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3/17/76

APPROVED
MAR 17 1976

ACTION

THE WHITE HOUSE
WASHINGTON
March 15, 1976

Last Day: March 20

MEMORANDUM FOR THE PRESIDENT
FROM: JIM CANNON
SUBJECT: H.R. 4979 - Chickasaw National
Recreation Area, Oklahoma

Posted
3/18/76
to Archives
3/18/76

Attached for your consideration is H.R. 4979, sponsored by Representative Steed, which establishes the Chickasaw National Recreation Area in Oklahoma and authorizes appropriations of not more than \$1,600,000 and \$4,567,000 for land acquisition and development, respectively.

Additional information is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Lazarus) and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign H.R. 4979 at Tab B.



A



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

MAR 12 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 4979 - Chickasaw
National Recreation Area, Oklahoma
Sponsor - Rep. Steed (D) Oklahoma

Last Day for Action

March 20, 1976 - Saturday

Purpose

Establishes the Chickasaw National Recreation Area in Oklahoma and authorizes appropriations of not more than \$1,600,000 and \$4,567,000 for land acquisition and development, respectively.

Agency Recommendations

Office of Management and Budget	Approval
Department of the Interior	Approval

Discussion

The Platt National Park was established seventy years ago to protect the mineral springs and other natural resources near the town of Sulphur, Oklahoma. Since 1965, the National Park Service has also administered the recreational resources of the Arbuckle Reservoir which is a short distance from the park. In recent years, various proposals to enhance the area's recreational potential have been studied, and in 1971, the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments endorsed a proposal to create the Chickasaw National Recreation Area.

H.R. 4979 would generally implement the Advisory Board's proposal by establishing the Chickasaw National Recreation Area as a unit of the National Park System comprising not to exceed 10,000 acres including: (1) the Platt National Park -- 912 acres; (2) the recreation area portion of the Arbuckle Reservoir -- 7,003 acres; and, (3) private lands -- 1,166 acres and Sulphur City lands -- 349 acres which connect the park and reservoir areas. The Secretary would be authorized to acquire lands and waters by donation, purchase, or exchange. Owners of improved residential property could retain a right of use and occupancy for a term ending either on the death of the owner or his spouse, whichever occurs later, or not more than 25 years from the date of acquisition.

Hunting and fishing within the recreation area would generally be allowed, subject to applicable Federal and State law. In addition, the enrolled bill would provide for the Secretary of the Interior and the State of Oklahoma to exercise concurrent jurisdiction over the lands and waters within the recreation area.

H.R. 4979 would authorize appropriations of not more than \$1,600,000 and \$4,567,000 for land acquisition and development, respectively.

We note that H.R. 4979 incorporates all of the major amendments that had been recommended by the Department of the Interior when the bill was in committee. As Interior states in its enrolled bill letter:

"The establishment of the Chickasaw National Recreation Area will constitute a fitting memorialization of the Chickasaw Indian tribe, who relocated on these lands after they were forced from their ancestral home in the southeastern region of the United States."



James M. Frey

James M. Frey
Assistant Director for
Legislative Reference

Enclosure



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

MAR 11 1976

Dear Mr. Lynn:

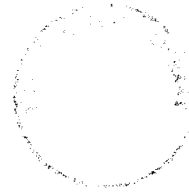
This responds to your request for our views on the enrolled bill H.R. 4979, "To establish the Chickasaw National Recreational Area in the State of Oklahoma, and for other purposes."

We recommend that the President approve the enrolled bill.

H.R. 4979 would establish the Chickasaw National Recreation Area in the State of Oklahoma and include within the boundaries of the new national recreation area the existing Platt National Park which was established by the Act of July 1, 1902 and designated as a national park by the Act of June 16, 1906, and Arbuckle Recreation Area, which is currently administered by the National Park Service pursuant to a cooperative agreement with the Bureau of Reclamation dated February 1, 1965, under authority of the Act of August 7, 1946. In addition, the bill would authorize the acquisition of approximately 349 acres owned by the City of Sulphur, Oklahoma, and 1,166 acres of private land.

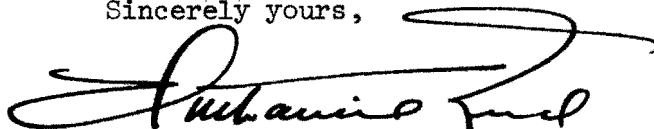
The establishment of the Chickasaw National Recreation Area will constitute a fitting memorialization of the Chickasaw Indian tribe, who relocated on these lands after they were forced from their ancestral home in the southeastern region of the United States.

By combining two existing areas now operated by the National Park Service, the complementing units will provide comprehensive recreational resources in this area of south-central Oklahoma. Emphasis will be on day-use recreation activities, such as picnicking, hiking, wading, and nature study. On the Arbuckle Reservoir, water-oriented activities such as swimming, fishing, and boating will be emphasized. Interpretation within the proposed national recreation area will focus on man's relationship to his



environment and on treating the area as an outdoor laboratory. The area is renowned for its prehistorical, historical and geological significance. Acquisition of the private lands will provide an increased land base for development of certain additional public recreation facilities. We expect that the combined units into a single national recreation area will provide recreation resources for the 2,500,000 people in the Dallas/Fort Worth and the Oklahoma City areas, and it is within a 200-mile radius of over 5,000,000 people.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Stephen R. Ford". The signature is written in dark ink and is positioned below the "Sincerely yours," text.

Assistant Secretary of the Interior

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

TO
Judy Johnson
3/12/76
TO Judy 3/16/76

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

MAR 12 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 4979 - Chickasaw
National Recreation Area, Oklahoma
Sponsor - Rep. Steed (D) Oklahoma

Last Day for Action

March 20, 1976 - Saturday

Purpose

Establishes the Chickasaw National Recreation Area in Oklahoma and authorizes appropriations of not more than \$1,600,000 and \$4,567,000 for land acquisition and development, respectively.

Agency Recommendations

Office of Management and Budget Approval

Department of the Interior Approval

Discussion

The Platt National Park was established seventy years ago to protect the mineral springs and other natural resources near the town of Sulphur, Oklahoma. Since 1965, the National Park Service has also administered the recreational resources of the Arbuckle Reservoir which is a short distance from the park. In recent years, various proposals to enhance the area's recreational potential have been studied, and in 1971, the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments endorsed a proposal to create the Chickasaw National Recreation Area.

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: March 12

Time: 600pm

FOR ACTION: George Humphreys
 Max Friedersdorf
 Ken Lazarus

cc (for information): Jack Marsh
 Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: March 15

Time: 300pm

SUBJECT:

. H.R. 4979 - Chickasaw National Recreation Area, Oklahoma

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

Judy - I recommend approval.

GWHumphreys

March 15, 1976

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.

James K. Cannon
 For the President

Date: March 12

Time: 630pm

FOR ACTION: Max Friedersdorf
 Ken Lazarus
 Robert Hartmann (transmittal
 letter)

cc (for information): Jack Marsh
 Jim Cavanaugh
 Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: March 15

Time: 500pm

SUBJECT:

3/13 - 9:00 am

Supplementals for the Legislative Branch

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

OK
 JZ 3/13/76

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.

James H. Cannon
 For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: March 12

Time: 600pm

FOR ACTION: George Humphreys *GH*
Max Friedersdorf *MF*
Ken Lazarus *KL*

cc (for information): Jack Marsh
Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: March 15

Time: 300pm

SUBJECT:

H.R. 4979 - Chickawaw National Recreation Area, Oklahoma

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

March 15, 1976

MEMORANDUM FOR:

JIM CAVANAUGH

FROM:

MAX L. FRIEDERSDORF

M.L.F.

SUBJECT:

H. R. 4979 - Chickasaw National Recreation Area, Okla.

The Office of Legislative Affairs concurs with the agencies
that the subject bill be signed.

Attachments

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: March 12

Time: 600pm

FOR ACTION: George Humphreys
Max Friedersdorf
Ken Lazarus /

cc (for information): Jack Marsh
Jim Cavanaugh

FROM THE STAFF SECRETARY

DUE: Date: March 15

Time: 300pm

SUBJECT:

H.R. 4979 - Chickasaw National Recreation Area, Oklahoma

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

No objection -- Ken Lazarus 3/15/76

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.

JAMES H. CANNON
For the President

THE WHITE HOUSE

WASHINGTON

March 15, 1975

MEMORANDUM FOR: JIM CAVANAUGH
FROM: MAX L. FRIEDERSDORF *M. G.*
SUBJECT: Supplementals for the Legislative Branch

The Office of Legislative Affairs concurs with the agencies
that the subject supplementals be signed.

Attachments

Date: March 12

Time: 630pm

FOR ACTION: Max Friedersdorf
Ken Lazarus
Robert Hartmann (transmittal
letter)

cc (for information): Jack Marsh
Jim Cavanaugh
Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: March 15

Time: 500pm

SUBJECT:

Supplementals for the Legislative Branch

ACTION REQUESTED:

___ For Necessary Action

___ For Your Recommendations

___ Prepare Agenda and Brief

___ Draft Reply

X For Your Comments

___ Draft Remarks

REMARKS:

Please return to Judy Johnston, Ground Floor West Wing

No objection -- Ken Lazarus 3/15/76

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

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

James H. Cannon
For the President

THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: March 11

Time: 1145am

FOR ACTION: Max Friedersdoff *MF* cc (for information): Jack Marsh
Ken Lazarus *KL* Jim Cavanaugh
Robert Hartmann (transmittal letter) EEd Schmults

FROM THE STAFF SECRETARY

DUE: Date:

15
~~March 12~~

Time: 500pm

SUBJECT:

Supplementals for the Legislative Branch

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

*3/15 5:30 recd Friedersdoff
waiting for Bob Hartmann*



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

CHICKASAW NATIONAL RECREATION AREA

 MARCH 3, 1976.—Ordered to be printed

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

REPORT

[To accompany H.R. 4979]

The Committee on Interior and Insular Affairs, to which was referred the bill (H.R. 4979) to establish the Chickasaw National Recreation Area in the State of Oklahoma, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

Two units of the national park system—Platt National Park and Arbuckle reservoir—are located in close proximity in southern Oklahoma. H.R. 4979 would establish the Chickasaw National Recreation Area, consisting of these two existing units plus certain connecting lands. The bill if enacted, will protect mineral springs and other natural features and provide increased outdoor recreation opportunities in a region that includes the population centers of Oklahoma City and Dallas-Fort Worth within 150 miles of the proposed recreation area.

BACKGROUND AND NEED

BACKGROUND

Platt National Park is an anomaly arising from the early conservation movement prior to the creation of the National Park Service. On July 1, 1902 certain lands in the Chickasaw Nation (prior to the final dissolution of the Indian Territory by the Oklahoma Statehood Act in 1906) were conveyed to the United States for preservation of the natural springs which were assumed to have medicinal and other values. Congress promptly memorialized former Senator Orville Hitchcock Platt from Connecticut who was a member of the Committee

on Indian Affairs by designating the area as Platt National Park in 1906.

The creation of the National Park Service in 1916 and subsequent development of the Park System created problems in the management of the area. As a National Park, it must be managed as a natural area although it does possess significant recreational potential.

In 1962, the Arbuckle Reservoir Project was authorized and the National Park Service assumed land management responsibilities for recreation from the Bureau of Reclamation. In September, 1968, the National Park Service developed a master plan to combine Platt National Park and the Arbuckle Reservoir recreation area. The plan was subjected to public hearings in 1970, and, as a result, a plan was prepared for a proposed Chickasaw National Recreation Area. The Advisory Board on National Parks, Historic Site, Buildings, and Monuments endorsed the proposal in 1971.

RETROCESSION

Retrocession of legislative jurisdiction to the State of Oklahoma will be necessary due to the confused history of the Five Civilized Tribes prior to the Oklahoma Statehood Act in 1906. The early treaties which accompanied the tribes from their Southeastern homelands provided that at "no future time, without their consent [would their lands] be included within the territorial limits or jurisdiction of any State or Territory" (cf. treaty of December 29, 1835, 7 Stat. 478, with the Cherokee Nation).

Starting from the Act of July 5, 1862 (12 Stat. 512, 25 U.S.C. 72) authorizing the President to abrogate existing treaties with the Five Civilized Tribes due to their support for the Confederacy, a gradual erosion of self government occurred, leading to the Dawes Commission in the 1890's. Laws of Nebraska and Arkansas were extended, the territory and then State of Oklahoma were created. The Statehood Act (Act of June 16, 1906, 34 Stat. 267) eliminated the last vestiges of self government by extending the laws of the territory of Oklahoma over Indian Territory. (cf. *Jefferson v. Fink*, 247 U.S. 288, 292 [1918] also see *Southern Surety Company v. Oklahoma* 241 U.S. 582 [1916]).

Section 27 of the Act of April 26, 1906 (34 Stat. 137) making a final disposition of the affairs of the Five Civilized Tribes provided that upon dissolution the tribal lands would "be held in trust by the United States for the use and benefit of the Indians".

The conveyance of Platt National Park to the United States by the Chickasaw resulted in the United States exercising exclusive jurisdiction.

In order to extend Oklahoma law to these lands for enforcement, retrocession of concurrent legislative jurisdiction is necessary.

LEGISLATIVE HISTORY

Similar legislation S. 1725 was introduced on May 13, 1975, by Senators Bellmon and Bartlett. Hearings were held October 30, 1975. The Administration did not adopt a position. The House passed H.R. 4979 on February 2, 1976.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Interior and Insular Affairs, in open business session on February 18, 1976, by unanimous vote of a quorum present recommends the Senate pass H.R. 4979, without amendment.

SECTION-BY-SECTION ANALYSIS

Section 1 sets out the purposes of the bill to provide for the recreational use of the Arbuckle Reservoir and the surrounding lands, and for the efficient administration of the other lands and values within the area. The commemoration of the Chickasaw Indian Nation is stated as the purpose of designating the expanded area as the Chickasaw National Recreation Area. The recreation area is generally described by a map reference, although the Secretary of the Interior is given authority to make boundary revisions by publication of a map in the Federal Register, so long as the recreation area does not exceed 10,000 acres in size.

Section 2 gives broad authority to the Secretary to acquire lands within the recreation area, including the ability to acquire all of a tract which may fall only partially within the boundaries. Lands so acquired outside the boundaries are to be disposed of through the General Services Administration. Federal properties within the area may be transferred without cost for the purposes of managing the recreation area. Any lands owned by the State of Oklahoma or other public agency may be acquired by donation only, with the exception that an exchange may be made with the city of Sulphur using lands which may be excluded from the area formerly known as the Platt National Park. The committee intends that this exchange authority will apply only to the small parcel of land which was indicated as suitable for exchange with the city at the time of the hearings on H.R. 4979.

Section 2 also permits a right of use and occupancy of up to 25 years or a life term to be retained on residential property acquired for the recreation area, if construction of the residence began prior to March 1, 1975, and if the property is the owner's permanent residence, as opposed to a vacation site. Other restrictions on this ability of owners to retain occupancy rights include authority for the Secretary to exclude lands needed for public access from this category and to terminate such retained rights upon a determination that an inconsistent use is being made of the occupancy right.

Section 3 provides that hunting and fishing will be permitted in accordance with both State and Federal laws. The Secretary may close designated areas to such uses, but only after consulting with the affected State agency, except in the case of emergency.

Section 4 instructs the Secretary to administer the area in accordance with the Organic Act of the National Park Service, unless otherwise provided under the terms of H.R. 4979, if enacted. The operation of the Arbuckle Dam and Reservoir for project purposes is not to be affected by this act.

Section 5 repeals the act establishing the Platt National Park, and provides that the lands there included will now be a part of the Chickasaw National Recreation Area. Suitable markers may be placed within

this area in memory of the late Senator Platt of Connecticut, and to recognize the original establishment of the park.

Section 6 permits a mechanism whereby the United States may cede concurrent jurisdiction to the State of Oklahoma over those lands formerly within Platt National Park, subject to an agreement being executed which will provide for similar concurrent jurisdiction over the remaining lands and waters within the recreation area.

Section 7 authorizes the appropriation of funds not exceeding designated limits for the acquisition and development of the lands within the recreation area. The development limitation is consistent with the estimates prepared by the National Park Service as a part of the master planning for this area.

COST

Total acreage for the Recreation Area will be not to exceed 10,000 acres. Acquisition costs are limited to \$1.6 million and development costs to \$4.567 million.

EXECUTIVE COMMUNICATIONS

The pertinent legislative reports and communications received by the committee from the Office of Management and Budget and from the Department of the Interior setting forth Executive agency recommendations relating to S. 1725 are set forth below.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., October 17, 1975.

HON. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in response to your request of October 2, 1975, for the views of the Office of Management and Budget on S. 1725, a bill "To establish the Chickasaw National Recreation Area in the State of Oklahoma, and for other purposes."

The Office of Management and Budget concurs in the views of the Department of the Interior in its report on S. 1725, and accordingly recommends that action on the bill be deferred.

Sincerely,

JAMES M. FREY,
*Assistant Director for
Legislative Reference.*

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 14, 1975.

HON. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: Your Committee has requested the views of this Department on S. 1725, a bill "To establish the Chickasaw Na-

tional Recreation Area in the State of Oklahoma, and for other purposes."

We recommend that action on this bill be deferred until such time as the National Park Service has completed its study of the proposal area.

S. 1725 would establish the Chickasaw National Recreation Area, Oklahoma, which would not exceed 15,000 acres, in order to facilitate public recreational use of Arbuckle Reservoir and adjacent lands. The Secretary of the Interior would be given broad land acquisition authority relating to the recreation area, and owners of improved residential property acquired therefor could obtain rights of use and occupancy of such property for limited periods of time.

The Secretary would permit hunting and fishing within the recreation area in accordance with appropriate Federal and States laws. He would administer it in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and in a manner consistent with his authority, under the Act of August 24, 1962 (76 Stat. 395), to operate the Arbuckle Dam and Reservoir.

S. 1725 would repeal the Act of June 29, 1906 (34 Stat. 837), which designated the Platt National Park, and include those lands in the recreation area. In addition, the bill would provide for retrocession of concurrent legislative jurisdiction by the United States over the lands comprising that park. Appropriation of sums necessary to carry out the bill's provisions would be authorized.

At its 65th meeting in October 1971, the Advisory Board on National Parks, Historic Sites, Buildings and Monuments favorably considered the proposal to establish the Chickasaw National Recreation Area. We are presently compiling the land acquisition, operating, and development information necessary to our evaluation of the proposal. We anticipate completing the gathering of that information by 1976.

We would also note that the Oklahoma Statewide Outdoor Recreational Plan states that there is no need for additional governmental land acquisition in this area. This plan states that major emphasis should be on development of existing public lands in the area for recreation purposes.

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 REED,
Assistant Secretary of the Interior.

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. 4979, 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):

ACT OF JUNE 29, 1906 (34 STAT. 837)

[Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the

Interior be, and he is hereby, authorized and directed to change the name of the Sulphur Springs Reservation, an Indian reservation now in the State of Oklahoma, formerly in the Indian Territory, so that said Reservation shall be named and hereafter called the "Platt National Park," in honor of Orville Hitchcock Platt, late and for twenty-six years a Senator from the State of Connecticut and for many years a member of the Committee on Indian Affairs, in recognition of his distinguished services to the Indians and to the country.]



ESTABLISHING THE CHICKASAW NATIONAL RECREATION AREA IN THE STATE OF OKLAHOMA, AND FOR OTHER PURPOSES

JANUARY 30, 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. 4979]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 4979), to establish the Chickasaw National Recreation Area in the State of Oklahoma, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Page 2, lines 3 and 4, strike out "numbered 107-20004 and dated March 1973," and insert in lieu thereof "numbered 107-20,0004-A and dated February 1974,".

Page 2, line 10, strike out "fifteen" and insert in lieu thereof "ten".

Page 3, lines 12 and 13, strike out "a Secretary of the Interior" and insert in lieu thereof "the Secretary".

Page 4, line 3, strike out "July 1, 1972," and insert in lieu thereof "March 1, 1975,".

Page 6, line 10, strike out "Oklahoma." and insert in lieu thereof:

Oklahoma: *Provided*, That such cession of jurisdiction shall not occur until a written agreement has been reached between the State of Oklahoma and the Secretary providing for the exercise of concurrent jurisdiction over all other lands and waters within the Chickasaw National Recreation Area.

Page 6, line 13, strike out "Act." and insert in lieu thereof:

Act, but not to exceed \$1,600,000 for the acquisition of lands and interests in lands, and \$4,567,000 for development.

PURPOSE

Two units of the national park system—Platt National Park and Arbuckle reservoir—are located in close proximity in southern Okla-

¹ H.R. 4979 was introduced by Representative Tom Steed.

homa. H.R. 4979¹ would establish the Chickasaw National Recreation Area, consisting of these two existing units plus certain connecting lands. The bill if enacted, will protect mineral springs and other natural features and provide increased outdoor recreation opportunities in a region that includes the population centers of Oklahoma City and Dallas-Fort Worth within 150 miles of the proposed recreation area.

BACKGROUND

First authorized by Congress as the Sulphur Springs Reservation in 1902, Platt National Park protects mineral springs and related features near the town of Sulphur, Okla. Since 1965, the National Park Service has also managed the recreation aspects of the Arbuckle Reservoir project, located a short distance south of the park.

Since that time, studies to explore the enhancement of the recreational benefits of this area have gone forward through an extensive planning, public involvement, and review process. Public hearings were held in the affected area by the Park Service in 1970, and, as a result, a plan was prepared for a proposed Chickasaw National Recreation Area. The Advisory Board on National Parks, Historic Sites, Buildings, and Monuments endorsed the proposal in 1971.

H.R. 4979, as reported by the Committee on Interior and Insular Affairs, represents a further refinement of this initiative. Federal land acquisition has been reduced to only those lands which encompass the stream valley linking the two existing units. There is general agreement on this approach to enhancing the recreation benefits available here while acquiring a minimum of additional land. Enactment of H.R. 4979 will allow the National Park Service to better manage the combined area as a single unit, while continuing to protect the mineral springs and related features within the area presently known as Platt National Park.

The name designation for the National Recreation Area commemorates the Chickasaw Indian Nation, whose history is intimately linked with this region. Among the interpretive themes which would be developed through the management of the recreation area would be the history of the Chickasaw Nation.

LEGISLATIVE HISTORY

The Subcommittee on National Parks and Recreation conducted hearings on H.R. 4979 on October 31, 1975. Speaker Albert, in whose district the proposed area is located, testified to the widespread support this project enjoys within Oklahoma. Additional witnesses representing local communities and the Chickasaw Nation added their support for the area. It was also pointed out that there is general agreement on the location of the boundary for the recreation area which will require a minimum of additional land acquisition.

The witness for the Department of the Interior, while recommending that consideration of the measure be deferred until the latest proposals for the area were reviewed within the Department of the Interior, stated that the initial recommendations for the recreation area were in agreement with the recommendations of the other witness. Although an updated report on this measure was requested by the committee at an early date, no further comments or recommendations were made by the Department during the course of the committee de-

liberations on this matter. An additional executive communication was received January 30, 1976, however, and is printed at the close of this report.

The subcommittee adopted amendments to H.R. 4979 which brought the map references and acreage references in the bill into conformance with the current proposal. Other clarifying amendments were adopted, as well as specific authorization limitations on the funds to be used for both land acquisition and development purposes. The Subcommittee on National Parks and Recreation ordered H.R. 4979, as amended, favorably reported for the consideration of the Committee on Interior and Insular Affairs on December 12, 1975.

SECTION-BY-SECTION ANALYSIS

Section 1 sets out the purposes of the bill to provide for the recreational use of the Arbuckle Reservoir and the surrounding lands, and for the efficient administration of the other lands and values within the area. The commemoration of the Chickasaw Indian Nation is stated as the purpose of designating the expanded area as the Chickasaw National Recreation Area. The recreation area is generally described by a map reference, although the Secretary of the Interior is given authority to make boundary revisions by publication of a map in the Federal Register, so long as the recreation area does not exceed 10,000 acres in size.

Section 2 gives broad authority to the Secretary to acquire lands within the recreation area, including the ability to acquire all of a tract which may fall only partially within the boundaries. Lands so acquired outside the boundaries are to be disposed of through the General Services Administration. Federal properties within the area may be transferred without cost for the purposes of managing the recreation area. Any lands owned by the State of Oklahoma or other public agency may be acquired by donation only, with the exception that an exchange may be made with the city of Sulphur using lands which may be excluded from the area formerly known as the Platt National Park. The committee intends that this exchange authority will apply only to the small parcel of land which was indicated as suitable for exchange with the city at the time of the hearings on H.R. 4979.

Section 2 also permits a right of use and occupancy of up to 25 years or a life term to be retained on residential property acquired for the recreation area, if construction of the residence began prior to March 1, 1975, and if the property is the owner's permanent residence, as opposed to a vacation site. Other restrictions on this ability of owners to retain occupancy rights include authority for the Secretary to exclude lands needed for public access from this category and to terminate such retained rights upon a determination that an inconsistent use is being made of the occupancy right.

Section 3 provides that hunting and fishing will be permitted in accordance with both State and Federal laws. The Secretary may close designated areas to such uses, but only after consulting with the affected State agency, except in the case of emergency.

Section 4 instructs the Secretary to administer the area in accordance with the Organic Act of the National Park Service, unless otherwise provided under the terms of H.R. 4979, if enacted. The operation of

the Arbuckle Dam and Reservoir for project purposes is not to be affected by this act.

Section 5 repeals the act establishing the Platt National Park, and provides that the lands there included will now be a part of the Chickasaw National Recreation Area. Suitable markers may be placed within this area in memory of the late Senator Platt of Connecticut, and to recognize the original establishment of the park.

Section 6 permits a mechanism whereby the United States may cede concurrent jurisdiction to the State of Oklahoma over those lands formerly within Platt National Park, subject to an agreement being executed which will provide for similar concurrent jurisdiction over the remaining lands and waters within the recreation area.

Section 7 authorizes the appropriation of funds not exceeding designated limits for the acquisition and development of the lands within the recreation area. The development limitation is consistent with the estimates prepared by the National Park Service as a part of the master planning for this area.

COMMITTEE AMENDMENTS

The committee adopted amendments to H.R. 4979 which:

1. Provide reference map numbers and acreage figures which correspond to the area boundaries agreed upon by all witnesses at the hearings. The effect of these changes is to reduce the size of the proposed area and the estimated land acquisition costs for it from \$6 million to \$1.6 million;
2. Make a technical correction to a reference to the Secretary of the Interior;
3. Revise the qualifying date for the retention of a right of use and occupancy by residential landowners to reflect the date of the introduction of the bill in the 94th Congress;
4. Provide that a cession of exclusive Federal jurisdiction over the lands now within Platt National Park shall not occur until and agreement has been reached with the State of Oklahoma which will result in the transfer to the United States of concurrent jurisdiction over the lands within the recreation area; and
5. Place specific limitations on the funds which may be appropriated for the acquisition and development of the lands in the recreation area.

COST

As amended by the committee, H.R. 4979 authorizes not more than \$1.6 million to be appropriated for the acquisition of an estimated 1,170 acres of privately-owned lands within the recreation area. A limitation of \$4,567,000 is placed on the amounts which may be appropriated for development of facilities by the National Park Service within the area.

BUDGET ACT COMPLIANCE

The amounts authorized to be appropriated for land acquisition in the recreation area will be drawn from the Land and Water Conservation Fund. Although the fund is the identified source of income for these expenditures, specific appropriations must still be made as a part of the budget process. This authority would be considered along with other Federal recreation land acquisition needs within

whatever total amount is allocated for this purpose through the budget process. No requirement is made that any of the lands be acquired for the Chickasaw National Recreation Area in any given fiscal year.

INFLATIONARY IMPACT

The actual sums authorized by H.R. 4979 should not produce any significant impact on the economy since they will be expended only as needed over a period of years. The amended bill, as reported by the committee, keeps additional land acquisition expenses to an absolute minimum. The authorized total for development was estimated by the National Park Service to be expended over a 5-year schedule of construction, if appropriations were forthcoming. This level of expenditures should not have any significant inflationary impact even in the local area.

OVERSIGHT STATEMENT

Since two existing units of the national park system will form the bulk of the newly designated area, the subcommittee hearings afforded an opportunity to explore the changes which would be made in the existing operations. A discussion with the witness from the Department of the Interior indicated that the National Park Service would continue to protect the mineral springs and associated features now within the Platt National Park. Enactment of H.R. 4979 would permit a change in emphasis in the management of the area, permitting consideration of more extensive recreation facilities such as an expanded trail system. No recommendations were submitted to the committee pursuant to rule X, clause 2(b) (2).

COMMITTEE RECOMMENDATION

On January 27, 1976, after adopting the amendments as previously discussed, the Committee on Interior and Insular Affairs, meeting in open session, reported H.R. 4979, by voice vote, and recommends that the bill, as amended, be approved.

DEPARTMENTAL REPORT

The report of the Department of the Interior, dated August 18, 1975, is here printed in full. Following the report is an additional executive communication received from the Department after the committee had completed action on this measure:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., August 18, 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. 4979, a bill "To establish the Chickasaw National Recreation Area in the State of Oklahoma, and for other purposes."

We recommend that action on this bill be deferred until such time as the National Park Service has completed its study of the proposed area. H.R. 4979 would establish the Chickasaw National Recreation Area,

Okla., which would not exceed 15,000 acres, in order to facilitate public recreational use of Arbuckle Reservoir and adjacent lands. The Secretary of the Interior would be given broad land acquisition authority relating to the recreation area, and owners of improved residential property acquired therefor could obtain rights of use and occupancy of such property for limited periods of time.

The Secretary would permit hunting and fishing within the recreation area in accordance with appropriate Federal and State laws. He would administer it in accordance with the Act of August 25, 1916 (39 Stat. 535); as amended and supplemented, and in a manner consistent with his authority, under the Act of August 24, 1962 (76 Stat. 395), to operate the Arbuckle Dam and Reservoir.

H.R. 4979 would repeal the Act of June 29, 1906 (34 Stat. 837), which designated the Platt National Park, and include those lands in the recreation area. In addition, the bill would provide for retrocession of concurrent legislative jurisdiction by the United States over the lands comprising that park. Appropriation of sums necessary to carry out the bill's provisions would be authorized.

At its 65th meeting in October 1971, the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments favorably considered the proposal to establish the Chickasaw National Recreation Area. We are presently compiling the land acquisition, operating, and development information necessary to our evaluation of the proposal. We anticipate completing the gathering of that information by 1976.

We would also note that the Oklahoma statewide outdoor recreation plan states that there is no need for additional governmental land acquisition in this area. This plan states that major emphasis should be on development of existing public lands in the area for recreation purposes.

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 REED,
Assistant Secretary of the Interior.

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

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

DEAR MR. CHAIRMAN: On August 18, this Department submitted our report on H.R. 4979, a bill "To establish the Chickasaw National Recreation Area in the State of Oklahoma, and for other purposes." Our earlier report recommended that action on the bill be deferred until such time as the National Park Service has completed its study of the proposed area. This study has now been completed, and accordingly, we recommend that H.R. 4979 be enacted if amended as suggested herein.

This bill would include within the boundaries of a new national recreation area the existing Platt National Park which was estab-

lished by the Act of July 1, 1902 and designated as a national park by the Act of June 16, 1906, and Arbuckle Recreation Area, which is currently administered by the National Park Service pursuant to a cooperative agreement with the Bureau of Reclamation dated February 1, 1965, under authority of the act of August 7, 1946. In addition, the bill would authorize the acquisition of approximately 349 acres owned by the city of Sulphur, Okla., and 6,500 acres of private land.

We recommend that the bill be amended to reduce the entire size of the proposed Chickasaw National Recreation Area from 15,000 to not more than 10,000 acres. As we recommend that the bill be amended, it would contain the 912 acres currently in Platt National Park, 7,003 acres currently in the Arbuckle National Recreation Area, and 1,166.2 acres of land which is now privately owned. In addition, we propose to include the 349 acres owned by the city of Sulphur, and we propose the deletion from Platt National Park of approximately 6 acres.

The name "Chickasaw" is an appropriate recognition of the history of the area which was once part of the Chickasaw Nation. So named the new national recreation area will stand as a memorial to the Chickasaw Indian Tribe, who relocated on these lands after they were forced from their ancestral home in the Southeast. By combining two existing areas now operated by the National Park Service, the complementing units will provide comprehensive recreational resources in this area of south-central Oklahoma. Emphasis would be on day-use recreation activities, such as picnicking, hiking, wading, and nature study. On the Arbuckle Reservoir, water-oriented activities such as swimming, fishing, and boating would be emphasized. Interpretation within the proposed national recreation area will focus on man's relationship to his environment and on treating the area as an outdoor laboratory. The area is renowned for its prehistorical, historical, and geologic significance. Acquisition of the private lands will provide an increased land base for development of certain additional public recreation facilities. We expect that the combined units into a single national recreation area would provide recreation resources for the 2.5 million people in the Dallas/Fort Worth and the Oklahoma City areas, and it is within a 200-mile radius of over 5 million people.

The estimated cost of acquiring the 1,166 acres of private land which we recommend is approximately \$1.6 million. The 349 acres within the proposal owned by the city of Sulphur is expected to be donated or acquired by exchange. The 6 acres that we propose be excluded from the existing Platt National Park would be exchanged with the city of Sulphur for use by the city in expanding its school system. Based on May 1975 prices, we estimate the cost of new developments proposed in this national recreation area will be approximately \$4,567,000. We contemplate two major hiking and biking trails, one of 16 miles and another of 12 miles in length. Five group camps with comfort facilities and a new sewage treatment capability will also be developed.

We recommend the following amendments to H.R. 4979:

1. On page 2, lines 3 and 4, change the number and date of the map to "numbered 107-20, 004-A and dated February 1974." This amendment revises the boundary of the proposed national recreation area to delete approximately 6,500 acres of private land which would be incorporated in the boundary under H.R. 4979 but which we believe are unnecessary for acquisition for the area.

2. On page 2, lines 10 and 11, change "15,000 acres" to "10,000 acres". This is a conforming amendment.

3. On page 4, line 3, delete "July 1, 1972" and substitute therefor "January 1, 1975." The bill permits owners of improved property, which is defined as a single family year-round dwelling constructed before July 1, 1972, to retain a right of use and occupancy if the property is acquired by the Secretary for a fixed term of years not to exceed 25 years or for the life of the owner or his spouse. We fully intend to make ample use of this device in order to assist in the land acquisition program. Only one residence has been constructed in the area which we propose to acquire since July 1, 1972, and that was constructed in early 1973. Accordingly, we believe that it would be equitable to extend the same statutory right of use and occupancy to that owner as is available to the other three owners of "improved property" which was constructed before July 1, 1972. This proposed amendment would accomplish that result. No residential properties have been constructed since January of 1975.

4. On page 6, line 13, delete the period and add " , but not to exceed \$1.6 million for the acquisition of lands and waters and interests therein and not to exceed \$4.6 million for development." We prefer, as a general policy, to include appropriations authorization ceilings in legislation establishing new areas.

A draft environmental impact statement to accompany this proposed action has been prepared and is under review by the Department. It has not been submitted to the Council on Environmental Quality.

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

Sincerely yours,

DOUGLAS P. WHEELER,
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):

ACT OF JUNE 29, 1906 (34 STAT. 837)

[Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to change the name of the Sulphur Springs Reservation, an Indian reservation now in the State of Oklahoma, formerly in the Indian Territory, so that said Reservation shall be named and hereafter called the "Platt National Park," in honor of Orville Hitchcock Platt, late and for twenty-six years a Senator from the State of Connecticut and for many years a member of the Committee on Indian Affairs, in recognition of his distinguished services to the Indians and to the country.]

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 establish the Chickasaw National Recreation Area in the State of Oklahoma,
and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide for public outdoor recreation use and enjoyment of Arbuckle Reservoir and land adjacent thereto, and to provide for more efficient administration of other adjacent area containing scenic, scientific, natural, and historic values contributing to public enjoyment of the area and to designate the area in such manner as will constitute a fitting memorialization of the Chickasaw Indian Nation, there is hereby established the Chickasaw National Recreation Area (hereinafter referred to as the "recreation area") consisting of lands and interests in lands within the area as generally depicted on the drawing entitled "Boundary Map, Chickasaw National Recreation Area," numbered 107-20004-A and dated February 1974, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior. The Secretary of the Interior (hereinafter referred to as the "Secretary") may from time to time revise the boundaries of the recreation area by publication of a map or other boundary description in the Federal Register, but the total acreage of the recreation area may not exceed ten thousand acres.

SEC. 2. (a) The Secretary may acquire land or interests in lands within the boundaries of the recreation area by donation, purchase with donated or appropriated funds, or exchange. When any tract of land is only partly within such boundaries, the Secretary may acquire all or any portion of the land outside of such boundaries in order to minimize the payment of severance costs. Land so acquired outside of the boundaries may be exchanged by the Secretary for non-Federal lands within the boundaries, and any land so acquired and not utilized for exchange shall be reported to the General Services Administration for disposal under the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended. Any Federal property located within the boundaries of the recreation area may be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of the recreation area. Lands within the boundaries of the recreation area owned by the State of Oklahoma, or any political subdivision thereof, may be acquired only by donation: *Provided,* That the Secretary may also acquire lands by exchange with the city of Sulphur, utilizing therefor only such lands as may be excluded from the recreation area which were formerly within the Platt National Park.

(b) With respect to improved residential property acquired for the purposes of this Act, which is beneficially owned by a natural person and which the Secretary determines can be continued in that use for a limited period of time without undue interference with the administration, development, or public use of the recreation area, the owner thereof may on the date of its acquisition by the Secretary retain a right of use and occupancy of the property for noncommercial residential purposes for a term, as the owner may elect, ending either (1) at the death of the owner or his spouse, whichever

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occurs later, or (2) not more than twenty-five years from the date of acquisition. Any right so retained may, during its existence, be transferred or assigned. 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.

(c) As used in this Act, "improved residential property" means a single-family year-round dwelling, the construction of which began before March 1, 1975, and which serves as the owner's permanent place of abode at the time of its acquisition by the United States, together with not more than three acres of land on which the dwelling and appurtenant buildings are located that the Secretary finds is reasonably necessary for the owner's continued use and occupancy of the dwelling: *Provided*, That the Secretary may exclude from improved residential property any waters and adjoining land that the Secretary deems is necessary for public access to such waters.

(d) The Secretary may terminate a right to use and occupancy retained pursuant to this section upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of the Act, and upon tender to the holder of the right an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

SEC. 3. The Secretary shall permit hunting and fishing on lands and waters within the recreation area in accordance with applicable Federal and State laws: *Provided*, That he may designate zones where, and establish periods when, no hunting or fishing will be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations issued by the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State agency responsible for hunting and fishing activities.

SEC. 4. (a) Except as otherwise provided in this Act, the Secretary shall administer the recreation area in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4), as amended and supplemented.

(b) Nothing contained in this Act shall affect or interfere with the authority of the Secretary by the Act of August 24, 1962 (76 Stat. 395), to operate the Arbuckle Dam and Reservoir in accordance with and for the purposes set forth in that Act.

SEC. 5. The Act of June 29, 1906 (34 Stat. 837), which directed that certain lands now included by this Act in the recreation area be designated as the Platt National Park, is hereby repealed, and such lands shall hereafter be considered and known as an integral part of the Chickasaw National Recreation Area: *Provided*, That within such area the Secretary may cause to be erected suitable markers or plaques to honor the memory of Orville Hitchcock Platt and to commemorate the original establishment of Platt National Park.

SEC. 6. Notwithstanding the provisions of section 7 of the Act of June 16, 1906 (34 Stat. 272), which retain exclusive jurisdiction in the United States, upon notification in writing to the Secretary by the appropriate State officials of the acceptance by the State of Oklahoma of concurrent legislative jurisdiction over the lands formerly within the Platt National Park, the Secretary shall publish a notice to that effect in the Federal Register and, upon such publication, concurrent legislative jurisdiction over such lands is hereby ceded to the State of Oklahoma: *Provided*, That such cession of jurisdiction shall not occur until a written agreement has been reached between the State of Oklahoma and the Secretary providing for the exercise of concurrent

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jurisdiction over all other lands and waters within the Chickasaw National Recreation Area.

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not to exceed \$1,600,000 for the acquisition of lands and interests in lands, and \$4,567,000 for development.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*