boundaries of an Indian reservation may be transferred in trust to such Indian tribe, subject, however, to the express condition that any concessioner providing public services shall be permitted to continue to provide such services in such manner and for such period as set forth in his concession contract, that the Secretary of the Interior is authorized to pay all franchise fees collected from the concessioner under the contract to said Indian Tribe, and that in the event his contract is terminated, the United States shall purchase his possessory interest in accordance with the Act of October 9, 1965 (79 Stat. 969). The acquisition of lands by the United States in trust for an Indian tribe pursuant to this title shall not confer any hunting or fishing rights upon such tribe which were not vested in such tribe prior to the acquisition of such lands.

(e)(1) Any owner or owners of improved property within the boundaries of the park, as revised by and pursuant to this Act may, on the date of its acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the property for such non-commercial residential purposes as existed on or before January 1, 1976, for twenty-five years, or, in lieu thereof, for a term ending at the death of the owner or his spouse, whichever is later. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the right retained by the owner.

(2) As used in this title, the term "improved property" shall mean any single-family dwelling on which construction was begun before January 1, 1976, together with so much of the land on which the dwelling is situated (such land being in the same ownership as the dwelling) as shall be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, as the Secretary shall designate. The amount of the land so designated shall in every case be not more than three acres in area: *Provided*, That the Secretary may exclude from the land so designated any beach or water, together with so much of the land adjoining any such beach or water, as he may deem necessary for public access thereto.

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(f) The Secretary is directed to acquire in fee all other privately owned lands added to the park by and pursuant to this Act, and to acquire within three years of adoption of this Act so much of such lands as can be acquired by donation, exchange, or purchase, to the extent of available funds, and to report to Congress on the third anniversary of adoption of this Act the estimated amount of appropriations which would be necessary to acquire the remainder, if any, of such lands by condemnation. The compensation for such lands shall be their fair market value on the date of their acquisition, taking into account applicable land use regulations in effect on January 1, 1976.

(g) Notwithstanding the provisions of the preceding subsection, any noncorporate owner or owners, as of January 1, 1976, of property adjacent to Lake Ozette may retain title to such property: *Provided*, That such owner or owners consent to acquisition by the Secretary or scenic easements or other interests that allow only those improvements that the Secretary finds to be reasonably necessary for continued use and occupancy. Any such owner or owners who elects to improve his property or a portion thereof shall submit to the Secretary a plan which shall set forth the manner in which the property is to be improved and the use to which it is proposed to be put. If, upon review of such plan, the Secretary determines that it is compatible with the limitations of this subsection, he in his discretion may issue a permit to such owner and a certificate to that effect. Upon issuance of any such certificate and so long as such property is maintained and used in conformity therewith, the authority of the Secretary to acquire such property or interest therein without the consent of the owner shall be suspended.

(h) In order to minimize economic dislocation in acquiring property within the park, the Secretary may acquire with the consent of the owner, lands and interests in lands outside the boundaries of the park, but within the State of Washington, and with the concurrence of the Secretary of Agriculture, he may utilize lands and interests therein within a national forest in the State of Washington hereby authorized to be transferred to the Secretary, for the purpose of exchanging lands and interests so acquired or transferred for property within the park.

(i) Effective upon acceptance thereof by the State of Washington (1) the jurisdiction which the United States acquired over those lands excluded from the boundaries of Olympic National Park by subsection 1(a) of this Act is hereby retroceded to the State: *Provided*, That the lands restored to the Quileute Indian Reservation shall be subject to the same State and Tribal jurisdiction as all other trust lands within said Reservation; and (2) there is hereby retroceded to such State concurrent legislative jurisdiction, as the Governor of the State of Washington and the Secretary shall determine, over and within all territory within the boundaries of the park as revised by this Act.

(j) There is hereby authorized to be appropriated not to exceed \$13,000,000 for the acquisition of lands, privately owned aquatic lands, or interests therein in accordance with the provisions of this title. No funds authorized to be appropriated pursuant to this title shall be available prior to October 1, 1977.

SEC. 321. Section 403 of the Act of October 26, 1974 (88 Stat. 1447), is amended by adding the following new subsection (c):

“(c) To carry out the priority repairs as determined by the study performed in accordance with subsection (a) of this section, and to complete additional detailed studies to accomplish the work so identified, there are authorized to be appropriated such sums as may be necessary, but not more than \$2,733,000. No funds authorized to

be appropriated pursuant to this subsection shall be available prior to October 1, 1977.”

SEC. 322. Section 3(b) of the Act of October 11, 1974 (88 Stat. 1254; 16 U.S.C. 698(b)), is amended by deleting “detached, one-family dwelling,” and inserting in lieu thereof “detached year-round one-family dwelling which serves as the owner’s permanent place of abode at the time of acquisition, and”.

SEC. 323. The Act of December 27, 1974 (88 Stat. 1784) entitled “An Act to provide for the establishment of the Cuyahoga Valley National Recreation Area” is amended as follows:

(a) In subsection 2(a) strike out “Boundary Map, Cuyahoga Valley National Recreation Area, Ohio, numbered NRA-CUYA-20,000-A, and dated December 1974,” and insert in lieu thereof “Boundary Map, Cuyahoga Valley National Recreation Area, Ohio, numbered 90,000-A, and dated September 1976.”

(b) In subsection 6(a) strike out “\$34,500,000” and insert in lieu thereof “\$41,100,000”.

(c) No funds authorized by this section in excess of those sums previously authorized by the Act of December 27, 1974, shall be available for expenditure before October 1, 1977.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*