National Park Service
U.S. Department of the Interior

Legislative and Congressional Affairs

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House Subcommittee on Public Lands and Environmental Regulation

Senate Committee on Energy & Natural Resources

Senate Subcommittee on National Parks

Senate Committee on Environment & Public Works

NATIONAL PARK SERVICE LAWS

The following laws complitaions have been compiled and edited by the National Park Service. We have made every effort to have as complete and accurate a text as possible. We encourage you to recheck the *Statues at Large* if you have any doubt about the official text of any law.

These texts are searchable.

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Proclamations Vol. II (1945-2001)

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House Appropriations Subcommittee on the Interior, Environment and Related Agencies

Senate Committee on Appropriations

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UNITED STATES DEPARTMENT OF THE INTERIOR
HAROLD L. ICKES, *Secretary*
NATIONAL PARK SERVICE
NEWTON B. DRURY, Director

LAWS RELATING TO THE NATIONAL PARK SERVICE

SUPPLEMENT I

July 1933 through April 1944

COMPILED BY
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FOREWORD

This volume is the first printed supplement to the publication, Laws Relating to the National Park Service, The National Parks and Monuments, which was issued in 1933. The large number of enactments contained herein are indicative of the expanding interest of the people and the Congress of the United States in the areas administered by the National Park Service.

The growth of the National Park System in recent years denotes recognition by the American public of the need for preserving for all time the outstanding natural and historic values of their country.

NEWTON B. DRURY
Director, National Park Service

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[2] See Executive Orders No. 6166 and 6228, pages 203 and 205, relating to transfer of functions over such areas from the War Department to the Interior Department.

[3] The Recreational Demonstration Areas were transferred from the Resettlement Administration to the Secretary of the Interior by Executive Order No. 7496, November 14, 1936 (1 Fed. Reg. 1946; 16 U. S. C. sec. 459r). They were acquired by the United States under the authority of Title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200) and the Emergency Relief Appropriation Act of 1935, approved April 8, 1935 (49 Stat. 115).

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An Act To amend the Act of August 24, 1912 (37 stat. 460), as amended, with regard to the limitation of cost upon the construction of buildings in national parks, approved February 13, 1940 (54 Stat. 36)

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

National Parks. Limitation of cost of certain buildings increased.

That the limitation of cost upon the construction of any administration or other building in any national park without express authority of Congress, contained in the Act approved August 24, 1912 (37 Stat. 460), as amended by the Act of July 1, 1918 (40 Stat. 677), is hereby increased from $1,500 to $3,000. (16 U.S.C. sec. 451.)

An Act To provide for the residence of the United States commissioners appointed for the national parks, and for other purposes, approved June 28, 1938 (52 Stat. 1213)

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

National parks.

That any United States commissioner appointed for any of the several national parks shall reside within the exterior boundaries of the park for which he is appointed or at a place reasonably adjacent to such park, the place of residence to be designated by the Secretary of the Interior. (16 U.S.C. sec. 1a.)

Residence requirements, United States commissioners.

Accrued salary payment.

SEC. 2. Any such commissioner heretofore appointed shall be entitled to receive the salary provided by law, which may have accrued at the date this Act becomes effective.

without regard to whether such commissioner may have resided within the exterior boundaries of the park for which appointed. (16 U.S.C. sec. 1a note.)

Inconsistent laws, etc., repealed.

SEC. 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency. (16 U.S.C. sec. 1a note.)

An Act To confer jurisdiction upon certain United States commissioners to try petty offenses committed on Federal reservations, approved October 9, 1940 (54 Stat. 1058)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any United States commissioner specially designated for that purpose by the court by which he was appointed shall have jurisdiction to try and, if found guilty, to sentence persons charged with petty offenses against the law, or rules and regulations made in pursuance of law, committed in any place over which the Congress has exclusive power to legislate or over which the United States has concurrent jurisdiction, and within the judicial district for which such commissioner was appointed. The probation laws shall be applicable to persons so tried before United States commissioners. For the purposes of this Act the term "petty offense" shall be defined as in section 335 of the Criminal Code (U.S.C., title 18, sec. 541). If any person charged with such petty offense shall so elect, however, he shall be tried in the district court of the United States which has jurisdiction over the offense. The commissioner before whom the defendant is arraigned shall apprise the defendant of his right to make such election and shall not proceed to try the case unless the defendant after being so apprised, signs a written consent to be tried before the commissioner. (18 U.S.C. sec. 576.)

U. C. Commissioners.

Jurisdiction to try petty offenses.

Probation laws.

"Petty offense" defined. 46 Stat. 1029.

Right of defendant to be tried in district court of U. S.

Appeal.

SEC. 2. In all cases of conviction by United States commissioners an appeal shall lie from the judgment of the commissioner to the district court of the United States for the district in which the offense was committed. The Supreme Court shall prescribe rules of procedure and practice for the trial of cases before commissioners and for taking and hearing of appeals to the said district courts of the United States. (18 U.S.C. sec. 576a.)

Rules of procedure, etc.

Fees.

SEC. 3. United States commissioners specially designated under authority of section 1 of this Act shall receive for services rendered under this Act the same fees, and none other, as provided for like or similar services in other cases under section 21 of the Act of May 28, 1896 (29 Stat. 184; U.S.C., title 28, sec. 597). (18 U.S.C. sec. 576b.)

Existing jurisdiction.

SEC. 4. This Act shall not be construed as in any way repealing or limiting the existing jurisdiction, power, or authority of United States commissioners, including United States commissioners appointed for the several national parks and the United States commissioners in Alaska. (18 U.S.C. sec. 576c.)

Nonapplication to D. C.

SEC. 5. The provisions of this Act shall not apply to the District of Columbia. (18 U.S.C. sec. 576d.)

Excerpt from "An Act To amend the Act entitled 'An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes', approved June 28, 1934," approved June 26, 1936 (49 Stat. 1976)

48 Stat. 1269.

SEC. 3. Section 8 of such Act is amended to read as follows:

Acceptance of lands within exterior boundaries of grazing districts.

"SEC. 8. (a) That where such action will promote the purposes of the district or facilitate its administration, the Secretary is authorized, for the purpose of this Act only, to accept on behalf of the United States any lands within the exterior boundaries of a grazing district as a gift.

Exchanges for privately owned lands.

"(b) When public interests will be benefited thereby the Secretary is authorized to accept on behalf of the United States title to any privately owned lands within or without the boundaries of a grazing district, and in exchange therefor to issue patent for not to exceed an equal value of surveyed grazing district land or of unreserved surveyed public land in the same State or within a distance of not more than fifty miles within the adjoining State nearest the base lands.

Exchange of lands upon application of a State

"(c) Upon application of any State to exchange lands within or without the boundaries of a grazing district the Secretary of the Interior shall, and is hereby, directed to proceed with such exchange at the earliest practicable date and to cooperate fully with the State to that end, but no State shall be permitted to select lieu lands in another State. The Secretary of the Interior shall accept on behalf of the United States title to any State-owned lands within or without the boundaries of a grazing district, and in exchange therefor issue patent to surveyed grazing district land not otherwise reserved or appropriated or unappropriated and unreserved surveyed public land; and in making such exchange the Secretary is authorized to patent to such State, land either of equal value or of equal acreage: *Provided,* That no State shall select public lands in a grazing district in furtherance of any exchange unless the lands offered by the State in such exchange lie within such grazing district and the selected lands lie in a reasonably compact body which is so located as not to interfere with the administration or value of the remaining land in such district for grazing purposes as set forth in this Act.

Proviso.

Restriction on selection.

Mineral lands. Exchanges of, with a mineral reservation.

"When an exchange is based on lands of equal acreage and the selected lands are mineral in character, the patent thereto shall contain a reservation of all minerals to the United States; and in making exchanges of equal acreage the Secretary of the Interior is authorized to accept title to offered lands which are mineral in character, with a mineral reservation to the State.

"For the purpose of effecting exchanges based on lands of equal acreage the identification and area of unsurveyed school sections may be determined by protraction or otherwise. The selection by the State of lands in lieu of any such protracted school sections shall be a waiver of all of its right to such sections.

Determination of identification and area of school sections in effecting exchanges.

"(d) Before any such exchange under this section shall be effected, notice of the contemplated exchange, describing the lands involved, shall be published by the Secretary of the Interior once each week for four successive weeks in some newspaper of general circulation in the county or counties in which may be situated the lands to be accepted, and in the same manner in some like newspaper published in any county in which may be situated any lands to be given in such exchange; lands conveyed to the United States under this Act shall, upon acceptance of title, become public lands, and if located within the exterior boundaries of a grazing district they shall become a part of the district within the boundaries of which they are located: *Provided,* That either party to an exchange based upon equal value under this section may make reservations of minerals, easements, or rights of use. Where reservations are made in lands conveyed either to or by the United States the right to enjoy them shall be subject to such reasonable conditions respecting ingress and egress and the use of the surface of the land as may be deemed necessary. Where mineral reservations are made by the grantor in lands conveyed by the United States, it shall be so stipulated in the patent, and any person who prospects for or acquires the right to mine and remove the reserved mineral deposits may enter and occupy so much of the surface as may be required for all purposes incident to the prospecting for, mining and removal of the minerals therefrom, and may mine and remove such minerals, upon payment to the owner of the surface for damages caused to the land and improvements thereon. No fee shall be charged for any exchange of land made under this Act except one-half of the cost of publishing notice of a proposed exchange as herein provided." (43 U.S.C. sec. 315g.)

Notice of contemplated exchange, by publication.

Lands conveyed to U. S. to be public lands.

Proviso.

Reservations of minerals. Ingress and egress.

Miners, right to enter and use surface for mining purposes.

Damages. Fee restriction; division of cost of publishing notices.

An Act To amend section 1 of the Act providing punishment for the killing or assaulting of Federal officers, approved June 13, 1940 (54 Stat. 391)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of May 18, 1934 (ch. 299, 48 Stat. 780), as amended (U.S.C., title 18, sec. 253), be, and it is hereby, amended to read as follows:

"That whoever shall kill, as defined in sections 273 and 274 of the Criminal Code, any United States marshal or deputy United States marshal or person employed to assist a United States marshal or deputy United States marshal, any officer or employee of the Federal Bureau of Investigation of the Department of Justice, post-office inspector,

Punishment for killing Federal officers.

Secret Service operative, any officer or enlisted man of the Coast Guard, any employee of any United States penal or correctional institution, any officer, employee, agent, or other person in the service of the customs or of the internal revenue, any immigrant inspector or any immigration patrol inspector, any officer or employee of the Department of Agriculture or of the Department of the Interior designated by the Secretary of Agriculture or the Secretary of the Interior to enforce any Act of Congress for the protection, preservation, or restoration of game and other wild birds and animals, any officer or employee of the National Park Service, any officer or employee of, or assigned to duty in, the field service of the Division of Grazing of the Department of the Interior, or any officer or employee of the Indian field service of the United States, while engaged in the performance of his official duties, or on account of the performance of his official duties, shall be punished as provided under section 275 of the Criminal Code." (18 U.S.C. sec. 253.)

National Park Service.

18 U.S.C. sec. 454

Excerpt from "An Act To provide for control and regulation of public-utility holding companies, and for other purposes," approved August 26, 1935 (49 Stat. 803, 847)

41 Stat. 1063—1077.

SEC. 212. Sections 1 to 29, inclusive, of the Federal Water Power Act, as amended, shall constitute Part I of that Act and sections 25 and 30 of such Act, as amended, are repealed: *Provided,* That nothing in that Act, as amended, shall be construed to repeal or amend the provisions of the amendment to the Federal Water Power Act approved March 3, 1921 (41 Stat. 1353), or the provisions of any other Act relating to national parks and national monuments. (16 U.S.C. ch. 12 note, sec. 797 note.)

Proviso. Acts not affected hereby.

An Act To amend the Criminal Code in respect to fires on the public domain or Indian lands or on certain lands owned or leased by, or under the partial, concurrent, or exclusive jurisdiction of the United States, approved November 15, 1941 (55 Stat. 763)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 52 of the Criminal Code (Act of March 4, 1909, sec. 52; 35 Stat. 1098, United States Code, title 18, sec. 106) is hereby amended to read as follows:

Criminal Code amendments.

"SEC. 52. Whoever shall willfully and without authority so to do set on fire or cause to be set on fire any timber, underbrush, or grass or other inflammable material upon the public domain or upon any lands owned or leased by or under the partial, concurrent, or exclusive jurisdiction of the United States which are included in a park, forest, monument, historical park, military park, battlefield site, parkway, recreational area, seashore, lake shore, cemetery, recreational demonstration project, wildlife refuge, grazing district, or stock driveway, or upon any land title to which was revested in the United States under the Act of June 9,

Setting fire to timber, etc., on designated lands.

1916 (39 Stat. 218), or upon any land reconveyed to the United States under the Act of February 26, 1919 (40 Stat. 1179), or upon any lands owned by the United States and under the jurisdiction of the Forest Service or the Bureau of Animal Industry or administered under title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 525), or upon any lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the Act of March 1, 1911 (36 Stat. 961), as amended, or title III of the said Bankhead-Jones Farm Tenant Act, or under statutory authority for addition to a park or wildlife refuge or upon any Indian reservation or lands belonging to or occupied by any tribe or group of Indians under authority of the United States, or upon any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, unless an allottee sets or causes to be set any fire in the reasonable exercise of his proprietary rights in the allotment, shall be fined not more than $5,000 or imprisoned not more than five years, or both." (18 U.S.C. sec. 106.)

7 U.S.C. secs. 1010-1013.

16 U.S.C. secs. 513-519, 521.

Punishment.

SEC. 2. Section 53 of the Criminal Code, as amended (Act of June 25, 1910, sec. 6, 36 Stat. 857; United States Code, title 18, sec. 107), is hereby amended to read as follows:

"SEC. 53. Whoever shall build a fire or cause a fire to be built in or near any forest, timber, or other inflammable material upon any lands owned, controlled or leased by, or under the partial, concurrent, or exclusive jurisdiction of the United States, including lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the Act of March 1, 1911 (36 Stat. 961), as amended, or under title III of the Bankhead-Jones Farm Tenant Act (50 Stat. 522, 525), or under statutory authority for addition to a park or wildlife refuge, any Indian reservation, or lands belonging to or occupied by any tribe or group of Indians under the authority of the United States, or any Indian allotment while the title to the same shall be held in trust by the United States, or while the same shall remain inalienable by the allottee without the consent of the United States, shall, before leaving said fire, totally extinguish the same; and whoever shall neglect and omit totally to extinguish said fire or whoever shall permit or suffer said fire to burn or spread beyond his control or whoever shall leave or suffer said fire to burn unattended in such places, shall be fined not more than $500 or imprisoned not more than six months without hard labor, or both." (18 U.S.C. sec. 107.)

Failure to extinguish fires.

16 U.S.C. secs. 513-519, 521.

7 U.S.C. secs. 1010-1013.

Punishment.

An Act To provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes, approved August 21, 1935 (49 Stat. 666)

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

Preservation of historic American sites, buildings, and objects.

That it is hereby declared that it is a national policy to preserve for public use historic sites, buildings and objects of national significance for the inspiration and benefit of the people of the United States. (16 U.S.C. sec. 461.)

Powers and duties of Secretary of the Interior.

SEC. 2. The Secretary of the Interior (hereinafter referred to as the Secretary), through the National Park Service, for the purpose of effectuating the policy expressed in section 1 hereof, shall have the following powers and perform the following duties and functions:

Collating data, etc.

(a) Secure, collate, and preserve drawings, plans, photographs, and other data of historic and archaeologic sites, buildings, and objects.

Surveys, etc., illustrating United States history.

(b) Make a survey of historic and archaeologic sites, buildings, and objects for the purpose of determining which possess exceptional value as commemorating or illustrating the history of the United States.

Investigations and researches.

(c) Make necessary investigations and researches in the United States relating to particular sites, buildings, or objects to obtain true and accurate historical and archaeological facts and information concerning the same.

Acquisition of property, etc.

(d) For the purpose of this Act, acquire in the name of the United States by gift, purchase, or otherwise any property, personal or real, or any interest or estate therein, title to any real property to be satisfactory to the Secretary: *Provided,* That no such property which is owned by any religious or educational institution, or which is owned or administered for the benefit of the public shall be so acquired without the consent of the owner: *Provided further,* That no such property shall be acquired or contract or agreement for the acquisition thereof made which will obligate the general fund of the Treasury for the payment of such property, unless or until Congress has appropriated money which is available for that purpose.

Provisos.

Property owned by religious, etc., institutions.

No Federal expense unless appropriation available.

Cooperative protection, etc., agreements.

(e) Contract and make cooperative agreements with States, municipal subdivisions, corporations, associations, or individuals, with proper bond where deemed advisable, to protect, preserve, maintain, or operate any historic or archaeologic building, site, object, or property used in connection therewith for public use, regardless as to whether the title thereto is in the United States: *Provided,* That no contract or cooperative agreement shall be made or entered into which will obligate the general fund of the Treasury unless or until Congress has appropriated money for such purpose.

Proviso.

Federal obligation restriction.

Preserving antiquities and establishing museums.

(f) Restore, reconstruct, rehabilitate, preserve, and maintain historic or prehistoric sites, buildings, objects, and properties of national historical or archaeological significance and where deemed desirable establish and maintain museums in connection therewith.

Tablets marking historic places.

(g) Erect and maintain tablets to mark or commemorate historic or prehistoric places and events of national historical or archaeological significance.

(h) Operate and manage historic and archaeologic sites, buildings, and properties acquired under the provisions of this Act together with lands and subordinate buildings for the benefit of the public, such authority to include the power to charge reasonable visitation fees and grant concessions, leases, or permits for the use of land, building space, roads, or trails when necessary or desirable either to accommodate the public or to facilitate administration: *Provided,* That such concessions, leases, or permits, shall be let at competitive bidding, to the person making the highest and best bid.

Operating buildings, etc.

Proviso.
Concessions, etc.

(i) When the Secretary determines that it would be administratively burdensome to restore, reconstruct, operate, or maintain any particular historic or archaeologic site, building, or property donated to the United States through the National Park Service, he may cause the same to be done by organizing a corporation for that purpose under the laws of the District of Columbia or any State.

Corporations to assist, may be organized.

(j) Develop an educational program and service for the purpose of making available to the public facts and information pertaining to American historic and archaeologic sites, buildings, and properties of national significance. Reasonable charges may be made for the dissemination of any such facts or information.

Educational program and service.

(k) Perform any and all acts, and make such rules and regulations not inconsistent with this Act as may be necessary and proper to carry out the provisions thereof. Any person violating any of the rules and regulations authorized by this Act shall be punished by a fine of not more than $500 and be adjudged to pay all cost of the proceedings. (16 U.S.C. sec. 462.)

Rules to be prescribed.

Penalty for violation.

SEC. 3. A general advisory board to be known as the "Advisory Board on National Parks, Historic Sites, Buildings, and Monuments" is hereby established, to be composed of not to exceed eleven persons, citizens of the United States, to include representatives competent in the fields of history, archaeology, architecture, and human geography, who shall be appointed by the Secretary and serve at his pleasure. The members of such board shall receive no salary but may be paid expenses incidental to travel when engaged in discharging their duties as such members.

General advisory board established.

Composition.

Expenses.

Duties.

It shall be the duty of such board to advise on any matters relating to national parks and to the administration of this Act submitted to it for consideration by the Secretary. It may also recommend policies to the Secretary from time to time pertaining to national parks and to the restoration, reconstruction, conservation, and general administration of historic and archaeologic sites, buildings, and properties. (16 U.S.C. sec. 463.)

SEC. 4. The Secretary, in administering this Act, is authorized to cooperate with and may seek and accept the assistance of any Federal, State, or municipal department or agency, or any educational or scientific institution, or any patriotic association, or any individual.

Cooperation of Government agencies.

Technical advisory committees.

(b) When deemed necessary, technical advisory committees may be established to act in an advisory capacity in connection with the restoration or reconstruction of any historic or prehistoric building or structure.

Professional, etc., services.

(c) Such professional and technical assistance may be employed without regard to the civil-service laws, and such service may be established as may be required to accomplish the purposes of this Act and for which money may be appropriated by Congress or made available by gifts for such purpose. (16 U.S.C. sec. 464.)

Jurisdiction.

SEC. 5. Nothing in this Act shall be held to deprive any State, or political subdivision thereof, of its civil and criminal jurisdiction in and over lands acquired by the United States under this Act. (16 U.S.C. sec. 465.)

Appropriation authorized.

SEC. 6. There is authorized to be appropriated for carrying out the purposes of this Act such sums as the Congress may from time to time determine. (16 U.S.C. sec. 466.)

Conflicting laws repealed.

SEC. 7. The provisions of this Act shall control if any of them are in conflict with any other Act or Acts relating to the same subject matter. (16 U.S.C. sec. 467.)

Excerpt from "An Act To amend the Act entitled 'An Act to provide for the disposition, control, and use of surplus real property acquired by Federal agencies, and for other purposes', approved August 27, 1935 (Public, Numbered 351, Seventy-fourth Congress), and for other purposes," approved July 18, 1940 (54 Stat. 765)

49 Stat. 885.

SEC. 2. Such Act of August 27, 1935, is further amended by adding at the end thereof the following sections:

* * * * * * *

"SEC. 7. The Commissioner of Public Buildings, with the approval of the Federal Works Administrator, is authorized, upon their determination that such action will be to the best interest of the Government, to demolish any building declared surplus to the needs of the Government in accordance with the provisions of this Act: *Provided,* That before proceeding with the demolition of any building, the Commissioner of Public Buildings shall inform the Secretary of the Interior in writing of his intention to demolish it, and shall not proceed with the demolition until he shall have received written notice from the Secretary of the Interior that said building is not an historic building of national significance within the meaning of the Act entitled 'An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes', approved August 21, 1935 (Public, Numbered 292, Seventy-fourth Congress; 49 Stat. 666): *Provided, however,* That if the Secretary of the Interior shall fail to notify the Commissioner of Public Buildings of his determination as to whether such building is an historic building of national significance within ninety days of the receipt of the notice of intention to demolish the Commissioner of Public Buildings may proceed to demolish said building." (40 U.S.C. sec. 304a-2.)

Demolition of surplus buildings.

Notice of intention to demolish.

Historic buildings, restriction.

Failure to give notification, effect.

Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1940, and for other purposes," approved May 10, 1939 (53 Stat. 685, 729)

Information and directional signs.

Appropriations herein and hereafter made for the National Park Service shall be available for the printing of information and directional signs made of cloth and required in the administration of areas under its jurisdiction. (16 U.S.C. sec. 14a.)

Excerpt from "An Act To amend section 355 of the Revised Statutes, as amended, to authorize the Attorney General to approve the title to low-value lands and interests in lands acquired by or on behalf of the United States subject to infirmities, and for other purposes," approved October 9, 1940 (54 Stat. 1084)

Jurisdiction over lands.

Notwithstanding any other provision of law, the obtaining of exclusive jurisdiction in the United States over lands or interests therein which have been or shall hereafter be acquired by it shall not be required; but the head or other authorized officer of any department or independent establishment or agency of the Government may, in such cases and at such times as he may deem desirable, accept or secure from the State in which any lands or interests therein under his immediate jurisdiction, custody, or control are situated, consent to or cession of such jurisdiction, exclusive or partial, not theretofore obtained, over any such lands or interests as he may deem desirable and indicate acceptance of such jurisdiction on behalf of the United States by filing a notice of such acceptance with the Governor of such State or in such other manner as may be prescribed by the laws of the State where such lands are situated. Unless and until the United States has accepted jurisdiction over lands hereafter to be acquired as aforesaid, it shall be conclusively presumed that no such jurisdiction has been accepted. (40 U.S.C. sec. 255.)

Acceptance.

An Act Authorizing the Secretary of the Interior to furnish mats for the reproduction in magazines and newspapers of photographs of national park scenery, approved August 27, 1940 (54 Stat. 861)

Photographs of national park scenery.

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 and directed to have prepared mats which may be used for the reproduction in magazines and newspapers of photographs of such of the scenery in the national parks as, in the opinion of the Secretary, would be of interest to the people of the United States and foreign nations. Any such mats may be furnished, without charge and under such regulations as the Secretary may prescribe, to the publishers of magazines, newspapers, and any other publications which may carry photographic reproductions.

Preparation of mats for magazines, etc.

No charge for mats.

SEC. 2. There is hereby authorized to be appropriated for the fiscal year ending June 30, 1941, the sum of $3,000

Appropriation authorized.

for the purpose of carrying out the provisions of this Act. (16 U.S.C. sec. 458a.)

Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1936, and for other purposes," approved May 9, 1935 (49 Stat. 176, 209)

Credits of receipts for meals and quarters.

Hereafter cash collections and pay-roll deductions made for meals and quarters furnished by the National Park Service to employees of the Government in the field and to cooperating agencies may be credited as a reimbursement to the current appropriation for the administration of the park or monument in which the accommodations are furnished. (16 U.S.C. sec. 14b, 456a.)

Excerpts from "An Act To amend the Interstate Commerce Act, as amended, by providing for the regulation of the transportation of passengers and property by motor carriers operating in interstate or foreign commerce, and for other purposes," approved August 9, 1935 (49 Stat. 543, 545)

49 Stat. 545.

(b) Nothing in this part, except the provisions of section 204 relative to qualifications and maximum hours of service of employees and safety of operation or standards of equipment shall be construed to include * * * (4) motor vehicles operated, under authorization, regulation, and control of the Secretary of the Interior, principally for the purpose of transporting persons in and about the national parks and national monuments. (49 U.S.C. sec. 303(b).)

Services excluded.

Busses in national parks, etc.

* * * * * * *

49 Stat. 546.

SEC. 204. (a) It shall be the duty of the Commission—

Regulation of common carriers, requirements.

(1) To regulate common carriers by motor vehicle as provided in this part, and to that end the Commission may establish reasonable requirements with respect to continuous and adequate service, transportation of baggage and express, uniform systems of accounts, records, and reports, preservation of records, qualifications and maximum hours of service of employees, and safety of operation and equipment.

Regulation of contract carriers, requirements.

(2) To regulate contract carriers by motor vehicle as provided in this part, and to that end the Commission may establish reasonable requirements with respect to uniform systems of accounts, records, and reports, preservation of records, qualifications and maximum hours of service of employees, and safety of operation and equipment.

Private carriers.

(3) To establish for private carriers of property by motor vehicle, if need therefor is found, reasonable requirements to promote safety of operation, and to that end prescribe qualifications and maximum hours of service of employees, and standards of equipment. In the event such requirements are established, the term "motor carrier" shall be construed to include private carriers of property by motor vehicle in the administration of sections 204 (d) and (e);[1] 205; 220; 221; 222 (a), (b), (d), (f), and (g); and 224. (49 U.S.C. sec. 304.)

[1] "204c" substituted for "204(d) and (e)" by Section 20(b), Act of Sept. 18, 1940 (54 Stat. 922).

An Act To provide for the protection of national military parks, national parks, battlefield sites, national monuments, and miscellaneous memorials under the control of the War Department,[2] approved March 2, 1933 (47 Stat. 1420)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to prescribe and publish such regulations as he deems necessary for the proper government and protection of, and maintenance of good order in, national military parks, national parks, battlefield sites, national monuments, and miscellaneous memorials as are now or hereafter may be under the control of the War Department; and any person who knowingly and willfully violates any such regulation shall be deemed guilty of a misdemeanor and punishable by a fine of not more than $100 or by imprisonment for not more than three months, or by both such fine and imprisonment. (16 U.S.C. sec. 9a.)

National military parks, monuments, etc. Regulations for government.

Punishment for violation.

SEC. 2. That the commissioners, superintendents, caretakers, officers, or guards of such national military parks, national parks, battlefield sites, national monuments, and miscellaneous memorials, or any of them, are authorized to make arrests for violations of any of the regulations prescribed pursuant to this Act, and to bring the offenders before the nearest commissioner, judge, or court of the United States having jurisdiction in the premises. (16 U.S.C. sec. 10a.)

Arrest of offenders.

Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1935, and for other purposes," approved March 2, 1934 (48 Stat. 362, 389)

Hereafter the Office of National Parks, Buildings, and Reservations shall be known as the "National Park Service", and appropriations herein made for the Office of National Parks, Buildings, and Reservations shall be available to the National Park Service, and the services of the Director and personnel of the Office of National Parks, Buildings, and Reservations shall be continued in the National Park Service under their present appointments. (16 U.S.C. sec. 1.)

To be known as "National Park Service" hereafter.

An Act To create a National Park Trust Fund Board, and for other purposes, approved July 10, 1935 (49 Stat. 477)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a board is hereby created and established, to be known as the National Park Trust Fund Board (hereinafter referred to as the Board), which shall consist of the Secretary of the Treasury, the Secretary of the Interior, the Director of the National Park Service, and two persons appointed by the President for a term of five years each (the first appoint-

National Park Trust Fund Board, created.

Membership, terms of office, quorum, etc.

[2] See Executive orders in the Appendix providing for transfer of certain War Department areas to the Department of the Interior.

ments being for three and five years, respectively). Three members of the Board shall constitute a quorum for the transaction of business, and the Board shall have an official seal, which shall be judicially noticed. The Board may adopt rules and regulations in regard to its procedure and the conduct of its business.

Seal.

Procedural rules and regulations.

Compensation; expenses of members.

No compensation shall be paid to the members of the Board for their services as such members, but they shall be reimbursed for the expenses necessarily incurred by them, out of the income from the fund or funds in connection with which such expenses are incurred. (16 U.S.C. sec. 19.)

Acceptance, etc., of gifts.

Sec. 2. The Board is hereby authorized to accept, receive, hold, and administer such gifts or bequests of personal property for the benefit of, or in connection with, the National Park Service, its activities, or its service, as may be approved by the Board, but no such gift or bequest which entails any expenditure not to be met out of the gift, bequest or the income thereof shall be accepted without the consent of Congress.

Investment of trust funds.

"National Park Trust Fund."

The moneys or securities composing the trust funds given or bequeathed to the Board shall be receipted for by the Secretary of the Treasury, who shall invest, reinvest, or retain investments as the Board may from time to time determine. The income, as and when collected, shall be covered into the Treasury of the United States in a trust fund account to be known as the "National Park Trust Fund" subject to disbursement by the Division of Disbursement, Treasury Department, for the purposes in each case specified: *Provided, however,* That the Board is not authorized to engage in any business, nor shall the Secretary of the Treasury make any investment for account of the Board that may not lawfully be made by a trust company in the District of Columbia, except that the Secretary may make any investments directly authorized by the instrument of gift, and may retain any investments accepted by the Board. (16 U.S.C. sec. 19a.)

Restriction on investments.

Powers of Board.

Sec. 3. The Board shall have perpetual succession, with all the usual powers and obligations of a trustee, including the power to sell, except as herein limited, in respect of all property, moneys, or securities which shall be conveyed, transferred, assigned, bequeathed, delivered or paid over to it for the purposes above specified. The Board may be sued in the Supreme Court of the District of Columbia, which is hereby given jurisdiction of such suits, for the purpose of enforcing the provisions of any trust accepted by it. (16 U.S.C. sec. 19b.)

Gifts for immediate disbursement, etc.

Sec. 4. Nothing in this Act shall be construed as prohibiting or restricting the Secretary of the Interior from accepting, in the name of the United States, gifts or bequests of money for immediate disbursement or other property in the interest of the National Park Service, its activities, or its service, as heretofore authorized by law. (16 U.S.C. sec. 6a.)

Tax exemption.

SEC. 5. Gifts or bequests to or for the benefit of the National Park Service, including those to the Board, and the income therefrom, shall be exempt from all Federal taxes. (16 U.S.C. sec. 19c.)

Report to Congress.

SEC. 6. The Board shall submit to the Congress an annual report of the moneys or securities received and held by it and of its operations. (16 U.S.C. sec. 19d.)

Excerpt from "An Act To amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes," approved September 5, 1940 (54 Stat. 867, 870)

Location of parkways.

SEC. 9. * * * That hereafter the location of such parkways upon public lands, national forests, or other Federal reservations shall be determined by agreement between the department having jurisdiction over such lands and the National Park Service: *Provided further,* That hereafter appropriations for the construction and maintenance of parkways shall be administered in conformity with regulations jointly approved by the Secretary of the Interior and the Federal Works Administrator. (16 U.S.C. secs. 460b, 460c.)

Appropriations for construction and maintenance of parkways, administration.

An Act To authorize certain officers and employees to administer oaths to expense accounts, approved June 6, 1939 (53 Stat. 810)

Oaths to expense accounts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Sundry Civil Appropriation Act for the fiscal year ending June 30, 1913, approved August 24, 1912 (37 Stat. 487), be, and it is hereby, amended to read as follows:

Officers and employees authorized to administer.

"SEC. 8. Postmasters, assistant postmasters, collectors of customs, collectors of internal revenue, chief clerks of the various executive departments, independent establishments, and other Government agencies, or of bureaus thereof, the superintendent, the acting superintendent, custodian, and principal clerks of the various national parks and other Government reservations, superintendent, acting superintendent, and principal clerks of the different Indian superintendencies or Indian agencies, chiefs of field parties, and any officer or employee of any executive department, independent establishment, or other Government agency, in the District of Columbia or elsewhere, who shall have been designated in writing for such purpose by the head of the department, establishment, or agency concerned, are required, empowered, and authorized, when requested, to administer oaths, required by law or otherwise, to accounts for travel or other expenses against the United States, with like force and effect as officers having a seal; for such services when so rendered, or when rendered on demand by notaries public, who at the time are also salaried officers or employees of the United States, no charge shall be made;

and no fee or money paid for the services herein described shall be paid or reimbursed by the United States." (16 U.S.C. sec. 454.)

Excerpt from "An Act Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1944, and for other purposes," approved June 26, 1943 (57 Stat. 169, 196)

Oaths for employment, designated officers or employees to administer.

SEC. 206. Hereafter any officer or employee of any of the executive departments or independent establishments, including any agency the majority of the stock of which is owned by the Government of the United States, designated in writing by the head thereof for such purpose, is hereby authorized to administer the oath required by section 1757, Revised Statutes, as amended (5 U.S.C. 16), incident to entrance into the executive branch of the Federal Government, or any other oath required by law in connection with employment therein, such oath to be administered without charge or fee and to have the same force and effect as oaths administered by officers having seals. (5 U.S.C. sec. 16a.)

An Act To authorize a study of the park, parkway, and recreational-area programs in the United States, and for other purposes, approved June 23, 1936 (49 Stat. 1894)

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 (hereinafter referred to as the "Secretary") is authorized and directed to cause the National Park Service to make a comprehensive study, other than on lands under the jurisdiction of the Department of Agriculture, of the public park, parkway, and recreational-area programs of the United States, and of the several States and political subdivisions thereof, and of the lands throughout the United States which are or may be chiefly valuable as such areas, but no such study shall be made in any State without the consent and approval of the State officials, boards, or departments having jurisdiction over such lands and park areas. The said study shall be such as, in the judgment of the Secretary, will provide data helpful in developing a plan for coordinated and adequate public park, parkway, and recreational-area facilities for the people of the United States. In making the said study and in accomplishing any of the purposes of this Act, the Secretary is authorized and directed, through the National Park Service, to seek and accept the cooperation and assistance of Federal departments or agencies having jurisdiction of lands belonging to the United States, and may cooperate and make agreements with and seek and accept the assistance of other Federal agencies and instrumentalities, and of States and political subdivisions thereof and the agencies and instrumentalities of either of them. (16 U.S.C. sec. 17k.)

Study by National Park Service directed.

Consent of State required.

Cooperation of other agencies.

Assistance to States in planning, etc.

SEC. 2. For the purpose of developing coordinated and adequate public park, parkway, and recreational-area facili-

ties for the people of the United States, the Secretary is authorized to aid the several States and political subdivisions thereof in planning such areas therein, and in cooperating with one another to accomplish these ends. Such aid shall be made available through the National Park Service acting in cooperation with such State agencies or agencies of political subdivisions of States as the Secretary deems best. (16 U.S.C. sec. 17*l*.)

Consent of Congress granted to State compacts.

SEC. 3. The consent of Congress is hereby given to any two or more States to negotiate and enter into compacts or agreements with one another with reference to planning, establishing, developing, improving, and maintaining any park, parkway, or recreational area. No such compact or agreement shall be effective until approved by the legislatures of the several States which are parties thereto and by the Congress of the United States. (16 U.S.C. sec. 17m.)

Approval by State legislatures and Congress.

"State" construed.

SEC. 4. As used in sections 1 and 2 of this Act the term "State" shall be deemed to include Hawaii, Alaska, Puerto Rico, the Virgin Islands, and the District of Columbia. (16 U.S.C. sec. 17n.)

An Act To authorize the disposition of recreational demonstration projects, and for other purposes, approved June 6, 1942 (56 Stat. 326) [3]

Recreational demonstration projects.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, except as provided in section 2 hereof, the Secretary of the Interior (hereinafter referred to as the Secretary) is authorized, with the approval of the President, to convey or lease to the States or to the political subdivisions thereof, without consideration, any or all of the recreational demonstration projects and lands, improvements, and equipment comprised within such projects transferred to him by Executive Order Numbered 7496, dated November 14, 1936,

Conveyance or lease to States.

1 F. R. 1946.

or any parts of such projects, when in his judgment such grantees or lessees are adequately prepared to administer, operate, and maintain such project areas for public park, recreational, and conservation purposes, or he may, with the approval of the President, transfer to other Federal agencies any of the aforesaid recreational demonstration areas that may be of use to such agencies. (16 U.S.C. sec. 459r.)

Transfer to other Federal agencies.

Addition of designated projects to other areas.

SEC. 2. From and after the date of this Act, the lands acquired for the Acadia, French Creek, Shenandoah, and White Sands recreational demonstration projects shall be added to and become a part of Acadia National Park, Hopewell Village National Historic Site, Shenandoah National Park, and White Sands National Monument, in the order named above, subject to all laws, rules, and regulations applicable to the respective areas to which such recreational demonstration projects are added: *Provided,* That within six months after the date of this Act the Secretary of the Interior shall file with The National Archives a map

[3] See footnote 3, page 2.

of each recreational demonstration project enumerated in this section. (16 U.S.C. sec. 459s.)

Deeds and leases; statement of conditions.

SEC. 3. The Secretary is authorized to execute on behalf of the United States all necessary deeds and leases to effect the purposes of this Act. Every such deed or lease shall contain the express condition that the grantee or lessee shall use the property exclusively for public park, recreational, and conservation purposes, and the further express condition that the United States assumes no obligation for the maintenance or operation of the property after the acceptance of such deed or during the term of such lease, and may contain such other conditions not inconsistent with such express conditions as may be agreed upon by the Secretary and the grantee or lessee: *Provided,* That the title and right to possession of any lands so conveyed or leased, together with the improvements thereon, shall revert to the United States upon a finding by the Secretary, after notice to such grantee or lessee and after an opportunity for a hearing, that the grantee or lessee has not complied with such conditions during a period of more than three years, which finding shall be final and conclusive, and such lands and improvements thereon, upon such reversion to the United States, shall be returned to the jurisdiction of the Department of the Interior and upon determination of the Secretary may be considered as surplus real property to be disposed of in accordance with the Act of August 27, 1935 (49 Stat. 885). (16 U.S.C. sec. 459t.)

Proviso. Failure to comply with conditions.

40 U.S.C. sec. 304a.

Excerpt from "An Act To amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes," approved September 5, 1940 (54 Stat. 867, 870)

Administration of national park and monument road appropriations.

SEC. 8. * * * That hereafter appropriations for the construction, reconstruction, and improvement of such park and monument roads shall be administered in conformity with regulations jointly approved by the Secretary of the Interior and the Federal Works Administrator. (16 U.S.C. sec. 8—1.)

An Act To authorize the use of certain facilities of Indian reservations, national parks, and national monuments for elementary school purposes, approved July 16, 1940 (54 Stat. 761)

Use of Certain facilities for elementary school purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate the providing of educational opportunities for children of Government employees and other residents in Indian reservations, the national parks and national monuments the Secretary of the Interior is hereby authorized in his discretion to make available for elementary school purposes therein, without charge, space in Government-owned buildings, when such space may be available for such purposes without detriment to the official business of such Indian reservations, national parks and national monuments. (5 U.S.C. sec. 76a.)

An Act To amend section 289 of the Criminal Code, approved June 6, 1940 (54 Stat. 234)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 289 of the Criminal Code (U.S.C., title 18, sec. 468) be, and it is hereby, amended to read as follows:

Criminal Code, amendment.

"SEC. 289. Whoever, within the territorial limits of any State, organized Territory, or district, but within or upon any of the places now existing or hereafter reserved or acquired, described in section 272 of the Criminal Code (U.S. C., title 18, sec. 451), shall do or omit the doing of any act or thing which is not made penal by any laws of Congress, but which if committed or omitted within the jurisdiction of the State, Territory, or district in which such place is situated, by the laws thereof in force on February 1, 1940, and remaining in force at the time of the doing or omitting the doing of such act or thing, would be penal, shall be deemed guilty of a like offense and be subject to a like punishment." (18 U.S.C. sec. 468.)

Certain offenses committed on Federal reservations.

Applicability of State, etc., laws.

An Act To amend section 7 (a) of the Act of May 21, 1920 (41 Stat. 613), as amended by section 601 of the Act of June 30, 1932 (47 Stat. 417), to authorize interdepartmental procurement by contract, upon orders placed by the War Department, Navy Department, Treasury Department, Civil Aeronautics Administration, and the Maritime Commission, approved July 20, 1942 (56 Stat. 661) [4]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 (a) of the Act entitled "An Act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1921, and for other purposes", approved May 21, 1920 (41 Stat. 613), as amended by section 601 of the Act of June 30, 1932 (47 Stat. 417; 31 U.S.C. 686), entitled "An Act making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1933, and for other purposes", is hereby amended to read as follows:

"SEC. 7. (a) Any executive department or independent establishment of the Government, or any bureau or office thereof, if funds are available therefor and if it is determined by the head of such executive department, establishment, bureau, or office to be in the interest of the Government so to do, may place orders with any other such department, establishment, bureau, or office for materials, supplies, equipment, work, or services, of any kind that such requisitioned Federal agency may be in a position to supply or equipped to render, and shall pay promptly by check to such Federal agency as may be requisitioned, upon its written request, either in advance or upon the furnishing or per-

Interdepartmental procurement of supplies and services.

[4] See also amended subsections (b) and (c) of section 7 of the Act of May 21, 1920, immediately following.

formance thereof, all or part of the estimated or actual cost thereof as determined by such department, establishment, bureau, or office as may be requisitioned; but proper adjustments on the basis of the actual cost of the materials, supplies, or equipment furnished, or work or services performed, paid for in advance, shall be made as may be agreed upon by the departments, establishments, bureaus, or offices concerned: *Provided,* That the War Department, Navy Department, Treasury Department, Civil Aeronautics Administration, and the Maritime Commission may place orders, as provided herein, for materials, supplies, equipment, work, or services, of any kind that any requisitioned Federal agency may be in a position to supply, or to render or to obtain by contract: *Provided further,* That if such work or services can be as conveniently or more cheaply performed by private agencies such work shall be let by competitive bids to such private agencies. Bills rendered, or requests for advance payments made, pursuant to any such order, shall not be subject to audit or certification in advance of payment." (31 U.S.C. sec. 686.)

Excerpts from "An Act Making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1933, and for other purposes," approved June 30, 1932 (47 Stat. 382, 417, 418)

SEC. 601. Section 7 of the Act entitled "An Act making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1921, and for other purposes", approved May 21, 1920 [U.S.C., title 31, sec. 686], is amended to read as follows:

* * * * * * *

Credit of receipts. Advance payments. Other payments.

(b) Amounts paid as provided in subsection (a) shall be credited, (1) in the case of advance payments, to special working funds, or (2) in the case of payments other than advance payments, to the appropriations or funds against which charges have been made pursuant to any such order, except as hereinafter provided. The Secretary of the Treasury shall establish such special working funds as may be necessary to carry out the provisions of this subsection. Such amounts paid shall be available for expenditure in furnishing the materials, supplies, or equipment, or in performing the work or services, or for the objects specified in such appropriations of funds. Where materials, supplies, or equipment are furnished from stocks on hand, the amounts received in payment therefor shall be credited to appropriations or funds, as may be authorized by other law, or, if not so authorized, so as to be available to replace the materials, supplies, or equipment, except that where the head of any such department, establishment, bureau, or office determines that such replacement is not necessary the amounts paid shall be covered into the Treasury as miscellaneous receipts. (31 U.S.C. sec. 686.)

Special working funds established.

Supplies, etc., furnished from stocks on hand.

Disposition of receipts.

* * * * * * *

SEC. 602. (a) Notwithstanding the provisions of this title, such section 7, as in force prior to the date of the enactment of this Act, shall remain in force with respect to the disposition of funds transferred thereunder prior to such date. Disposition of funds transferred prior to date.

(b) Nothing in this title shall be construed to authorize any Government department or independent establishment, or any bureau or office thereof, to place any orders for material, supplies, equipment, work, or services to be furnished or performed by convict labor, except as otherwise provided by existing law. Convict labor, materials, etc.

(c) The provisions of this title are in addition to and not in substitution for the provisions of any other law relating to working funds. (31 U.S.C. sec. 686b.) Foregoing provisions considered additions to existing laws.

Excerpt from "An Act To amend section 7 (c) of the Act of May 21, 1920 (41 Stat. 613), as amended by section 601 of the Act of June 30, 1932 (47 Stat. 417)," approved June 26, 1943 (57 Stat. 219)

(c) Orders placed as provided in subsection (a) shall be considered as obligations upon appropriations in the same manner as orders or contracts placed with private contractors. Advance payments credited to special working funds shall remain available to the procuring agency for entering into contracts and other uses during the fiscal year or years for which the appropriation involved was made and thereafter until said appropriation lapses under the law to the surplus fund of the Treasury. (31 U.S.C. sec. 686.)

Excerpt from "An Act To consolidate certain exceptions to section 3709 of the Revised Statutes and to improve the United States Code," approved October 10, 1940 (54 Stat. 1110)

SEC. 2. Section 3709 of the Revised Statutes shall not be construed to apply under any appropriation Act to the following departments and independent offices under the circumstances specified herein:

* * * * * * *

(g) Department of the Interior, the bureaus and offices thereof, Howard University, and the Columbia Institution for the Deaf, at the seat of the government as well as those located in the field outside the District of Columbia—to the purchase of supplies and equipment or the procurement of services made in open markets in the manner common among businessmen when the aggregate amount of the purchase or the service does not exceed $100 in any instance. (41 U.S.C. sec. 6a.) Open market purchases. Department of the Interior.

Excerpt from "An Act To amend the Federal Aid Highway Act, approved July 11, 1916, as amended and supplemented, and for other purposes," approved June 16, 1936 (49 Stat. 1519, 1521)

* * * * * * *

Gasoline, etc., taxes. Levy extended to agencies on United States reservations; exception.

SEC. 10. (a) That all taxes levied by any State, Territory or the District of Columbia upon sales of gasoline and other motor vehicle fuels may be levied, in the same manner and to the same extent, upon such fuels when sold by or through post exchanges, ship stores, ship service stores, commissaries, filling stations, licensed traders, and other similar agencies, located on United States military or other reservations, when such fuels are not for the exclusive use of the United States. Such taxes, so levied, shall be paid to the proper taxing authorities of the State, Territory or the District of Columbia, within whose borders the reservation affected may be located.

Collection of.

Report to be made.

(b) The officer in charge of such reservation shall, on or before the fifteenth day of each month, submit a written statement to the proper taxing authorities of the State, Territory or the District of Columbia within whose borders the reservation is located, showing the amount of such motor fuel not sold for the exclusive use of the United States during the preceding month.[5] (4 U.S.C. sec. 12.)

Excerpt from "An Act To permit the States to extend their sales, use, and income taxes to persons residing or carrying on business, or to transactions occurring, in Federal areas, and for other purposes," approved October 9, 1940 (54 Stat. 1060)

* * * * * * *

Federal Highway Act, amendment. 49 Stat. 1521.

SEC. 7. (a) Subsection (a) of section 10 of the Federal Highway Act, approved June 16, 1936, is amended—

(1) By striking out the words "upon sales of gasoline and other motor vehicle fuels" and inserting in lieu thereof the words "upon, with respect to, or measured by, sales, purchases, storage, or use of gasoline or other motor vehicle fuels"; and

(2) By striking out the words "upon such fuels" and inserting in lieu thereof the words "with respect to such fuels".

(b) Subsection (b) of such section 10 is amended by striking out the words "not sold for the exclusive use of the United States during" and inserting in lieu thereof the words "with respect to which taxes are payable under subsection (a) for". (4 U.S.C. sec. 12.)

Excerpt from "An Act To permit the States to extend their sales, use, and income taxes to persons residing or carrying on business, or to transactions occurring, in Federal areas, and for other purposes," approved October 9, 1940 (54 Stat. 1059)

Extension of State sales or use tax to Federal areas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) no person shall be relieved from liability for payment of, collection of, or accounting for any sales or use tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, on

[5] Amended, see excerpt immediately following.

the ground that the sale or use, with respect to which such tax is levied, occurred in whole or in part within a Federal area; and such State or taxing authority shall have full jurisdiction and power to levy and collect any such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.

(b) The provisions of subsection (a) shall be applicable only with respect to sales or purchases made, receipts from sales received, or storage or use occurring, after December 31, 1940. (4 U.S.C. sec. 13.) Applicability.

SEC. 2. (a) No person shall be relieved from liability for any income tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, by reason of his residing within a Federal area or receiving income from transactions occurring or services performed in such area; and such State or taxing authority shall have full jurisdiction and power to levy and collect such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area. Extension of State income tax to Federal areas.

(b) The provisions of subsection (a) shall be applicable only with respect to income or receipts received after December 31, 1940. (4 U.S.C. sec. 14.) Applicability.

SEC. 3. (a) The provisions of sections 1 and 2 of this Act shall not be deemed to authorize the levy or collection of any tax on or from the United States or any instrumentality thereof, or the levy or collection of any tax with respect to sale, purchase, storage, or use of tangible personal property sold by the United States or any instrumentality thereof to any authorized purchaser. Tangible personal property sold by U.S.

(b) A person shall be deemed to be an authorized purchaser under this section only with respect to purchases which he is permitted to make from commissaries, ship's stores, or voluntary unincorporated organizations of Army or Navy personnel, under regulations promulgated by the Secretary of War or the Secretary of the Navy. (4 U.S.C. sec. 15.) Authorized purchaser.

SEC. 4. The provisions of this Act shall not for the purposes of any other provision of law be deemed to deprive the United States of exclusive jurisdiction over any Federal area over which it would otherwise have exclusive jurisdiction or to limit the jurisdiction of the United States over any Federal area. (4 U.S.C. sec. 16.) Jurisdiction of U.S. over Federal areas.

SEC. 5. Nothing in sections 1 and 2 of this Act shall be deemed to authorize the levy or collection of any tax on or from any Indian not otherwise taxed. (4 U.S.C. sec. 17.) Taxation of Indians.

SEC. 6. As used in this Act—

(a) The term "person" shall have the meaning assigned to it in section 3797 of the Internal Revenue Code. Definitions. 26 U.S.C. sec. 3797.

(b) The term "sales or use tax" means any tax levied on, with respect to, or measured by, sales, receipts from sales, purchases, storage, or use of tangible personal prop- "Sales or use" tax.

49 Stat. 1521. 4 U.S.C. sec. 12.

erty, except a tax with respect to which the provisions of section 10 of the Federal Highway Act, approved June 16, 1936, are applicable.

"Income tax."

(c) The term "income tax" means any tax levied on, with respect to, or measured by, net income, gross income, or gross receipts.

"State."

(d) The term "State" includes any Territory or possession of the United States.

"Federal Area."

(e) The term "Federal area" means any lands or premises held or acquired by or for the use of the United States or any department, establishment, or agency of the United States; and any Federal area, or any part thereof, which is located within the exterior boundaries of any State shall be deemed to be a Federal area located within such State. (4 U.S.C. sec. 18.)

Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes," approved June 28, 1941 (55 Stat. 303, 350)

Title evidence, donated lands.

Hereafter appropriations made for the National Park Service shall be available for any expenses incident to the preparation and recording of title evidence covering lands to be donated to the United States for administration by the National Park Service. (16 U.S.C. sec. 14c.)

An Act To encourage travel in the United States, and for other purposes, approved July 19, 1940 (54 Stat. 773)

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

Encouragement of travel within U. S.

That the Secretary of the Interior is authorized and directed, through the National Park Service, to encourage, promote, and develop travel within the United States, its Territories and possessions, providing such activities do not compete with the activities of private agencies; and to administer all existing travel promotion functions of the Department of the Interior through such Service. (16 U.S.C. sec. 18.)

Cooperation with tourist, etc., agencies.

SEC. 2. In carrying out the purposes of this Act, the Secretary is authorized to cooperate with public and private tourist, travel, and other agencies in the display of exhibits, and in the collection, publication, and dissemination of information with respect to places of interest, routes, transportation facilities, accommodations, and such other matters as he deems advisable and advantageous for the purpose of encouraging, promoting, or developing such travel. Nothing in this Act shall prohibit the preparation of graphic materials in foreign languages, designed to call attention to the attractions and places of interest in the United States and to encourage the use of American registered ships and planes. The existing facilities of the United States Government in foreign countries are hereby authorized to assist in the distribution of this material. The Secretary may

Graphic materials in foreign languages; distribution.

enter into contracts with private publishers for such printing and binding as he may deem advisable in carrying out the purposes of this Act. The Secretary is also authorized to make charges for any publications made available to the public pursuant to this Act; and any proceeds from the sale of publications produced by the expenditure of contributed funds shall continue to be available for printing and binding as aforesaid. (16 U.S.C. sec. 18a.)

Printing and binding.

SEC. 3. The Secretary of the Interior is authorized to create an advisory committee to consist of a representative from each of the Departments of State, Agriculture, and Commerce, the Interstate Commerce Commission, the Civil Aeronautics Authority, and the United States Maritime Commission, as may be designated by such Departments or agencies, respectively, and such additional members, representatives of the various sections of the Nation, including transportation and accommodations agencies, not to exceed six members, to be appointed by the Secretary of the Interior to serve at his pleasure. Meetings of the committee shall be held at the request of the Secretary for the purpose of making recommendations concerning the promotion of tourist travel under the provisions of this Act. The members of the committee shall receive no compensation for their services as members, but shall be entitled to reimbursement for such necessary travel and other expenses in connection with their attendance at committee meetings as may be authorized or approved by the Secretary. (16 U.S.C. sec. 18b.)

Advisory committee.

Meetings.

SEC. 4. In the performance of his functions and duties under the provisions of this Act, the Secretary of the Interior is authorized—

(a) To prescribe, amend, and repeal such rules and regulations as he may deem necessary, and to accept contributions for carrying out the purposes of this Act; and

Rules; contributions.

(b) To employ without regard to the civil-service laws, but subject to the Classification Act of 1923, as amended, one special assistant and not to exceed five artists and illustrators. (16 U.S.C. sec. 18c.)

Personnel. 42 Stat. 1488. 5 U.S.C. secs. 661-674.

SEC. 5. There is authorized to be appropriated annually not to exceed the sum of $100,000 to carry out the provisions of this Act. (16 U.S.C. sec. 18d.)

Appropriation authorized.

Excerpt from "An Act To promote the conservation of wild life, fish, and game, and for other purposes," approved March 10, 1934 (48 Stat. 402)

SEC. 5. The Bureau of Biological Survey and the Bureau of Fisheries are hereby authorized to make surveys of the wild-life resources of the public domain, or of any lands owned or leased by the Government, to conduct such investigations as may be necessary for the development of a program for the maintenance of an adequate supply of wild life in these areas, to establish thereon game farms and fish-cultural stations commensurate with the need for replenish-

Studies of wild-life, etc., resources to be made by designated bureaus.

Cooperation of other agencies.

ing the supply of game and fur-bearing animals and fish, and, in cooperation with the National Park Service, The Forest Service, or other Federal agencies, the State agencies, to coordinate and establish adequate measures for wild-life control on such game farms and fish-cultural stations: *Provided,* That no such game farm shall hereafter be established in any State without the consent of the legislature of that State. (16 U.S.C. sec. 665.)

II. LEGISLATION RELATING TO THE NATIONAL PARKS

1. Acadia National Park

		Page
Green Lake Fish Cultural Station, addition to park	Act of May 29, 1935	27
Otter Cliffs Radio Station, addition to park	Act of August 24, 1935	27
Acadia Recreational Demonstration Project, addition to park	Excerpt from Act of June 6, 1942	28

An Act To authorize the transfer of the Green Lake Fish Cultural Station in Hancock County, Maine, as an addition to Acadia National Park, approved May 29, 1935 (49 Stat. 312)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Interior as an addition to the Acadia National Park, established under the Act of February 26, 1919 (40 Stat. 1178), and Acts supplemental thereto, all that tract of land containing eight hundred and twenty acres, more or less, with improvements thereon if any, comprising the abandoned Green Lake Fish Cultural Station, in Hancock County, Maine, said tract being no longer needed for fish-cultural purposes: *Provided,* That such action shall be in full recognition of any outstanding lease, license, or permit, affecting said land.

Green Lake Fish Cultural Station, Maine.

Transfer of, to Acadia National Park authorized.
40 Stat. 1178; 45 Stat. 1083.

Outstanding leases, permits, etc., recognized.

An Act To authorize the transfer of the Otter Cliffs Radio Station on Mount Desert Island in the State of Maine as an addition to the Acadia National Park, and for other purposes, approved August 24, 1935 (49 Stat. 795)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the removal of the Otter Cliffs Radio Station and its relocation on lands within the Acadia National Park as authorized by the Act of April 22, 1932 (47 Stat. 91), the Secretary of the Navy be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Interior as an addition to the Acadia National Park all that tract of land containing approximately twelve acres on Mount Desert Island in the State of Maine now occupied by and used by the Navy Department for the purposes of the said Otter Cliffs Radio Station, and the Secretary of the Interior shall be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Navy for naval radio purposes the site of the relocated radio station, with the buildings and improvements thereon, and such surrounding area

Otter Cliffs Radio Station, Mount Desert Island, Maine.

Transfer of, as addition to Acadia National Park.
47 Stat. 126.

Jurisdiction.

as may be agreed upon by the Secretary of the Interior and the Secretary of the Navy: *Provided,* That the Secretary of the Interior shall retain the right to approve the design of the buildings and structures to be placed thereon including any additions or alterations to the present radio station.

Approval of design of buildings, etc.

Bridge across the inlet to the Black Woods, authorized.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to construct or cause to be constructed in connection with and as a part of the road system of the Acadia National Park, a bridge or causeway and approaches thereto across the inlet or bay lying between the Otter Cliffs and the Black Woods, in the State of Maine, at a point which he may designate as most suitable to the interests of the Federal Government.

Excerpt from "An Act To authorize the disposition of recreational demonstration projects, and for other purposes," approved June 6, 1942 (56 Stat. 327)

Addition of designated projects to other areas.

SEC. 2. From and after the date of this Act, the lands acquired for the Acadia, French Creek, Shenandoah, and White Sands recreational demonstration projects shall be added to and become a part of Acadia National Park, Hopewell Village National Historic Site, Shenandoah National Park, and White Sands National Monument, in the order named above, subject to all laws, rules, and regulations applicable to the respective areas to which such recreational demonstration projects are added: *Provided,* That within six months after the date of this Act the Secretary of the Interior shall file with The National Archives a map of each recreational demonstration project enumerated in this section. (16 U.S.C. sec. 459s.)

Proviso.

2. Big Bend National Park

		Page
Establishment of park authorized	Act of June 20, 1935	29
Jurisdiction, cession to U. S.	State Act of May 12, 1939	29

An Act To provide for the establishment of the Big Bend National Park in the State of Texas, and for other purposes, approved June 20, 1935 (49 Stat. 393)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to such lands as may be determined by the Secretary of the Interior as necessary for recreational park purposes within the boundaries to be determined by him within the area of approximately one million five hundred thousand acres, in the counties of Brewster and Presidio, in the State of Texas, known as the "Big Bend" area, shall have been vested in the United States, such lands shall be, and are hereby, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people and shall be known as the "Big Bend National Park": *Provided,* That the United States shall not purchase by appropriation of public moneys any land within the aforesaid area, but such lands shall be secured by the United States only by public and private donations. (16 U.S.C. sec. 156.)

Big Bend National Park, Texas.

Establishment.

Area, location, etc.

Proviso.

Lands secured by donation only.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion and upon submission of evidence of title satisfactory to him, to accept, on behalf of the United States, title to the lands referred to in the previous section hereof as may be deemed by him necessary or desirable for national-park purposes: *Provided,* That no land for said park shall be accepted until exclusive jurisdiction over the entire area, in form satisfactory to the Secretary of the Interior, shall have been ceded by the State of Texas to the United States. (16 U.S.C. sec. 157.)

Acceptance of title.

Proviso.

Exclusive jurisdiction required.

SEC. 3. The administration, protection, and development of the aforesaid park 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 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended: *Provided,* That the provisions of the Act of June 10, 1920, known as the "Federal Water Power Act", shall not apply to this park. (16 U.S.C. sec. 158.)

National Park Service to administer, etc.

Water Power Act not applicable. 41 Stat. 1063.

Excerpt from An Act of the Legislature of Texas, approved May 12, 1939, authorizing the cession to the United States of exclusive jurisdiction over lands conveyed to the United States for the Big Bend National Park. (Art. 6077e, Vernon's Annotated Revised Civil Statutes of the State of Texas)

The United States Government, through the Secretary of the Interior or any other Agency, is hereby authorized to

acquire title, to hold, occupy and possess the area herein defined as the Big Bend National Park and the Governor of the State of Texas is hereby authorized to execute a deed of conveyance to the United States Government covering the area acquired under the terms of this Act as the Big Bend National Park for the use of the public for recreational park purposes, in consideration of the United States Government agreeing to establish and maintain said area as a National Park under an Act of Congress, being Public—No. 157, enacted by the Seventy-fourth Congress of the United States and to cede to the United States jurisdiction over said lands in conformity with the provisions of Article 5247, of the Revised Civil Statutes of Texas, 1925; reserving, however, to the State of Texas, the right to retain concurrent jurisdiction with the United States over every portion of the lands so ceded, so far, that all process, civil or criminal, issuing under the authority of this State or any of the courts or judicial officers thereof, may be executed by the proper officers of the State, upon any person amenable to the same within the limits of the land so ceded as the area for the Big Bend National Park, in like manner and like effect as if no such cession had taken place; and, reserving further, to the State the right to levy and collect taxes on sales of products or commodities upon which a sales tax is levied in this State, and to tax persons and corporations, their franchises and properties, on land or lands deeded and conveyed under the terms of this Act; and reserving also, to persons residing in or on any of the land or lands deeded or conveyed under the terms of this Act to the United States Government the right to vote at all elections within the counties, in which said land or lands are located, upon like terms and conditions and to the same extent as they would be entitled to vote in such counties had not such lands been deeded or conveyed as aforesaid to the United States of America.

3. Bryce Canyon National Park

Page
Correction of land description.....Act of March 7, 1942 31

An Act To correct the description of land added to the Bryce Canyon National Park pursuant to the Act of February 17, 1931, approved March 7, 1942 (56 Stat. 141)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of land located in sections 17, 19, 20, and 22, township 36 south, range 3 west, Salt Lake meridian, described in section 1 of the Act approved February 17, 1931 (46 Stat. 1166), and also described in the Proclamation of the President dated May 4, 1931 (47 Stat. 2455), issued pursuant thereto, be, and the same is hereby corrected to read as follows: "east half, northeast quarter northwest quarter, east half northwest quarter northwest quarter, north half southeast quarter northwest quarter, south half northeast quarter southwest quarter, north half south half southeast quarter northwest quarter, and north half southeast quarter southwest quarter section 17, south half south half section 19, south half northwest quarter section 20, west half, west half east half and northeast quarter northeast quarter section 22". (16 U.S.C. sec. 402f.)

Bryce Canyon National Park, Utah.
Description of tract of land.
16 U.S.C. sec. 402f.

4. Carlsbad Caverns National Park [1]

Page

Acquisition of land within park in exchange for use of park land for the purpose of removing guano.....Act of May 4, 1934 32

An Act To authorize the exchange of the use of certain Government land within the Carlsbad Caverns National Park for certain privately owned land therein, approved May 4, 1934 (48 Stat. 664)

Carlsbad Caverns National Park, N. Mex. Exchange of certain land within, authorized.

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 be, and he is hereby, authorized to acquire for and on behalf of the United States for park purposes title to the northeast quarter northwest quarter section 31, township 24 south, range 25 east, New Mexico principal meridian, within the Carlsbad Caverns National Park, and to grant to the owner thereof in exchange therefor, under such regulations as may be deemed by said Secretary necessary and in the interest of the United States, the privilege to use a shaft or tunnel located in the northwest quarter northeast quarter section 31, township 24 south, range 25 east, of the same meridian, for the purpose of mining and removing guano from the said northeast quarter northwest quarter section 31, the right to said guano to be reserved to the owner in the transfer of title to said land to the United States pursuant to this Act: *Provided,* That in addition to said privilege the Secretary of the Interior may also authorize the removal, under such terms and conditions as he deems fair, of any guano located within or on Government lands adjacent to said deposit: *Provided further,* That evidence of title to the land to be conveyed to the United States hereunder, satisfactory to the Secretary of the Interior, shall be furnished without cost to the Government.

Privilege to use tunnel to remove guano.

Provisos.

Removing other deposits.

Title without Federal cost.

[1] See proclamations No. 2031 of February 21, 1933 (47 Stat. 2556), and No. 2321 of February 3, 1939 (3 CFR, CUM. SUPP., 76; 53 Stat. 2523), adding certain lands to the park pursuant to the Act of May 14, 1930 (46 Stat. 279).

5. Crater Lake National Park

Page

Commissioner, place of residence and payment of accrued salary.....
.....Act of June 25, 1935 33

An Act To amend an Act entitled "An Act to accept the cession by the State of Oregon of exclusive jurisdiction over the lands embraced within the Crater Lake National Park, and for other purposes," approved June 25, 1935 (49 Stat. 422)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6, paragraph 1, of an Act entitled "An Act to accept the cession by the State of Oregon of exclusive jurisdiction over the lands embraced within the Crater Lake National Park, and for other purposes", approved August 21, 1916 (39 Stat. L. 523), be amended so as to read:

Crater Lake National Park, Oregon.

"SEC. 6. That the United States District Court for Oregon shall appoint a commissioner, who shall reside within the exterior boundaries of the Crater Lake National Park or at a place reasonably adjacent to the park, the place of residence to be designated by the Secretary of the Interior, and who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this Act."[1] (16 U.S.C. sec. 129.)

Commissioner. Appointment, residence, authority, etc.

SEC. 2. That section 9 of the said Act be amended by striking out the words, *"Provided,* That the said commissioner shall reside within the exterior boundaries of said Crater Lake National Park, at a place to be designated by the court making such appointment." (16 U.S.C. sec. 132.)

Payment of accrued salary.

SEC. 3. Any commissioner heretofore appointed under authority of the said Act shall be entitled to receive the salary provided by law, which may have accrued at the date this Act becomes effective, without regard to whether such commissioner or commissioners may have resided within the exterior boundaries of the Crater Lake National Park. (16 U.S.C. sec. 132a.)

[1] See also general Act of June 28, 1938 (52 Stat. 1213, 16 U.S.C. sec. 1a), page 2 relating to residence of national park commissioners.

6. Everglades National Park project

		Page
Establishment of park authorized	Act of May 30, 1934	34
Jurisdiction, State cession to U. S.	State Act of June 7, 1935	35
Amend Act of May 30, 1934, by striking out proviso that prohibited expenditure of public moneys within five year period for administration, protection, or development	Act of August 21, 1937	36

An Act To provide for the establishment of the Everglades National Park in the State of Florida and for other purposes, approved May 30, 1934 (48 Stat. 816)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to all the lands within boundaries to be determined by the Secretary of the Interior within the area of approximately two thousand square miles in the region of the Everglades of Dade, Monroe, and Collier Counties, in the State of Florida, recommended by said Secretary, in his report to Congress of December 3, 1930, pursuant to the Act of March 1, 1929 (45 Stat., pt. 1, p. 1443), shall have been vested in the United States, said lands shall be, and are hereby, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people and shall be known as the Everglades National Park: *Provided,* That the United States shall not purchase by appropriation of public moneys any land within the aforesaid area, but such lands shall be secured by the United States only by public or private donation. (16 U.S.C. sec. 410.)

Everglades National Park, Fla. Establishment, when title to lands is vested in United States.

Proviso.

Lands secured only by donation.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion and upon submission of evidence of title satisfactory to him, to accept on behalf of the United States, title to the lands referred to in the previous section hereof as may be deemed by him necessary or desirable for national-park purposes: *Provided,* That no land for said park shall be accepted until exclusive jurisdiction over the entire park area, in form satisfactory to the Secretary of the Interior, shall have been ceded by the State of Florida to the United States. (16 U.S.C. sec. 410a.)

Acceptance of title.

Proviso.

Restriction, until exclusive jurisdiction over entire area is ceded.

SEC. 3. The administration, protection, and development of the aforesaid park 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 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended: *Provided,* That the provisions of the Act approved June 10, 1920, known as the Federal Water Power Act, shall not apply to this park: *Provided further,* That nothing in this Act shall be construed to lessen any existing rights of the Seminole Indians which are not in conflict with the purposes for which the Everglades National Park is created: *And provided further,* That the United States shall not expend any public moneys for the administration, protection, or develop-

National Park Service to administer, etc.

Provisos.

Water Power Act not applicable.

41 Stat. 1063.

Rights of Indians.

No Federal expense for first 5 years.

ment of the aforesaid park within a period of five years from the date of approval of this Act. (16 U.S.C. sec. 410b.)

Permanently reserved as a wilderness.

SEC. 4. The said area or areas shall be permanently reserved as a wilderness, and no development of the project or plan for the entertainment of visitors shall be undertaken which will interfere with the preservation intact of the unique flora and fauna and the essential primitive natural conditions now prevailing in this area. (16 U.S.C. sec. 410c.)

Excerpt from An Act of the Legislature of Florida, approved June 7, 1935, ceding to the United States exclusive jurisdiction over lands to be deeded or conveyed to the United States for the Everglades National Park. (Ch. 16996, Acts of 1935, sec. 4; Florida Statutes, 1941, sec. 264.08)

That the United States of America is authorized to acquire by conveyance, and said Commission is authorized to convey to the United States, pursuant to this Act all lands hereinabove mentioned and for the purposes set out in the Act of Congress approved May 30, 1934, (Public No. 267, 73rd Congress) and exclusive jurisdiction shall be, and the same is hereby ceded to the United States of America over and within all the territory in the State of Florida thus deeded or conveyed; saving, however, to the State of Florida, the right to serve criminal or civil process within the limit of the land or lands thus acquired in suits or prosecutions for or on account of rights acquired, obligations incurred, or crime committed, in said State outside of said land or lands, and on account of rights acquired, obligations incurred, or crimes committed on or within said lands, prior to the date of the giving or service of notice, as hereinafter provided, of the assumption of police jurisdiction over such land or lands by the United States; and, saving further, to the said State the right to tax sales of gasoline and other motor vehicle fuels and oil for use in motor vehicles, and to tax persons and corporations, their franchises and properties, on land or lands deeded or conveyed as aforesaid, and saving, also, to persons residing in or on any of the land or lands deeded or conveyed as aforesaid the right to vote at all elections within the county in which said land or lands are located upon like terms and conditions and to the same extent as they would be entitled to vote in such county had not such lands been deeded or conveyed, as aforesaid, to the United States of America: Provided, nevertheless, that such jurisdiction shall not vest in the United States of America unless and until it, through the proper officer or officers, notifies the Governor and through him the State of Florida, that the United States of America assumes police jurisdiction over the land or lands thus deeded.

An Act To amend an Act entitled "An Act to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes," approved May 30, 1934, approved August 21, 1937 (50 Stat. 742)

Everglades National Park, Fla.
48 Stat. 816.
16 U.S.C. sec. 410b.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes", approved May 30, 1934, be, and the same is hereby, amended by striking therefrom the following words: *"And provided further,* That the United States shall not expend any public moneys for the administration, protection, or development of the aforesaid park within a period of five years from the date of approval of this Act." (16 U.S.C. sec. 410b.)

Provision prohibiting expenditure of public moneys eliminated.

7. General Grant National Park

Page

Abolishment of park, lands added to Kings Canyon National Park.....
.....Excerpt from Act of March 4, 1940 37

Excerpt from "An Act To establish the Kings Canyon National Park, California, to transfer thereto the lands now included in the General Grant National Park, and for other purposes," approved March 4, 1940 (54 Stat. 43)

SEC. 2. That the General Grant National Park is hereby abolished, and the west half of section 33, township 13 south, range 28 east, and west half of section 4, all of section 8 and the northwest quarter of section 9, township 14 south, range 28 east, Mount Diablo meridian, California, together with the lands formerly within the General Grant National Park, California, and particularly descrcibed as follows, to wit: All of sections 31 and 32, township 13 south, range 28 east, and sections 5 and 6, township 14 south, range 28 east, of the same meridian, are, subject to valid existing rights, hereby added to and made a part of the Kings Canyon National Park and such lands shall be known as the General Grant grove section of the said park. The General Grant grove section of the Kings Canyon National Park may, by proclamation of the President, be extended to include the following described lands, to wit: Section 9, south half, section 10, southwest quarter, and that part of the east half south of Generals Highway; section 11, that part south of Generals Highway; section 13, that part south of Generals Highway; section 14, that part south of Generals Highway, section 15, east half, northwest quarter, and the southeast quarter of the southwest quarter, section 21, southeast quarter of the northeast quarter, and the east half of the southeast quarter; section 22, east half, east half of the northwest quarter, southwest quarter of the northwest quarter and southwest quarter; section 23; section 24, that part south of Generals Highway; sections 25 and 26; section 27, east half, northwest quarter, and that part of the southwest quarter north and east of the crest of Redwood Mountain; section 34, that part east of the crest of Redwood Mountain; sections 35 and 36, township 14 south, range 28 east; all of sections 1 and 2; section 3, that part east of the crest of Redwood Mountain; section 11, that part east and north of the crest of Redwood Mountain; all of section 12; section 13, that part north of the Sequoia National Park boundary, township 15 south, range 28 east, Mount Diablo meridian, which shall be subject to all laws, rules, and regulations applicable to the said park. Such extension of the General Grant grove section of the said park shall not interfere with the movement of stock and vehicular traffic without charge, under general regulations to be prescribed by the Secretary of the Interior, to and

General Grant National Park, abolishment.

General Grant grove section; extension.

Movement of stock and vehicular traffic.

from national forest lands on either side of the said park extension. The Kings Canyon National Park shall receive and use all moneys heretofore or hereafter appropriated for General Grant National Park.[1] (16 U.S.C. sec. 80a.)

[1] Boundaries extended by proclamation No. 2411 of June 21, 1940 (3 CFR, CUM. SUPP., 163).

8. Glacier National Park

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Fish hatchery, acquisition of property for establishment.....
.....Act of July 31, 1939 39

An Act To authorize the addition to Glacier National Park, Montana, of certain property acquired for the establishment of a fish hatchery, and for other purposes, approved July 31, 1939 (53 Stat. 1142)

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 hereby authorized to administer as a part of the Glacier National Park, in the State of Montana, subject to all laws and regulations applicable thereto, the lands, or interests in lands, within the State of Montana, in township 28 north, range 20 west, Montana meridian, which may be acquired by the United States for the establishment by the National Park Service of a fish hatchery for restocking the waters of the said park. (16 U.S.C. sec. 161c.)

Glacier National Park, Mont.

Lands acquired for fish hatchery added to.

9. Great Smoky Mountains National Park

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Minimum area for park, lands purchased with emergency funds made a part of the park.....Act of June 15, 1934	40
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Parkway, authorizing acceptance of donations of land for construction generally parallel to the north boundary of the park,.....Act of February 22, 1944	45

An Act To establish a minimum area for the Great Smoky Mountains National Park, and for other purposes, approved June 15, 1934 (48 Stat. 964)

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

Great Smoky Mountains National Park. Minimum area for, established.

That an area of four hundred thousand acres within the minimum boundaries of the Great Smoky Mountains National Park, acquired one half by the peoples and States of North Carolina and Tennessee, and the United States, and one half by the Laura Spelman Rockefeller Memorial in memory of Laura Spelman Rockefeller, be, and the same is hereby, established as a completed park for administration, protection, and development by the United States, and so much of the Act of May 22, 1926 (44 Stat. 616), as is inconsistent herewith is hereby repealed. (16 U.S.C. secs. 403b, 403g.)

Land purchased from emergency work funds, made part of park.

SEC. 2. That all lands purchased from funds heretofore allocated and made available by Executive order, or otherwise, or which hereafter may be allocated and made available for the acquisition of lands for conservation or forestation purposes within the maximum boundaries of the Great Smoky Mountain[3] National Park as authorized by the Act of May 22, 1926, be, and the same are hereby, made a part of the said park as fully as if originally acquired for that purpose. (16 U.S.C. sec. 403h.)

Excerpt from "An Act To provide for the acquisition of certain lands for and the addition thereof to the Tahoe National Forest, in the State of Nevada, and the acquisition of certain other lands for the completion of the acquisition of the remaining lands within the limits of the Great Smoky Mountains National Park, in east Tennessee," approved February 12, 1938 (52 Stat. 29)

Great Smoky Mountains National Park, Tenn.

SEC. 5. The Secretary of the Interior is hereby authorized to acquire on behalf of the United States by purchase,

[1] See Blue Ridge Parkway, Act of August 19, 1937 (50 Stat. 699), page 184.
[2] Act printed in full under Blue Ridge Parkway, page 186.
[3] So in U. S. Statutes at Large.

at prices deemed by him to be reasonable, the lands needed to complete the Great Smoky Mountains National Park in the State of Tennessee, in accordance with the provisions of the Act of Congress approved May 22, 1926 (44 Stat. 616); and the Secretary of the Interior is further authorized, when in his opinion unreasonable prices are asked for any of such lands, to acquire the same by condemnation under the provisions of the Act of August 1, 1888. (16 U.S.C. sec. 403i.)

Acquisition of lands for completion of.

44 Stat. 616
16 U.S.C. sec. 403.
25 Stat. 357.
40 U.S.C. secs. 257-258e.

SEC. 6. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $743,265.29 to complete the acquisition of lands within the limits of said park, such funds to be available until expended. (16 U.S.C. sec. 403j.)

Appropriation authorized.
52 Stat. 1134.

Excerpt from "An Act To authorize the Secretary of the Interior to convey to the State of North Carolina for use in connection with the Blue Ridge Parkway certain land within the Cherokee Indian Reservation in the State of North Carolina," approved June 11, 1940 (54 Stat. 300)

SEC. 4. The Secretary of the Interior is hereby authorized, in his discretion, to grant to the Eastern Band of Cherokee Indians the beneficial interest in any lands selected by the council of said band within the Boundary Tree tract, containing approximately eight hundred and eighty-four acres; and the said Secretary is hereby directed to exclude from the Great Smoky Mountains National Park any lands so selected and granted. Prior to the consummation of any such grant, payment shall be made for all lands included therein by the transfer of a sum equal to the fair market value of such lands, as determined by the Secretary of the Interior, from any funds in the United States Treasury to the credit of said band, including funds made available under section 3 hereof, to the credit of the fund "National Park Service, donations", which transfer the Secretary of the Treasury is hereby authorized to make upon request by the council of said band approved by the Secretary of the Interior. Funds so transferred shall be available for national park and monument uses, including the acquisition of lands for inclusion in the Great Smoky Mountains National Park. All lands purchased or otherwise acquired for the Eastern Band of Cherokee Indians under authority contained in this Act shall constitute a part of the Cherokee Indian Reservation in North Carolina, shall be held by the United States in trust for said band, and shall be nontaxable, nonalienable to the same extent as other lands within said reservation.

Eastern Band of Cherokee Indians.
Granting to of interest in designated lands, authorized.

Payment by transfer of funds.

Availability of transferred funds.

Inclusion of acquired lands in reservation.

An Act To accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains National Park, and for other purposes, approved April 29, 1942 (56 Stat. 258)

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

Great Smoky Mountains National Park.

That the provisions of the act of the Legislature of the State of North Carolina, approved March 18, 1929, and the act of the Legislature of the State of Tennessee, approved April 12, 1929, ceding to the United States exclusive jurisdiction over and within certain lands within said States as may be acquired for the Great Smoky Mountains National Park are

Acceptance of cession of exclusive jurisdiction.

hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such lands, saving, however, to the State of North Carolina and to the State of Tennessee, respectively, the right to serve civil or criminal process within the limits of the area ceded by such State in suits or prosecutions for or on account of any rights acquired, obligations incurred, or crimes committed in such State outside of said park; and saving further to each such State the right to tax persons and corporations, their franchises and property on the lands included in such ceded area; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held

Rights reserved to States.

within the county in which they reside; and saving further to each such State the right to tax sales in such ceded area of gasoline and other motor-vehicle fuels and oil for use in motor vehicles. Nothing in this section shall be construed as a consent by the United States to the taxation by the States of such sales for the exclusive use of the United States. (16 U.S.C. sec. 403h-1.)

Designation as parts of judicial districts.

SEC. 2. That the portion of said park located in the State of North Carolina shall constitute a part of the United States judicial district for the western district of North Carolina and the portion of said park located in the State of Tennessee shall constitute a part of the United States judicial district for the eastern district of Tennessee, and the district court of the United States in and for each such district shall have jurisdiction over all offenses committed within the ceded area of the said park in such district. All

Fugitives from justice.

fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in either the State of North Carolina or Tennessee. (16 U.S.C. sec. 403h-2.)

Hunting and fishing restrictions.

SEC. 3. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park, nor shall any fish be taken out of any of the waters of the said park, in any other way than by hook and line, and then only at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such general rules and

Rules and regulations.

regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within said park, and for the pro-

tection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said park. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this Act. Any person or persons, stage or express company, railway or other transportation company, who knows or has reason to believe that such wild birds, fish, or animals were taken or killed contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior, and who receives for transportation the dead bodies or any part thereof of the wild birds, fish, or animals so taken or killed, or who shall violate any of the other provisions of this Act, or the rules and regulations, with reference to the management and care of the said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, and fish in said park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, sign, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than $500 or imprisonment not exceeding six months, or both, and be adjudged to pay all the costs of the proceedings. (16 U.S.C. sec. 403h-3.)

Evidence of violation.

Penalties.

SEC. 4. That all guns, traps, nets, seines, fishing tackle, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, taking, or capturing such wild birds, fish, or animals contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior, shall be forfeited to the United States and may be seized by the officers in said park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, nets, seines, fishing tackle, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior and the proceeds paid into the Treasury of the United States: *Provided,* That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court. (16 U.S.C. sec. 403h-4.)

Forfeiture of property used for unlawful purposes.

Proviso.

Appointment of park commissioner.

SEC. 5. That the United States District Court for the Western District of North Carolina and the United States District Court for the Eastern District of Tennessee shall jointly appoint a commissioner, who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes, authorized by this Act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Western District of North Carolina, or the United States District Court for the Eastern District of Tennessee, respectively, depending upon the district in which the particular land in said park on which the offense shall have taken place is located; and the United States district courts in the aforementioned district shall jointly prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States district courts. (16 U.S.C. sec. 403h-5.)

Judicial powers.

Appeals.

Rules of procedure and practice.

Jurisdiction over other offenses.

SEC. 6. That the park commissioner provided for in this Act shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 3 of this Act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged for trial, shall commit such person for further appropriate action, and certify a transcript of the record of his proceedings, and the testimony in such case to the particular district court, which court shall have jurisdiction of the case: *Provided,* That the said commissioner may grant bail in all cases according to the laws of the United States. (16 U.S.C. sec. 403h-6.)

Proviso.

Pay of commissioner.

SEC. 7. That the park commissioner provided for in this Act shall be paid an annual salary, as appropriated for by Congress. (16 U.S.C. sec. 403h-7.)

Fees, costs, and expenses.

SEC. 8. That all fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. (16 U.S.C. sec. 403h-8.)

Deposits.

SEC. 9. That all fees, fines, and costs and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same,

with the clerk of the respective United States district courts for either the western district of North Carolina or the eastern district of Tennessee, depending upon the district in which the offense for which collection is made shall have taken place. (16 U.S.C. sec. 403h-9.)

Notice of passage of Act.

SEC. 10. That the Secretary of the Interior shall notify in writing the Governors of the States of North Carolina and Tennessee of the passage and approval of this Act, and of the fact that the United States assumes police jurisdiction over said park as specified in said acts of the States of North Carolina and Tennessee. Upon the acceptance by the Secretary of the Interior of further cessions of jurisdiction over lands now or hereafter included in the Great Smoky Mountains National Park, the provisions of sections 2 to 9, inclusive, shall apply to such lands. (16 U.S.C. sec. 403h-10.)

Application of provisions.

An Act To authorize the acceptance of donations of land for the construction of a scenic parkway to provide an appropriate view of the Great Smoky Mountains National Park from the Tennessee side of the park, and for other purposes, approved February 22, 1944 (Public Law 232—78th Congress) (58 Stat. 19)

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 accept, on behalf of the United States, donations of land and interests in land in the State of Tennessee for the construction of a scenic parkway to be located generally parallel to the boundary of the Great Smoky Mountains National Park and connecting with the park, in order to provide an appropriate view of the park from the Tennessee side. The right-of-way to be acquired for the parkway shall be of such width as to comprise an average of one hundred and twenty-five acres per mile for its entire length. The title to real property acquired pursuant to this Act shall be satisfactory to the Secretary of the Interior. All property acquired pursuant to this Act shall become a part of the Great Smoky Mountains National Park upon acceptance of title thereto by the Secretary, and shall be subject to all laws, rules, and regulations applicable thereto.

10. Hawaii National Park

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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)

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

Hawaii National Park. Lands added.

That when title to all or any of the following-described lands on the island of Hawaii, in the Territory of Hawaii, shall be vested in the United States, such lands shall be, and the same are hereby, added to and made a part of the Hawaii National Park:

Description. Kalapana extension.

Kalapana extension (being portions of the lands of Kahaualea, Panaunui, and Apua and all of the lands of Poupou, Pulama, Kamoamoa, Laeapuki, Panauiki, Kealakomo, and Kahue, in the district of Puna, and portion of the land of Keauhou, in the district of Kau): Beginning at the United States Coast and Geodetic Survey triangulation station Kupapau (marked by a survey tablet set in large rock), the true azimuth and distance from said point of beginning to the United States Coast and Geodetic Survey triangulation station Hakuma (marked by a United States Coast and Geodetic Survey tablet set in smooth lava outcrop and surrounded by a circular patch of cement near edge of sea pali) being two hundred and forty-four degrees forty minutes and fifty seconds exactly fourteen thousand four hundred and thirteen feet and running as follows, all azimuths being measured clockwise from true south (note azimuths of courses 1 to 4, inclusive, are referred to Hakuma meridian):

Along the seacoast at high-water mark, in a general southwesterly direction for the first five courses, the true azimuths and distances between points on said seacoast being—

1. Exactly sixty-six degrees and fifteen minutes twenty-six thousand three hundred and thirty-six and six-tenths feet to United States Coast and Geodetic Survey station Laeapuki, marked by a survey tablet set in mound and covered by a small cairn;

2. Exactly sixty degrees and ten minutes eighteen thousand seven hundred feet to Kaena Point;

3. Exactly seventy-one degrees and fifty-six minutes, twenty-one thousand three hundred and fifty feet to Apua Point;

4. Exactly ninety-eight degrees and forty-five minutes seven thousand four hundred feet to a pipe in concrete at a place called Okiokiahu (note: azimuths of courses 5 to 11, inclusive, are referred to Uwekahuna meridian);

5. One hundred and nine degrees fifty-seven minutes and twenty-two seconds ten thousand seven hundred and seventeen and nine-tenths feet to a pipe in concrete at a place called Makaloa; thence

6. One hundred and seventy degrees four minutes and thirty-nine seconds exactly six thousand eight hundred feet along Hawaii National Park, Kilauea section, to the foot of the Puueo pali;

7. Two hundred and forty-three degrees five minutes and thirty seconds exactly one thousand nine hundred and seventy-three feet along the foot of Puueo pali along portion of the land of Keauhou;

8. Exactly two hundred and eighty-six degrees fifty minutes exactly nine thousand seven hundred feet along portion of the land of Keauhou;

9. One hundred and seventy-eight degrees thirty-eight minutes and twenty-five seconds exactly twelve thousand five hundred feet along portion of the land of Keauhou to a pipe in concrete at top of the Poliokeawe pali;

10. One hundred and sixty-six degrees twenty-two minutes and twenty-four seconds twelve thousand four hundred and sixty-seven and nine-tenths feet along portion of the land of Keauhou to a pipe in concrete on the south boundary of Hawaii National Park, Kilauea section;

11. Exactly two hundred and ~~sixty-nine~~ degrees and ten minutes twenty-one thousand one hundred forty-six and five-tenths feet along Hawaii National Park, Kilauea section, to a pipe (note: azimuths of courses 12 and 13 are referred to Puu Huluhulu meridian);

12. Exactly two hundred and eleven degrees and thirty minutes thirteen thousand seventy-four and seven-tenths feet along Hawaii National Park, Kilauea section, to a pipe;

13. Exactly two hundred and eighty-one degrees exactly two thousand nine hundred and thirty-one feet along portion of the land of Kahaualea (note: azimuths of courses 14 to 24, inclusive, are referred to Hakuma meridian);

14. Exactly two hundred and twelve degrees and thirty minutes exactly eight thousand and fifteen feet along the land of Kahaualea;

15. Exactly two hundred and ninety-seven degrees and fifteen minutes exactly twenty-four thousand five hundred and fifty-two feet along the land of Kahaualea;

16. Exactly two hundred and forty-five degrees and fifty-eight minutes exactly six thousand one hundred and sixty-eight feet along the land of Kahaualea;

17. Exactly three hundred and twenty-six degrees and thirty-one minutes exactly five thousand two hundred and fory-eight feet along the land of Kahaualea;

18. Exactly three hundred and fifty-nine degrees and fifteen minutes exactly four hundred and forty-five feet along the land of Kahaualea;

19. Exactly three hundred and twenty-nine degrees exactly two thousand two hundred and eleven feet along the land of Kahaualea;

20. Two hundred and thirty-four degrees thirty-nine minutes and forty seconds exactly three thousand two hundred and eighty-three feet across portion of the land of Kahaualea;

21. Exactly three hundred and thirty-eight degrees and twelve minutes three thousand nine hundred and twenty-seven and five-tenths feet along the land of Kapaahu;

22. Exactly three hundred and thirty-four degrees and thirty minutes exactly one thousand seven hundred and eighty feet along the land of Kapaahu to the south corner of grant 3208 to West Kaloi;

23. Exactly three hundred and thirty-one degrees and thirty minutes five thousand and ninety-seven and eight-tenths feet along the land of Kapaahu to a point near seacoast; thence

24. To and along the seacoast at high-water mark to the point of beginning, the true azimuth and distance being: Exactly fifty-three degrees and eighteen minutes three thousand three hundred and sixty-four feet.

Area, forty-nine thousand three hundred and forty acres.

Footprint extension.

Footprint extension: Beginning at the northeast corner of this tract of land, at a point on the west edge of the Keamoku Aa Flow (lava flow of 1823), and on the westerly boundary of Hawaii National Park, Kilauea section, as described in Governor's Executive Order 86, the coordinates of said point of beginning referred to Government survey triangulation station Uwekahuna, being four thousand seven hundred and six and six-tenths feet south and seventeen thousand nine hundred and seventy and three-tenths feet west, and the true azimuth and distance from said point of beginning to Government survey triangulation station Ohaikea being one hundred and sixty-six degrees and twenty minutes exactly six thousand three hundred and fifty feet, as shown on Government survey registered map 2388, and running by azimuths measured clockwise from true south—

1. Three hundred and forty-six degrees and twenty minutes exactly fourteen thousand two hundred and fifty-eight feet along Hawaii National Park, Kilauea section, as described in Governor's Executive Order 86;

2. Fifty degrees and twenty-five minutes exactly twenty-seven thousand six hundred and fifteen feet along Hawaii National Park, Kilauea section, as described in Governor's Executive Order 81, thence along the remainder of the Government land of Kapapala to the point of beginning as follows:

3. One hundred and ninety-one degrees no minutes and twenty seconds thirteen thousand five hundred and forty-four and five-tenths feet to a pipe at fence corner a little southwest of the old halfway house and about twenty feet southeast of the edge of the Government main road;

4. Two hundred and thirty-four degrees and twenty-five minutes one thousand three hundred and seventy-seven and five-tenths feet to a pipe on a mound of pahoehoe about ninety feet southeast of the Government main road;

5. Two hundred and twenty degrees and forty minutes exactly one thousand seven hundred and eighty-seven feet crossing the Government main road to a spike in large boulder in stone wall about one hundred and twenty-five feet north of the Government main road; thence

6. Along stone wall over the lava flows, the boundary following the wall in its turns and windings, the direct azimuth and distance being: two hundred and nineteen degrees twenty-two minutes and forty-five seconds exactly eighteen thousand one hundred and twenty-one feet to a point in said stone wall;

7. Two hundred and thirty-eight degrees and seven minutes exactly two hundred and fifty feet partly along stone wall to a pipe in the middle of a corral;

8. Two hundred and thirty-four degrees and two minutes exactly two hundred feet across corral and along stone wall to a point in said wall;

9. Two hundred and thirty-nine degrees and thirty minutes exactly three hundred and fifteen feet along stone wall to a pipe at end of wall and on the south side of the old Peter Lee Road;

10. One hundred and eighty-five degrees and thirty minutes exactly three hundred and eighty feet crossing old Peter Lee Road and along fence to a pipe at fence corner on the west bank of a ravine; thence

11. Following along the west bank of ravine, the direct azimuth and distance being: two hundred and three degrees and twenty-three minutes four hundred seventy-five and seven-tenths feet to a pipe on the west bank of the ravine;

12. Two hundred and twenty degrees and fifty-four minutes exactly two hundred and forty-five feet across ravine and along fence to a spike in stone pile;

13. Two hundred and twelve degrees and forty-four minutes exactly two hundred feet along fence to a spike in stone pile;

14. Two hundred and twenty-two degrees and fifty-three minutes exactly two hundred and forty feet along fence to a spike in stone pile;

15. Two hundred and twenty-five degrees and forty-six minutes three hundred and forty and six-tenths feet to the point of beginning and containing an area of five thousand seven hundred and thirty acres, more or less;

and, in addition, any lands adjacent or contiguous to the Hawaii National Park as hereby extended which, in the discretion of the Secretary of the Interior, are necessary for the

Additional adjacent or contiguous lands.

Proviso.

Lands to be secured by donation only.

proper rounding out of the boundaries of the park: *Provided,* That the United States shall not purchase, by appropriation of public moneys, any land within the aforesaid area, but such lands shall be secured by the United States only by public and private donations. (16 U.S.C. sec. 391b.)

Acceptance of title authorized.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion and upon submission of evidence of satisfactory title to him, to accept, on behalf of the United States, title to the lands referred to in the previous section hereof as may be deemed by him necessary or desirable for national-park purposes. (16 U.S.C. sec. 396.)

Leases for home site purposes in the Kalapana extension to natives.

SEC. 3. (a) That the Secretary of the Interior is authorized to lease, under such rules and regulations as he may deem proper, land ascertained by him to be suitable for home site purposes in the Kalapana extension as described herein, to native Hawaiians when such occupancy does not encroach on or prevent free access to any points of historic, scientific, or scenic interest or in any manner obstruct or interfere with protection and preservation of said area as a part of the Hawaii National Park: *Provided, however,* That occupants of homesites shall reside on the land not less than six months in any one year: *And provided further,* That fishing shall be permitted in said area only by native Hawaiian residents of said area or of adjacent villages and by visitors under their guidance.

Provisos.

Residence requirements.

Fishing restrictions.

"Native Hawaiian" defined.

(b) The term "native Hawaiian", as used in this section, means any descendant of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands previous to 1778. (16 U.S.C. sec. 396a.)

Provisions of designated Acts extended to additions.

39 Stat. 432. 16 U.S.C. sec. 391. 39 Stat. 535. 16 U.S.C. sec. 1. 41 Stat. 452. 16 U.S.C. sec. 392.

SEC. 4. That the provisions of the Act of August 1, 1916 (39 Stat. 432), entitled "An Act to establish a national park in the Territory of Hawaii"; the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes"; the Act of February 27, 1920 (41 Stat. 452), entitled "An Act to authorize the Governor of the Territory of Hawaii to acquire privately owned lands and rights-of-way within the boundaries of the Hawaii National Park"; and all Acts supplementary to and amendatory of said Acts are made applicable to and extended over the lands hereby added to the park: *Provided,* That the provisions of the Act of June 10, 1920, as amended, entitled "An Act to create a Federal Power Commission; to provide for the improvement of navigation; the development of water power; the use of the public lands in relation thereto; and to repeal section 18 of the River and Harbor Appropriations Act, approved August 8, 1917, and for other purposes", shall not apply to or extend over such lands (U.S.C., title 16, sec. 391): *And provided further,* That the Governor of the Territory of Hawaii is authorized to convey to the United States any and all lands and interests in lands acquired by the Territorial Government under the provisions of this Act. (16 U.S.C. secs. 391b—1, 392b.)

Provisos.

Designated provisions inapplicable. 41 Stat. 1063. 16 U.S.C., ch. 12.

Conveyance authorized.

An Act To amend an Act entitled "An Act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes," approved April 19, 1930, approved June 25, 1938 (52 Stat. 1164)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act entitled "An Act providing for the exercise of sole and exclusive jurisdiction by the United States over Hawaii National Park in the Territory of Hawaii, and for other purposes", approved April 19, 1930 (46 Stat. 228; U.S.C., title 16, sec. 395e), be amended by adding at the end thereof the following:

Hawaii National Park.

"That during such time or times as the office of the Commissioner for the Hawaii National Park shall be or remain unfilled, or when the presence of such Commissioner cannot be conveniently procured, any United States commissioner duly appointed by the United States District Court for the Territory of Hawaii and residing in such district shall have full power, authority, and jurisdiction to hear and act upon all complaints made with respect to offenses or violations of law or regulations occurring within the limits of the Hawaii National Park, as the United States Commissioner for the Hawaii National Park may now act with respect to offenses or violations of law or regulations occurring within the limits of said park." (16 U.S.C. sec. 395e.)

Acting Commissioner; power, jurisdiction, etc.

SEC. 2. That section 9 of the said Act of April 19, 1930 (46 Stat. 229; U.S.C., title 16, sec. 395h), be amended by adding at the end thereof the following:

"That any United States commissioner in and for the Territory of Hawaii, while acting in such capacity as United States Commissioner for the Hawaii National Park as authorized by section 6 hereof, shall be allowed the fees prescribed by section 21 of the Act of May 28, 1896 (29 Stat. 184), upon the rendition of an itemized account." (16 U.S.C. sec. 395h.)

Fees allowed.

28 U.S.C. sec. 597.

SEC. 3. All laws or parts of laws, either Federal or Territorial, in conflict herewith are hereby repealed. (16 U.S.C. sec. 395h note.)

Repeal of conflicting laws.

An Act To withdraw certain portions of land within the Hawaii National Park and to transfer the same to the jurisdiction and control of the Secretary of War for military purposes, approved July 16, 1940 (54 Stat. 761)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That within a tract of land containing six thousand four hundred fifty acres, more or less, on the island of Hawaii in the Territory of Hawaii, located in the Hawaii National Park, created by the Act of August 1, 1916 (39 Stat. 432), as amended, and described as follows, to wit:

Hawaii National Park.

Transfer of land for military purposes authorized.

16 U.S.C. secs. 391-394.

Beginning at a place called Na Puu O na Elemakule located at the southeastern corner of the Hawaii National Park, said point being marked by a triangle on a large flat

Description.

stone, thence by azimuth (measured clockwise from true south) and distances as follows: Eighty-nine degrees twenty-seven minutes thirty seconds, three thousand three hundred feet along the southern boundary of Hawaii National Park; one hundred and seventy-nine degrees twenty-seven minutes thirty seconds, fourteen thousand five hundred and fifty feet over and across Pali to a point on Kau Desert Plateau; two hundred and forty-three degrees fifty-seven minutes no seconds, eighteen thousand four hundred and fifty feet to a point located above Hilima Pali; three hundred and fifty-nine degrees twenty-seven minutes thirty seconds, twelve thousand nine hundred and ninety feet more or less to high-water line; thence in southwesterly direction along the high-water line to the point of beginning; containing an area of six thousand four hundred and fifty acres, more or less; there shall be withdrawn from the control and jurisdiction of the Secretary of the Interior and transferred to the jurisdiction and control of the Secretary of War so much thereof as may be agreed upon between the Secretaries of War and Interior for use as an Air Corps bombing target range, and for such other military purposes and uses as may be prescribed by the Secretary of War. (16 U.S.C. sec. 391c.)

Transfer provision.

11. Hot Springs National Park

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Boundary extension, lands granted to city of Hot Springs	Act of June 24, 1938	55
Boundary extension, amending Act of June 15, 1936, authorizing extension	Act of August 10, 1939	57

An Act Ceding jurisdiction to the United States of Certain Lands in Hot Springs National Park, approved March 25, 1933 (Act 166, Acts of Arkansas, 1933)

Be It Enacted by the General Assembly of the State of Arkansas: That exclusive jurisdiction over all lands now or hereafter included in Hot Springs National Park in the State of Arkansas and which have not heretofore been included in acts of the General Assembly of the State of Arkansas is hereby ceded and granted to the United States of America, to be exercised so long as the same shall remain the property of the United States. *Provided,* that this grant of jurisdiction shall not prevent the execution of any process of the State, civil or criminal, or any person who may be in the park or on park premises; provided further, that the right to tax all structures and other property in private ownership on the Hot Spings National Park is hereby reserved to the State of Arkansas.

Whereas, there is an immediate need for jurisdiction of the lands herein, an emergency is declared to exist, and this act shall take effect and be in full force from and after its passage.

An Act To provide for the extension of the boundaries of the Hot Springs National Park in the State of Arkansas, and for other purposes, approved June 15, 1936 (49 Stat. 1516)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of the Hot Springs National Park in the State of Arkansas be, and the same are hereby, extended to include the following land, to wit: Lot 11, block 101; lot 5, block 185; lot 6, block 186; lots 5, 6, and 7, block 187; and lots 1, 2, 3, 6, and 15, block 188, United States Hot Springs Reservation, as surveyed, mapped, and plotted by the United States Hot Springs Commission, and any of such lands when acquired by the Secretary of the Interior on behalf of the United States shall be and remain a part of the Hot Springs National Park, subject to all laws and regulations applicable thereto: *Provided,* That the lands hereinabove described may be acquired within funds already

Hot Springs National Park, Ark.

Boundaries extended.

Proviso.

Purchase; cost limitation.

appropriated and at a cost not to exceed $15,000.[1] (16 U.S.C. sec. 361c.)

An Act Increasing the penalty for making false oaths for the purpose of bathing at the Government free bathhouse at Hot Springs, Arkansas, approved June 26, 1936 (49 Stat. 1979)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act limiting the privileges of the Government free bathhouse on the public reservation at Hot Springs, Arkansas, to persons who are without and unable to obtain the means to pay for baths", approved March 2, 1911 (U.S.C., 1934 edition, title 16, sec. 371), is hereby amended to read as follows:

Hot Springs, Ark. 36 Stat. 1015.

Use of Government free bathhouse restricted

"That only persons who are without and unable to obtain the means to pay for baths and are suffering from ailments for which bathing in the water of the Hot Springs Reservation will afford relief or effect a cure shall be permitted to bathe at the free bathhouse on the public reservation at Hot Springs, Arkansas, and before any person shall be permitted to bathe at the free bathhouse on the reservation he shall be required to make oath, before such officer duly authorized to administer oaths for general purposes as the superintendent of the Hot Springs Reservation shall designate, that he is without and unable to obtain the means to pay for baths, and any person desiring to bathe at the free bathhouse on the Hot Springs Reservation making a false oath as to his financial condition shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than $25 nor more than $300 and be imprisoned for not more than sixty days." (16 U.S.C. sec. 371.)

Oath of inability to pay.

Punishment for false oath.

An Act To accept the cession by the State of Arkansas of jurisdiction over all lands now or hereafter included within the Hot Springs National Park, Arkansas, and for others[2] purposes, approved June 2, 1937 (50 Stat. 243)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of an Act of the Legislature of the State of Arkansas, approved March 25, 1933 (numbered 166), ceding to the United States jurisdiction over all lands now or hereafter included within the Hot Springs National Park, are hereby accepted, and the provisions of the Act approved April 20, 1904 (33 Stat. 187), as amended by the Acts of March 2, 1907 (34 Stat. 1218), and March 3, 1911 (36 Stat. 1086), relating to the Hot Springs Mountain Reservation, Arkansas, are hereby extended to all lands now or hereafter included within said park.

Hot Springs National Park, Ark.

Jurisdiction accepted.

16 U.S.C. sec. 376.

[1] Amended by Act of August 10, 1939 (53 Stat. 1341), page 57.
[2] So in original.

An Act To provide for the extension of the boundaries of the Hot Springs National Park in the State of Arkansas, and for other purposes, approved June 24, 1938 (52 Stat. 1038)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of the Hot Springs National Park in the State of Arkansas be, and the same are hereby, extended to include the following lands, to wit:

Hot Springs National Park, Ark.
Boundaries extended
Description.

So much of the northeast quarter section 33, township 2 south, range 19 west, as is now privately owned;

The northwest quarter section 34, township 2 south, range 19 west;

All privately owned land in the west half section 27, township 2 south, range 19 west;

The southeast quarter section 27, south half northeast quarter section 27, all privately owned lands in the northwest quarter northeast quarter section 27, west half section 22, southwest quarter section 15, southeast quarter section 16, northeast quarter section 21, south half section 21, southeast quarter southeast quarter section 20, east half northeast quarter section 28, northwest quarter northeast quarter section 28, northwest quarter northwest quarter section 28, east half southwest quarter northeast quarter section 28, east half northeast quarter section 29, southeast quarter northwest quarter northeast quarter section 29, southwest quarter northeast quarter section 29, west half northwest quarter southeast quarter section 29, southeast quarter southeast quarter northwest quarter section 29, northeast quarter northwest quarter southeast quarter section 29, all privately owned land in northeast quarter southwest quarter section 29, south half southeast quarter section 30, northeast quarter southeast quarter section 30, southeast quarter southwest quarter section 30, west half section 31, north half northeast quarter section 31, southwest quarter northeast quarter section 31, west half southeast quarter northeast quarter section 31, all lying and being situated in township 2 south, range 19 west;

All of section 36, southeast quarter section 35, southeast quarter northeast quarter section 35, all lying and being situated in township 2 south, range 20 west;

Northeast quarter section 2, north half southeast quarter section 2, north half section 1, north half southwest quarter section 1, north half southeast quarter section 1, all lying and being situated in township 3 south, range 20 west;

North half section 6, north half southwest quarter section 6, northwest quarter southeast quarter section 6, all lying and being situated in township 3 south, range 19 west;

Blocks 27, 189, 195, and 196, city of Hot Springs;

Lots 8 to 13, inclusive, block 125, city of Hot Springs; lots 4, 5, 7, 8, 9, 10, 11, 12, 13, and 14, block 188, city of Hot Springs;

Fountain Street adjoining lots 13, block 125, and blocks 195 and 196, city of Hot Springs;

Reserve Avenue in city of Hot Springs from Palm Street to Cypress Street. Two unnamed streets, twenty feet wide, extending from Fountain Street to Government boundary and running between blocks 125 and 195 and blocks 195 and 196, respectively.

All or any part of such lands above described, when acquired by the Secretary of the Interior on behalf of the United States, shall be and remain a part of the Hot Springs National Park, subject to all laws and regulations applicable thereto. (16 U.S.C. sec. 361d.)

Lands granted to city of Hot Springs.

Description.

SEC. 2. The following-described lands are hereby granted to the city of Hot Springs, Arkansas, for the purpose of straightening Whittington Avenue in said city: Tract A, beginning at a point on the dividing line between the United States Hot Springs Reservation and Whittington Avenue fifty-two and six-tenths feet easterly from Government monument numbered 131; run thence westerly along said line two hundred and thirty-six feet to a point one hundred and seven and one-tenth feet westerly from Government monument numbered 132; run thence easterly across the United States Hot Springs Reservation on an included angle of eight degrees fifty-three minutes seventy-four feet; thence easterly a distance of one hundred and fifty-seven and four-tenths feet to the place of beginning; tract B, beginning at a point on the dividing line between the United States Hot Springs Reservation and Whittington Avenue twelve and five-tenths feet easterly from Government monument numbered 134; run thence westerly along said line a distance of two hundred and fourteen and three-tenths feet to a point twelve and three-tenths feet westerly from Government monument numbered 135; run thence easterly across the United States Hot Springs Reservation on a seven degree thirty minute curve to the left (R-763.94) a distance of two hundred and five feet more or less to the place of beginning; tract C, beginning at a point on the dividing line between the United States Hot Springs Reservation and Whittington Avenue ten and seven-tenths feet easterly from Government monument numbered 136; run thence westerly along said line a distance of two hundred and five and seven-tenths feet to a point eleven and eight-tenths feet westerly from Government monument numbered 137; run thence easterly in a straight line across the United States Hot Springs Reservation to the place of beginning; tract D, beginning at a point on the dividing line between the United States Hot Springs Reservation and Whittington Avenue nineteen feet easterly from Government monument numbered 139; run thence westerly along said line one hundred and seventy-four feet to a point twenty-six and five-tenths feet westerly from Government monument numbered 140; run thence easterly in a straight line across the United States Hot Springs Reservation one hundred and seventy and two-tenths feet, more or less, to the place of beginning; tract E, beginning at a point on the dividing line between

the United States Hot Springs Reservation and Whittington Avenue twenty-five feet easterly from Government monument numbered 142; run thence westerly along said dividing line one hundred and seventy-two and five-tenths feet to a point fifteen and eight-tenths feet westerly from Government monument numbered 143; run thence easterly across the United States Hot Springs Reservation on a twelve-degree thirty-minute curve to the left (R-458.37) a distance of one hundred and sixty-three and six-tenths feet, more or less, to the place of beginning; tract F, beginning at a point on the dividing line between the United States Hot Springs Reservation and the north branch of Whittington Avenue six and six-tenths feet westerly from Government monument numbered 124; run thence easterly along said line fifty feet; run thence southerly across the United States Hot Springs Reservation to a point on the north line of the south branch of Whittington Avenue fifty-nine and six-tenths feet westerly from Government monument numbered 133; run thence westerly along said line fifty and two-tenths feet; run thence northerly across the United States Hot Springs Reservation in a straight line to the place of beginning.

Appropriation authorized for land acquisition.

SEC. 3. There is hereby authorized to be appropriated for the acquisition of lands described in section 1 hereof such sums as the Congress may from time to time determine.

An Act To amend the Act of June 15, 1936 (49 Stat. 1516), authorizing the extension of the boundaries of the Hot Springs National Park, in the State of Arkansas, and for other purposes, approved August 10, 1939 (53 Stat. 1341)

Hot Springs National Park, Ark.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the Act of June 15, 1936 (49 Stat. 1516), reading as follows: ": *Provided,* That the lands hereinabove described may be acquired within funds already appropriated and at a cost not to exceed $15,000", is hereby repealed, and the said Act of June 15, 1936, is hereby further amended by the addition thereto of the following new sections:

Proviso repealed.

Supplementary appropriation for purchase of lands authorized.

"SEC. 2. That there is hereby authorized to be appropriated a sum not to exceed $8,000 to supplement funds in the amount of $15,000 heretofore made available for the purchase of the lands described in section 1 hereof.

Acceptance of donations of lands, etc.

"SEC. 3. The Secretary of the Interior is hereby authorized, in his discretion, to accept on behalf of the United States donations of lands or interests in land within the city limits of Hot Springs, Arkansas, the title to such lands or interests in land to be satisfactory to said Secretary. Upon the acquisition of such lands or interests in land, they shall become a part of the Hot Springs National Park and shall be subject to all laws and regulations applicable thereto." (16 U.S.C. sec. 361c, 361c-1 note, 361e.)

Acquisition to become part of park.

12. Isle Royale National Park

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Jurisdiction, State cession over park land	State Act of February 27, 1939	58
Jurisdiction, State cession of 1939 accepted	Act of March 6, 1942	59
Addition to park of Passage Island and Siskiwit Island Bird Reservation, boundaries extended to include submerged lands	Act of March 6, 1942	62
Amendment to Act of March 6, 1942, relating to addition of lands to the park	Act of July 27, 1942	63

An Act To make available for national-park purposes certain lands within the boundaries of the proposed Isle Royale National Park, and for other purposes, approved June 20, 1938 (52 Stat. 785)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all lands purchased from funds heretofore allocated and made available by Executive order, or otherwise, for the acquisition of lands for conservation or forestation purposes within the maximum boundaries of the Isle Royale National Park, as authorized by the Act of March 3, 1931 (46 Stat. 1514), be, and the same are hereby, made a part of the said park as fully as if originally acquired for that purpose and the proviso at the end of section 1 of the said Act of March 3, 1931, shall not be construed so as to prohibit the acquisition of lands in the park area with the aforesaid funds. (16 U.S.C. sec. 408d.)

Isle Royale National Park, Mich.

Certain acquired lands made a part of.

16 U.S.C. sec. 408.

Use of allocated funds in acquisition of lands.

Act of Legislature of Michigan, approved February 27, 1939, ceding jurisdiction over the Isle Royale National Park to the United States (Act 8, Michigan Public Acts, 1939)

The People of the State of Michigan enact:

SECTION 1. Exclusive jurisdiction shall be and the same is hereby ceded to the United States over and within all the territory which is now or may hereafter be included in that area in the state of Michigan set aside and dedicated for park purposes by the United States as Isle Royale National Park; saving, however, to the state of Michigan the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred or crimes committed in said state outside of said park; and saving further to the said state the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing in said park now or hereafter the right to vote at all elections held within the county or counties in which said park is situate: *Provided, however,* that jurisdiction shall not vest until the United States through the proper officer notifies the state of Michigan that they assume police jurisdiction over said park.

SECTION 2. All acts and parts of acts only insofar as inconsistent with the provisions of this act are hereby repealed. This act is ordered to take immediate effect.

An Act To accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes, approved March 6, 1942 (56 Stat. 133)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of the Legislature of the State of Michigan, approved February 27, 1939, ceding to the United States exclusive jurisdiction over and within all the territory that is now or may hereafter be included in that area in the State of Michigan set aside and dedicated for park purposes by the United States as the Isle Royale National Park are hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such lands, saving, however, to the State of Michigan the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said park; and saving further to said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held within the county in which they reside. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the State of Michigan. (16 U.S.C. sec. 408i.)

Isle Royale National Park, Mich.

Cession of jurisdiction to U. S.

SEC. 2. That said park shall constitute a part of the United States judicial district for the western district of Michigan, and the district court of the United States in and for said district shall have jurisdiction over all offenses committed within the boundaries of the said park. (16 U.S.C. sec. 408j.)

Assignment to Michigan western judicial district.

SEC. 3. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park, nor shall any fish be taken out of any of the waters of the said park, except at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and

Hunting, fishing, etc., prohibitions.

Rules and regulations.

regulations governing the taking of fish from the waters in the said park. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this Act. Any person or persons, stage or express company, railway or other transportation company, who knows or has reason to believe that such wild birds, fish, or animals were taken or killed contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior, and who receives for transportation the dead bodies or any part thereof of the wild birds, fish, or animals so taken or killed, or who shall violate any of the other provisions of this Act, or the rules and regulations, with reference to the management and care of the said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, and fish in said park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, sign, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than $500 or imprisonment not exceeding six months, or both, and be adjudged to pay all the costs of the proceedings. (16 U.S.C. sec. 408k.)

Penalties.

Forfeiture of property used for unlawful purposes.

SEC. 4. That all guns, traps, nets, seines, fishing tackle, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, taking, or capturing such wild birds, fish, or animals contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior, shall be forfeited to the United States and may be seized by the officers in said park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, nets, seines, fishing tackle, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior: *Provided,* That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court. (16 U.S.C. sec. 408*l*.)

Proviso.

Park commissioner.

SEC. 5. That upon the recommendation and approval of the Secretary of the Interior of a qualified candidate the United States District Court for the Western District of Michigan shall appoint a commissioner, who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by

Appointment and jurisdiction.

the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes, authorized by this Act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Western District of Michigan; and the United States district court in the aforementioned district shall prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to the said United States district court. (16 U.S.C. sec. 408m.)

Judicial powers.

Appeals.

SEC. 6. That the park commissioner provided for in this Act shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 3 of this Act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged for trial, shall commit such person for further appropriate action, and certify a transcript of the record of his proceedings and the testimony in such case to the district court, which court shall have jurisdiction of the case: *Provided,* That the said commissioner may grant bail in all cases according to the laws of the United States. (16 U.S.C. sec. 408n.)

Procedure in other cases.

Proviso.

SEC. 7. That the park commissioner provided for in this Act shall be paid an annual salary, as appropriated for by Congress. (16 U.S.C. sec. 408*o*.)

Pay of commissioner.

SEC. 8. That all fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. (16 U.S.C. sec. 408p.)

Fees, costs, and expenses.

SEC. 9. That all fees, fines, and costs and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Michigan. (16 U.S.C. sec. 408q.)

Deposit of collections.

SEC. 10. That the Secretary of the Interior shall notify in writing the Governor of the State of Michigan of the passage and approval of this Act, and of the fact that the United States assumes police jurisdiction over said park as specified in said act of the State of Michigan. (16 U.S.C. sec. 408i note.)

Notice of acceptance of jurisdiction.

An Act To provide for the addition of certain lands to the Isle Royale National Park, in the State of Michigan, and for other purposes, approved March 6, 1942 (56 Stat. 138)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to valid existing rights the following-described lands, in addition to the lands established as the Isle Royale National Park pursuant to the Act of March 3, 1931 (46 Stat. 1514), are hereby made a part of the park:

Isle Royale National Park, Mich. Addition of lands. 16 U.S.C. secs. 408-408b.

Description.

Passage Island, containing approximately one hundred and eighty-two acres, located in sections 3, 4, and 9, township 67 north, range 32 west, in Keweenaw County, Michigan: *Provided,* That the Secretary of the Treasury shall retain control and jurisdiction over the following portions of the Island for lighthouse and boathouse purposes:

Proviso.

(a) All that part of Passage Island lying south of a true east and west line located four hundred and twenty-five feet true north of the center of the Passage Island Light containing approximately six and five-tenths acres.

(b) Beginning at the center of Passage Island Light, thence north thirty-three degrees fifty-two minutes east three thousand five hundred and fifteen feet to a point from which this description shall begin to measure, being the southwest corner of said boathouse site; thence north two hundred feet to a point being the northwest corner of said site; thence east one hundred and seventy-five feet more or less to the harbor shore; thence southeasterly following the harbor shore to a point on the shore being a point on the south boundary of the boathouse site; thence two hundred feet more or less west to the point of beginning, containing approximately seventy-eight one-hundredths acre.

(c) A right-of-way between the sites described in the preceding subparagraphs, to be defined by the Secretary of the Treasury within a reasonable length of time after the approval of this Act. (16 U.S.C. sec. 408e.)

Siskiwit Islands Bird Reservation.

SEC. 2. The Siskiwit Islands Bird Reservation is hereby abolished and shall hereafter be a part of the Isle Royale National Park. (16 U.S.C. sec. 408f.)

Submerged lands.

SEC. 3. The boundaries of the Isle Royale National Park are hereby extended to include any submerged lands within four and one-half miles of the shore line of Isle Royale and the immediately surrounding islands, and the Secretary of the Interior is hereby authorized, in his discretion, to acquire title by donation to any such lands not now owned by the United States, the title to be satisfactory to him. (16 U.S.C. sec. 408g.)

Federally owned lands.

SEC. 4. All federally owned lands within the boundaries of the Isle Royale National Park are hereby made a part of the park: *Provided,* That the Secretary of the Treasury shall retain control and jurisdiction, for lighthouse purposes, over Menagerie Island, located in township 64 north, range 35 west, and an unsurveyed island known as Rock of Ages,

Proviso.

Aids to navigation.

situated in approximate sections 7 and 18, township 63 north, range 39 west, and also shall retain the right to maintain existing floating and shore aids to navigation and to establish and maintain additional aids to navigation within the established park area when so required by general navigation.[1] (16 U.S.C. sec. 408h.)

An Act Relating to the jurisdiction over certain lands in the Isle Royale National Park, approved July 27, 1942 (56 Stat. 722)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the addition of certain lands to the Isle Royale National Park, in the State of Michigan, and for other purposes", approved March 6, 1942, is hereby amended by striking out the words "Secretary of the Treasury", wherever they appear in such Act, and inserting in lieu thereof the words "Secretary of the Navy". (16 U.S.C. secs. 408e, 408h.)

Isle Royale National Park, Mich.

Jurisdiction of Secretary of the Navy.

[1] Amended by Act of July 27, 1942, immediately following.

13. Kings Canyon National Park

		Page
Establishment of park, abolishment of General Grant National Park and inclusion, in part, within Kings Canyon National Park	Act of March 4, 1940	64
Adjustment of land-ownership lines	Act of June 5, 1942	69
Jurisdiction, State cession over all lands now or hereafter included in park	State Act of April 7, 1943	69

An Act To establish the Kings Canyon National Park, California, to transfer thereto the lands now included in the General Grant National Park, and for other purposes, approved March 4, 1940 (54 Stat. 41)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of land in the State of California particularly described as follows, to wit: Beginning at the summit of Junction Peak, being a point on the present north boundary of Sequoia National Park, also a point on the Tulare and Inyo County line; thence westerly along said north boundary of said park to the crest of the hydrographic divide between Boulder Creek and Sugarloaf Creek; thence in a northerly direction along the crest of the hydrographic divide between Boulder Creek and Sugarloaf Creek to the intersection of said divide with the section line between sections 3 and 4 of township 14 south, range 30 east, Mount Diablo base and meridian; thence northerly along the section line between said sections 3 and 4 and between sections 33 and 34, and sections 27 and 28 of township 13 south, range 30 east, to the northwest corner of southwest quarter of section 27; thence northwesterly along the ridge immediately adjacent to and lying northeast from the headwaters of the east fork of Lightning Creek to the intersection of said ridge with the section line between sections 21 and 28, township 13 south, range 30 east, which point lies on the said section line three quarters of a mile more or less westerly from the northeast corner of said section 28; thence in a northerly direction across the easterly branch of the east fork of Lightning Creek at Summit Meadow to the ridge north of said creek branch; thence northeasterly along said ridge to Lookout Peak; thence in a northeasterly direction along the ridge from said peak, being also the crest of the hydrographic divide between Sheep Creek and Lightning Creek to the intersection of said ridge, with the line between section 15 and 22, township 13 south, range 30 east, which point lies one quarter of a mile more or less westerly of the northeast corner of said section 22; thence easterly along said section line to the corner of sections 14, 15, 22, and 23; thence north along the line between sections 14 and 15 to the southwest corner of the northwest quarter of the northwest quarter of section 14; thence east to the southeast corner of the northeast quarter of the northwest quarter of the

Kings Canyon National Park, Calif., establishment.

Description of tract.

said section; thence south to the southwest corner of the northeast quarter of the said section; thence east to the southeast corner of the southwest quarter of the northeast quarter of the said section; thence south to the southwest corner of the northeast quarter of the southeast quarter of the said section; thence east to the northeast corner of the southeast quarter of the southeast quarter of the said section; thence south to the southwest corner of section 13; thence east on the line between sections 13 and 24 to the southeast corner of section 13; thence south to southwest corner of the northwest quarter of the northwest quarter of section 19, township 13 south, range 31 east; thence east along the north latitudinal one-sixteenth section line of sections 19, 20, and 21 to the southeast corner of the northeast quarter of the northwest quarter of said section 21; thence north to the quarter section corner of sections 16 and 21; thence east along the line between sections 16 and 21 to the southeast corner of said section 16; thence north along the section line to the quarter section corner of sections 15 and 16; thence west along the latitudinal quarter section line of sections 16, 17, and 18 to the northwest corner of the southeast quarter of section 18; thence north to the northeast corner of the southeast quarter of the northwest quarter of said section 18; thence west to the northwest corner of the southwest quarter of the northwest quarter of said section 18; thence north along the range line between ranges 30 and 31 east, township 13 south to the northeast corner of section 13, township 13 south, range 30 east; thence west along the line between sections 12 and 13 to the southeast corner of the southwest quarter of the southwest quarter of section 12; thence north to the northeast corner of the southwest quarter of the southwest quarter of said section 12; thence west to the northwest corner of the southeast quarter of the southeast quarter of section 11; thence north to the northeast corner of the northwest quarter of the northeast quarter of said section 11; thence west along the line between sections 2 and 11 to the northwest corner of the northeast quarter of the northwest quarter of said section 11; thence south to the southwest corner of the northeast quarter of the northwest quarter of said section 11; thence west to the northwest corner of the southwest quarter of the northwest quarter of said section 11; thence north along the line between sections 10 and 11 and 2 and 3 to the intersection with the ridge of southeast spur of Stag Dome; thence in a northwesterly direction along the crest of said spur to the summit of Stag Dome; thence in a northerly direction along the crest of the hydrographic divide between Lewis Creek and Deer Cove and Grizzly Creek to its intersection with Monarch Divide at Hog-Back Peak; thence in a westerly direction along the crest of Monarch Divide, to its junction with the northwesterly spur of Mount Harrington; thence northwesterly along the crest of hydrographic divide on the southwest side of the Gorge of Despair to the intersection

with the line between sections 12 and 13, township 12 south, range 29 east; thence continuing west along the line between sections 12 and 13, 11 and 14 to the southwest corner of the southeast quarter of the southeast quarter of said section 11; thence northerly to the southwest corner of the southeast quarter of the northeast quarter of said section 11; thence east to the quarter section corner of sections 11 and 12; thence north to the southeast corner of the northeast quarter of the northeast quarter of said section 11; thence east to the southeast corner of the northwest quarter of the northwest quarter of section 12; thence north to the northeast corner of the northwest quarter of the northwest quarter of said section 12; thence east to the quarter section corner of sections 1 and 12; thence north to the northeast corner of the southeast quarter of the southwest quarter of said section 1; thence east to the southeast corner of the northwest quarter of the southeast quarter of said section 1; thence north to the northeast corner of the northwest quarter of the southeast quarter of said section 1; thence east to the quarter section corner of sections 1 and 6; thence north along the range line between the ranges 29 and 30 east, township 12 south, to the northeast corner of said section 1, township 12 south, range 29 east; thence east along the township line between townships 11 and 12 south, range 30 east to the southeast corner of the southwest quarter of the southwest quarter of section 31, township 11 south, range 30 east; thence north to the northeast corner of the southwest quarter of the southwest quarter of said section 31; thence west to the northwest corner of the southwest quarter of the southeast quarter of section 36, township 11 south, range 29 east; thence south to the quarter section corner of sections 1 and 36; thence west along the township line between townships 11 and 12 south, range 29 east to the northwest corner of section 1, township 12 south, range 29 east; thence south to the southwest corner of the northwest quarter of the northwest quarter of said section 1; thence west to the northwest corner of the southwest quarter of the northwest quarter of section 2; thence south to the northwest corner of the southwest quarter of the southwest quarter of said section 2; thence west to the northwest corner of the southeast quarter of the southeast quarter of section 3; thence south to the southwest corner of the southeast quarter of the southeast quarter of section 3; thence continuing south to the intersection with the four thousand four hundred contour; thence along the four thousand four hundred-foot contour in a southwesterly direction to its intersection with Tombstone Ridge; thence in a northwesterly direction along the crest of the Tombstone Ridge to the summit of the Obelisk; thence in a straight line in a northeasterly direction crossing Crown Creek to the summit of Kettle Dome; thence in a northeasterly direction along the crest of Kettle Ridge to the summit of Finger Peak in the White Divide; thence northwesterly along the crest of the

said White Divide and the Le Conte Divide, passing over the summits of Mount Reinstein and Red Mountain to the summit of Mount Henry; thence in a northerly direction along the crest of the north spur of Mount Henry to the junction of the South Fork San Joaquin River and Piute Creek; thence across the South Fork San Joaquin River and in a northeasterly direction along the hydrographic divide between Piute Creek and the South Fork San Joaquin River to the summit of Pavillion Dome; thence in an easterly direction along the crest of said hydrographic divide to its intersection with Glacier Divide; thence continuing southeasterly along the crest of said Glacier Divide to a point of intersection with the crest of the Sierra Nevada Range, also the boundary line between Inyo County and Fresno County; thence continuing southeasterly along the crest of said Sierra Nevada Range, passing over the summits of Mount Lamarack, Mount Darwin, Mount Haeckel, Mount Wallace, Mount Powell, Mount Thompson, Mount Gilbert, Mount Johnson, Mount Goode, Mount Winchell, North Palisade, The Thumb, Mount Bolton Brown, Split Mountain, Cardinal Mountain, Striped Mountain, Mount Perkins, Colosseum Mountain, Mount Baxter, Diamond Peak, Black Mountain, Dragon Peak, Mount Bixford, Mount Gould, University Peak, Mount Bradley, and Mount Keith to the summit of Junction Peak, being the point of beginning; is hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States and dedicated and set apart as a public park, to be known as the Kings Canyon National Park, for the benefit and enjoyment of the people: *Provided,* That nothing in this Act shall be construed to affect or abridge any right acquired by any citizen of the United States in the above-described area: *And provided further,* That no grazing permits heretofore issued and in effect on January 15, 1939, affecting the area described in this section, for whose renewal an application is made before the date of expiration, shall be affected by this Act, except that they shall be subject to such terms and conditions to insure protection of the lands and for other purposes as may be prescribed by the Secretary of the Interior. (16 U.S.C. sec. 80.)

Provisos.

Acquired rights not affected.

Grazing permits in effect Jan. 15, 1939.

SEC. 2. That the General Grant National Park is hereby abolished, and the west half of section 33, township 13 south, range 28 east, and west half of section 4, all of section 8 and the northwest quarter of section 9, township 14 south, range 28 east, Mount Diablo meridian, California, together with the lands formerly within the General Grant National Park, California, and particularly described as follows, to wit: All of sections 31 and 32, township 13 south, range 28 east, and sections 5 and 6, township 14 south, range 28 east, of the same meridian, are, subject to valid existing rights, hereby added to and made a part of the Kings Canyon National Park and such lands shall be known as the General Grant grove section of the said park. The

General Grant National Park, abolishment.

General Grant grove section; extension permitted.

General Grant grove section of the Kings Canyon National Park may, by proclamation of the President, be extended to include the following described lands, to wit: Section 9, south half, section 10, southwest quarter, and that part of the east half south of Generals Highway; section 11, that part south of Generals Highway; section 13, that part south of Generals Highway; section 14, that part south of Generals Highway, section 15, east half, northwest quarter, and the southeast quarter of the southwest quarter, section 21, southeast quarter of the northeast quarter, and the east half of the southeast quarter; section 22, east half, east half of the northwest quarter, southwest quarter of the northwest quarter and southwest quarter; section 23; section 24, that part south of Generals Highway; sections 25 and 26; section 27, east half, northwest quarter, and that part of the southwest quarter north and east of the crest of Redwood Mountain; section 34, that part east of the crest of Redwood Mountain; sections 35 and 36, township 14 south, range 28 east; all of sections 1 and 2; section 3, that part east of the crest of Redwood Mountain; section 11, that part east and north of the crest of Redwood Mountain; all of section 12; section 13, that part north of the Sequoia National Park boundary, township 15 south, range 28 east, Mount Diablo meridian, which shall be subject to all laws, rules, and regulations applicable to the said park. Such extension of the General Grant grove section of the said park shall not interfere with the movement of stock and vehicular traffic without charge, under general regulations to be prescribed by the Secretary of the Interior, to and from national forest lands on either side of the said park extension. The Kings Canyon National Park shall receive and use all moneys heretofore or hereafter appropriated for General Grant National Park.[1] (16 U.S.C. sec. 80a.)

Movement of stock and vehicular traffic.

Transfer of funds.

Use for recreational purposes.

SEC. 3. That the National Park Service shall, under the rules and regulations to be prescribed by the Secretary of the Interior, administer for public recreational purposes the lands withdrawn. (16 U.S.C. sec. 80b.)

Motor-vehicle licenses.

Proviso.

Privilege limitation.

SEC. 4. That any motor-vehicle license issued for Sequoia National Park shall be applicable to Kings Canyon National Park, and vice versa: *Provided,* That in order to insure the permanent preservation of the wilderness character of the Kings Canyon National Park the Secretary of the Interior may, in his discretion, limit the character and number of privileges that he may grant within the Kings Canyon National Park. No privileges shall be granted for a period in excess of five years. (16 U.S.C. sec. 80c.)

Administration, etc.

SEC. 5. That the administration, protection, and development of the Kings Canyon National Park 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 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 80d.)

[1] Boundaries extended by proclamation No. 2411 of June 21, 1940 (3 CFR, CUM.SUPP.,163).

An Act To authorize the adjustment of land-ownership lines within the General Grant grove section of the Kings Canyon National Park, California, in order to protect equities established by possession arising in conformity with a certain survey, and for other purposes, approved June 5, 1942 (56 Stat. 310)

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 shall so adjust the boundaries of the privately-owned lands in the General Grant grove section of the Kings Canyon National Park, California, as to recognize existing equities based on possession or claim established in reliance upon a survey made by the county surveyor of Tulare County, California, and recorded in volume 17 of Maps, page 2, Official Records of the County Records of Tulare County, California. To effectuate the purposes of this Act the Secretary may amend existing patents or relinquish or grant parcels of land within the area to claimants whose equities the Secretary determines are entitled to recognition.

Kings Canyon National Park, Calif. Boundary adjustments in General Grant grove section.

SEC. 2. The Secretary of the Interior is authorized to pay from funds appropriated or hereafter appropriated for the use of his Department, the costs of surveys, investigations, and other services necessary to accomplish the purpose of this Act. (16 U.S.C. sec. 80a note.)

Costs of surveys, etc.

Act of the Legislature of California, approved April 7, 1943, ceding to the United States exclusive jurisdiction over Kings Canyon National Park. (Sec. 119 of the Government Code of California)

119. Exclusive jurisdiction shall be and the same is hereby ceded to the United States over and within all of the territory which is now or may hereafter be included in those several tracts of land in the State of California set aside and dedicated for park purposes by the United States as "Kings Canyon National Park"; saving however to the State of California the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park, and the right to fix and collect license fees for fishing in said park; and saving also to the persons residing in said park now or hereafter the right to vote at all elections held within the county or counties in which said park is situate. The jurisdiction granted by this section shall not vest until the United States through the proper officer notifies the State of California that it assumes police jurisdiction over said park.

14. Mammoth Cave National Park

		Page
Jurisdiction, State cession over park land	State Act of March 22, 1930	70
Amend Act of May 25, 1926, relating to establishment of park	Act of May 14, 1934	71
Addition to park of lands acquired with allocated funds, authorization to exclude Great Onyx and Crystal Caves	Act of August 28, 1937	71
Jurisdiction, State cession of 1930 accepted, land acquisition fund, entrance road	Act of June 5, 1942	72

Excerpt from An Act ceding to the United States exclusive jurisdiction over the Mammoth Cave National Park in the State of Kentucky, approved March 22, 1930 (Acts of 1930, ch. 132, p. 405; Carroll's Kentucky Statutes, sec. 3766e-17)

SEC. 2. That the exclusive jurisdiction shall be, and the same is, hereby ceded to the United States over, within, and under all the territory in the State of Kentucky, thus to be, and as, deeded or conveyed to, or acquired by, the United States; saving and reserving, however, to the State of Kentucky the right to serve civil and criminal process, issued under its authority, within the limits of the land or lands thus deeded or conveyed to, or acquired, by the United States, in suits or prosecutions for, or on account of, rights acquired, obligations incurred, or crimes committed in said State outside of said land or lands; and on account of rights acquired, obligations incurred, or crimes committed on, or within, said land or lands, prior to the date of the giving or service of notice as hereinafter provided, of the assumption of police jurisdiction over such land or lands by the United States; and further saving and reserving to the said State the right to tax sales of gasoline and other motor conveyance fuels, and oils for use in motor conveyances, except to the extent that such gasoline and other fuels and oils may be used by the United States Government and its agents in the administration, protection, improvement, maintenance, development, and operation of the said land or lands deeded or conveyed as aforesaid; and, also, further saving and reserving to the said State of Kentucky the right to tax persons, firms, and corporations, their franchises and properties, on the said land or lands, deeded or conveyed as aforesaid; and saving and reserving, also, to persons residing in or on any of the land or lands deeded or conveyed as aforesaid, the right to vote at all elections within the respective counties of their residence, upon like terms and conditions, and to the same extent, as they would be entitled to vote in such counties had not such land or lands been deeded or conveyed, as aforesaid, to the United States; *Provided, however,* that such jurisdiction shall not invest in the United States unless, until, and as, the United States, through the Secretary of the Interior, notifies the Governor of the State of Kentucky, and through him the said State, that the said United States assumes police jurisdiction over the land or lands thus deeded or conveyed,

An Act To amend the Act of May 25, 1926, entitled "An Act to provide for the establishment of the Mammoth Cave National Park in the State of Kentucky, and for other purposes," approved May 14, 1934 (48 Stat. 775)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second and third provisos of section 3 of the Act of May 25, 1926, entitled "An Act to provide for the establishment of the Mammoth Cave National Park in the State of Kentucky, and for other purposes" be, and the same are hereby, amended to read as follows: *"And provided further,* That the minimum area to be administered and protected by the National Park Service shall be, for the said Mammoth Cave National Park, twenty thousand acres: *Provided further,* That no general development of said area shall be undertaken until a major portion of the remainder in such area, including all the caves thereof, shall have been accepted by said Secretary, and he shall have established a schedule of fees for admission to such caves." (16 U.S.C. sec. 404b.)

Mammoth Cave National Park, Ky.
44 Stat. 636, amended.
Minimum area.
Development contingent upon acceptance.
Schedule of admission fees.

SEC. 2. That in the establishment of the said Mammoth Cave National Park the Secretary of the Interior is hereby authorized to accept donations of money for the acquisition of lands and rights therein and to acquire the same by purchase, condemnation, or otherwise. (16 U.S.C. sec. 404e.)

Acquisition of lands.

An Act To make available for national-park purposes certain lands within the area of the proposed Mammoth Cave National Park, Kentucky, approved August 28, 1937 (50 Stat. 871)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all lands purchased from funds heretofore allocated and made available by Executive order, or otherwise, for the acquisition of lands for conservation or forestation purposes within the maximum boundaries of the Mammoth Cave National Park as authorized by the Act of May 25, 1926 (44 Stat. 635), be, and the same are hereby, made a part of the said park as fully as if originally acquired for that purpose and the proviso at the end of section 1 of said Act of May 25, 1926, shall not be construed so as to prohibit the acquisition of lands in said area under funds made available as aforesaid. (16 U.S.C. sec. 404f.)

Mammoth Cave National Park, Ky.
Certain lands added.
44 Stat. 635.
16 U.S.C. sec. 404.
Acquisition other than by donation.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion, to exclude the Great Onyx Cave and the Crystal Cave, or either of them, from the maximum boundaries of the said park, and the area required for general development of the said park by section 1 of the Act of May 14, 1934 (48 Stat. 775), is hereby modified accordingly. (16 U.S.C. sec. 404b-1.)

Exclusion of certain caves authorized.
48 Stat. 775.
16 U.S.C. sec. 404b.

An Act To accept the cession by the Commonwealth of Kentucky of exclusive jurisdiction over the lands embraced within the Mammoth Cave National Park; to authorize the acquisition of additional lands for the park in accordance with the Act of May 25, 1926 (44 Stat. 635); to authorize the acceptance of donations of land for the development of a proper entrance road to the park; and for other purposes, approved June 5, 1942 (56 Stat. 317)

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

Mammoth Cave National Park, Ky.
Acceptance of cession of exclusive jurisdiction.

That the provisions of the act of the General Assembly of the Commonwealth of Kentucky, approved March 22, 1930 (Acts of 1930, ch. 132, p. 405), ceding to the United States exclusive jurisdiction over, within, and under such territory in the Commonwealth as may be acquired for the Mammoth Cave National Park, are hereby accepted. Subject to the reservations made by the Commonwealth in the act of cession, the United States hereby assumes sole and exclusive jurisdiction over such territory. (16 U.S.C. sec. 404c-1.)

Assignment to Kentucky western judicial district.

SEC. 2. The park shall constitute a part of the United States judicial district for the western district of Kentucky, and the district court of the United States in and for said district shall have jurisdiction over all offenses committed within the boundaries of the park. All fugitives from justice taking refuge in the park shall be subject to the same laws as fugitives from justice found in the Commonwealth of Kentucky. (16 U.S.C. sec. 404c-2.)

Fugitives from justice.

Hunting and fishing restrictions.

SEC. 3. All hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the park, nor shall any fish be taken out of any of the waters of the park, except at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within the park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the park; and he shall make rules and regulations governing the taking of fish from the waters in the park. Possession within the park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this Act. Any person or persons, stage or express company, railway or other transportation company, who knows or has reason to believe that such wild birds, fish, or animals were taken or killed contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary

Rules and regulations.

Evidence of violation.

Persons violating provisions of Act, etc.

of the Interior, and who receives for transportation the dead bodies or any part thereof of the wild birds, fish, or animals so taken or killed, or who shall violate any of the other provisions of this Act, or the rules and regulations, with reference to the management and care of the park, or for the protection of the property therein, for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within the park, or for the protection of the animals, birds, and fish in the park, or who shall within the park commit any damage, injury, or spoliation to or upon any building, fence, sign, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than $500 or imprisonment not exceeding six months, or both, and be adjudged to pay all the costs of the proceedings. (16 U.S.C. sec. 404c-3.)

Penalty.

SEC. 4. All guns, traps, nets, seines, fishing tackle, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of the park when engaged in killing, trapping, ensnaring, taking, or capturing such wild birds, fish, or animals contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior shall be forfeited to the United States and may be seized by the officers in the park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, nets, seines, fishing tackle, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior: *Provided,* That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court. (16 U.S.C. sec. 404c-4.)

Forfeiture of property used for unlawful purposes.

Proviso.

SEC. 5. Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the United States District Court for the Western District of Kentucky shall appoint a park commissioner, who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this Act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the gov-

Park commissioner. Appointment and jurisdiction.

Judicial powers.

ernment of the park and for the protection of the animals, birds, and fish in the park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of the commissioner to the United States District Court for the Western District of Kentucky; and the district court shall prescribe the rules and procedure and practice for the commissioner in the trial of cases and for appeal to the district court. (16 U.S.C. sec. 404c-5.)

Appeals.

Rules and procedure and practice.

Jurisdiction over other offenses.

SEC. 6. The park commissioner shall also have power to issue process, as hereinbefore provided, for the arrest of any person charged with the commission within the park of any criminal offense not covered by the provisions of section 3 of this Act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged, for trial, shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States District Court for the Western District of Kentucky, and certify a transcript of the record of his proceedings and the testimony in such case to the said district court, which court shall have jurisdiction of the case. The park commissioner shall have authority to grant bail in all cases according to the laws of the United States. (16 U.S.C. sec. 404c-6.)

Bail.

Pay of commissioner

SEC. 7. The park commissioner shall be paid an annual salary as appropriated for by Congress. (16 U.S.C. sec. 404c-7.)

Fees, costs, and expenses.

SEC. 8. All fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. (16 U.S.C. sec. 404c-8.)

Deposits.

SEC. 9. All fees, fines, costs, and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Kentucky. (16 U.S.C. sec. 404c-9.)

Notice of passage of Act.

SEC. 10. The Secretary of the Interior shall notify in writing the Governor of the Commonwealth of Kentucky of the passage and approval of this Act, and of the fact that the United States assumes police jurisdiction over the park. Upon the acceptance by the Secretary of the Interior of further cessions of jurisdiction over lands now or hereafter included in the Mammoth Cave National Park, the provisions of sections 2 to 9, inclusive, shall apply to such lands. (16 U.S.C. sec 404c-10.)

Acquisition of additional property.

SEC. 11. The Secretary of the Interior is hereby authorized in his discretion to acquire for inclusion within the Mammoth Cave National Park by purchase, condemnation, or otherwise, any lands, interests in lands, and other property within the maximum boundaries thereof as authorized by the Act of May 25, 1926 (44 Stat. 635), notwithstanding

16 U.S.C. secs. 404-404c, 404f.

the provisions of the Act of August 28, 1937 (50 Stat. 871), or any action taken thereunder to exclude certain caves from the park area.

Special fund from excess of revenues over appropriations.

For the purpose of enabling the Secretary of the Interior to acquire property on behalf of the United States, as authorized by this section, there shall be reserved and set aside in the Treasury a special fund of not to exceed $350,000. Said fund shall consist of the annual revenues of the Federal Government from the Mammoth Cave National Park which are in excess of the annual appropriations made for the administration, protection, and maintenance of said park. At the close of each fiscal year, the Secretary of the Interior shall certify to the Secretary of the Treasury the excess of revenues over appropriations for the preceding fiscal year.

Title to acquired property.

The title to lands, interests in lands, and other property to be acquired pursuant to this Act shall be satisfactory to the Secretary of the Interior. Any property acquired pursuant to this Act upon acquisition by the Federal Government, shall become a part of the park, and shall be subject to all laws and regulations applicable thereto. (16 U.S.C. sec. 404c-11.)

Development of entrance road.

SEC. 12. For the purpose of developing a proper and suitable entrance road to the Mammoth Cave National Park, the Secretary of the Interior is hereby authorized in his discretion to accept on behalf of the United States donations of lands, buildings, structures, and other property or interests therein, or to acquire such property with donated funds by purchase, condemnation, or otherwise, within an area or areas to be determined by him, but (a) not to exceed one mile in width, extending from the exterior boundary of the Mammoth Cave National Park to a point to be selected by him on United States Highway Numbered 31-W, and (b) not to exceed one-half mile in width on either side of United States Highway Numbered 31-W and running for a distance of not to exceed two miles along said highway. Lands acquired for purposes of protecting such entrance roads shall not be less than five hundred feet in width on either side of said roads: *Provided,* That only one such entrance road shall be established between United States Highway Numbered 31-W and Mammoth Cave National Park pursuant to this Act. (16 U.S.C. sec. 404c-12.)

Acceptance of donations.

Proviso.

15. Mount McKinley National Park

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Accommodations for housing, feeding, and transporting visitors and residents.....Act of March 29, 1940	76

An Act To amend the Act authorizing the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes, approved March 29, 1940 (54 Stat. 80)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes, approved March 12, 1914 (38 Stat. 305), as amended, be, and the same is hereby, amended by adding thereto the following:

48 U.S.C. secs. 301-305, 307.

Mount McKinley National Park, Alaska.
Tourist facilities, etc.
Appropriation authorized.

"That in order to provide for the adequate housing, feeding, and transportation of the visiting public and residents of Mount McKinley National Park in Alaska, there is authorized to be appropriated out of the general funds of the Treasury a sum not to exceed the sum of $30,000; and the President of the United States be, and he is hereby, authorized and empowered, through such agency or agencies as he may designate, to construct, reconstruct, maintain, and operate lodges, and other structures and appurtenances incident thereto; to purchase, upon such terms as he may deem proper, the personal property, structures, and buildings of the Mount McKinley Tourist and Transportation Company that are operated and used in said park under contract authorization by the Department of the Interior, and the equities of the Mount McKinley Tourist and Transportation Company in the business developed and conducted in connection therewith; to purchase or otherwise acquire motor-propelled passenger-carrying vehicles and all necessary fixtures and equipment, and to operate, repair, recondition, and maintain the same in order to carry out the purpose of this Act, notwithstanding the restrictions imposed by law with regard to the purchase, maintenance, repair, or operation of motor-propelled, passenger-carrying vehicles; and to operate or sell the equipment and facilities herein authorized, directly or by contract or contracts with any individual, company, firm, or corporation, under such schedule of rates, terms, and conditions, as he may deem proper." (16 U.S.C. sec. 353a.)

Purchase of Mount McKinley Tourist and Transportation Co., equities, etc.

Motor vehicles.

16. Olympic National Park

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Establishment of park	Act of June 29, 1938	77
Jurisdiction, State cession over area included in park on March 8, 1941	State Act of Mar. 8, 1941	79
Jurisdiction, State cession of 1941 accepted	Act of Mar. 6, 1942	79
Acquisition of non-Federal land within park in exchange for national forest land	Act of Dec. 22, 1942	82

An Act To establish the Olympic National Park, in the State of Washington, and for other purposes, approved June 29, 1938 (52 Stat. 1241)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Mount Olympus National Monument established pursuant to proclamation of the President dated March 2, 1909, is hereby abolished, and the tracts of land in the State of Washington particularly described as follows, to wit: Township 25 north, range 4 west, sections 5 to 8, 17 to 20, and 29 to 32, inclusive (unsurveyed); township 26 north, range 4 west, sections 1 to 12, 17 to 20, and 29 to 32, inclusive (unsurveyed); township 27 north, range 4 west, sections 5 to 8, 17 to 20, and 29 to 36, inclusive (unsurveyed); township 28 north, range 4 west, sections 17 to 22, and 27 to 34, inclusive (unsurveyed); townships 25, 26, and 27 north, range 5 west (unsurveyed); township 28 north, range 5 west, sections 7 to 36, inclusive (unsurveyed); township 24 north, range 6 west, sections 3 to 10, 15 to 22, and 27 to 34, inclusive (unsurveyed); townships 25, 26, and 27 north, range 6 west (unsurveyed); township 28 north, range 6 west, sections 7 to 36, inclusive (unsurveyed); townships 24, 25, 26, and 27 north, range 7 west (unsurveyed); township 28 north, range 7 west, sections 5 to 36 inclusive (unsurveyed); township 24 north, range 8 west, sections 1 to 18, inclusive (partly surveyed); townships 25, 26, 27, and 28 north, range 8 west (unsurveyed); township 29 north, range 8 west, sections 6, 7, 18, 19 to 21, and 28 to 33, inclusive (unsurveyed); township 30 north, range 8 west, sections 18, 19, 30, and 31 (partly surveyed); township 24 north, range 9 west, sections 1, 2, 11, 12, 13, and 14 (partly surveyed); township 25 north, range 9 west (unsurveyed); township 26 north, range 9 west, sections 1 to 18, inclusive (unsurveyed), each half of section 19 (unsurveyed), sections 20 to 29, and 32 to 36, inclusive (surveyed); townships 27 and 28 north, range 9 west (unsurveyed); township 29 north, range 9 west (partly surveyed); township 30 north, range 9 west, sections 13, 14, and 23 to 36, inclusive (partly surveyed); township 26 north, range 10 west, sections 1, 12, and 13 (surveyed); township 27 north, range 10 west, sections 1 to 6, inclusive, 12, 13, 24, 25, and 36 (surveyed); township 28 north, range 10 west, south half section 7, south half

Olympic National Park, Wash., established.
Mount Olympus National Monument abolished.
35 Stat. 2247.
Lands transferred to park.

section 8, south half section 9, south half section 10, south half section 11, south half section 12, sections 13 to 36, inclusive (unsurveyed) all west of the Willamette meridian, in Washington, are hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States and dedicated and set apart as a public park for the benefit and enjoyment of the people and shall be known as the Olympic National Park, and all lands formerly included in the Mount Olympus National Monument and not included in the above description are hereby transferred to and made a part of the Olympic National Forest. (16 U.S.C. sec. 251.)

Lands transferred to Olympic National Forest.

SEC. 2. That in the areas of said park lying east of the range line between ranges 9 and 10 and north of the seventh standard parallel, and east of the range line between ranges 4 and 5 west, Willamette meridian, all mineral deposits of the classes and kinds now subject to location, entry, and patent under the mining laws of the United States shall be, exclusive of the land containing them, subject to disposal under such laws for a period of five years from the date of approval of this Act, with rights of occupation and use of so much of the surface of the land as may be required for all purposes reasonably incident to the mining or removal of the minerals and under such general regulations as may be prescribed by the Secretary of the Interior. (16 U.S.C. sec. 252.)

Mineral deposits..

SEC. 3. The income of each county receiving moneys from the Olympic National Forest, under the Act of May 23, 1908 (35 Stat. 260, ch. 192), as amended, shall be proportional to the total area of each county in the Olympic National Forest and the Olympic National Park combined. (16 U.S.C. sec. 253.)

Division of receipts for schools and roads.
16 U.S.C. sec. 500.

SEC. 4. The administration, protection, and development of the Olympic National Park 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 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 254.)

Administration, etc.

16 U.S.C., ch. 1.

SEC. 5. Nothing herein contained shall affect any valid existing claim, location, or entry made under the land laws of the United States, whether for homestead, mineral, right-of-way, or any other purpose whatsoever, or shall affect the right of any such claimant, locator, or entryman to the full use and enjoyment of his land, nor the rights reserved by treaty to the Indians of any tribes.

Existing claims, etc., not affected.

The President may after eight months from the approval of this Act by proclamation add to the Olympic National Park any lands within the boundaries of the Olympic National Forest, and any lands which may be acquired by the Government by gift or purchase, which he may deem it advisable to add to such park; and any lands so added to such park shall, upon their addition thereto, become

Additions to park.

subject to all laws and regulations applicable to other lands within such park: *Provided,* That the total area of the said park shall not exceed eight hundred and ninety-eight thousand two hundred and ninety-two acres: *Provided further,* That before issuing any such proclamation, the President shall consult with the Governor of the State of Washington, the Secretary of the Interior, and the Secretary of Agriculture and advise them of the lands which he proposes to add to such park, and shall afford them a reasonable opportunity to consult with and communicate to him their views and recommendations with respect to the addition of such lands to such park.[1] (16 U.S.C. sec. 255.)

Provisos. Limitation.

Consultation before issuance of proclamation.

Excerpt from an Act of the Legislature of Washington, approved March 8, 1941, ceding to the United States exclusive jurisdiction over the territory then included in the Olympic National Park. (Chapter 51 of the Laws of 1941 of the State of Washington)

Exclusive jurisdiction shall be, and the same is hereby ceded to the United States over and within all the territory that is now included in that tract of land in the State of Washington, set aside for the purposes of a national park, and known as the Olympic National Park; saving, however, to the said state, the right to serve civil and criminal process within the limits of the aforesaid park, in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said state, but outside of said park; and saving further to the said state the right to tax persons and corporations, their franchises and property on the lands included in said park: PROVIDED, HOWEVER, This jurisdiction shall not vest until the United States through the proper officer, notifies the Governor of this state that they assume police or military jurisdiction over said park.

An Act To accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes, approved March 6, 1942 (56 Stat. 135)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of the Legislature of the State of Washington, approved March 8, 1941 (Chapter 51 of the Laws of 1941 of the State of Washington), ceding to the United States exclusive jurisdiction over and within all the territory included on March 8, 1941, in the tract of land in the State of Washington, set aside for the purposes of a national park and known as the Olympic National Park, are hereby accepted. Subject to the reservations made by the State in the act of cession, the United States hereby assumes sole and exclusive jurisdiction over such territory. (16 U.S.C. sec. 256.)

Olympic National Park, Wash.

Cession of jurisdiction to U.S.

[1] See proclamations No. 2380 of January 2, 1940 (3 CFR, CUM.SUPP., 140), and No. 2587 of May 29, 1943 (3 CFR, CUM.SUPP., 333), adding land to the park.

Assignment to Washington western judicial district.

SEC. 2. The park shall constitute a part of the United States judicial district for the western district of Washington, and the district court of the United States in and for said district shall have jurisdiction over all offenses committed within the boundaries of the park. All fugitives from justice taking refuge in the park shall be subject to the same laws as refugees from justice found in the State of Washington. (16 U.S.C. sec. 256a.)

Hunting, fishing, etc., prohibitions.

SEC. 3. All hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the park, nor shall any fish be taken out of any of the waters of the park, except at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within the park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the park; and he shall make rules and regulations governing the taking of fish from the waters in the park. Possession within the park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this Act. Any person or persons, stage or express company, railway or other transportation company, who knows or has reason to believe that such wild birds, fish, or animals were taken or killed contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior, and who receives for transportation the dead bodies or any part thereof of the wild birds, fish, or animals so taken or killed, or who shall violate any of the other provisions of this Act, or the rules and regulations, with reference to the management and care of the park, or for the protection of the property therein, for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within the park, or for the protection of the animals, birds, and fish in the park, or who shall within the park commit any damage, injury, or spoliation to or upon any building, fence, sign, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subect to a fine of not more than $500 or imprisonment not exceeding six months, or both, and be adjudged to pay all the costs of the proceedings. (16 U.S.C. sec. 256b.)

Rules and Regulations.

Penalties.

Forfeiture of property used for unlawful purposes.

SEC. 4. All guns, traps, nets, seines, fishing tackle, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of the park when engaged in killing, trapping, ensnaring, taking, or capturing such wild birds, fish, or animals contrary to the provisions of this Act or the rules and regulations promulgated by the Secretary of the Interior shall be forfeited to the United States and may be seized by the officers in the park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, nets, seines, fishing tackle, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior: *Provided,* That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court. (16 U.S.C. sec. 256c.)

Proviso.

Park commissioner.

SEC. 5. Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the United States District Court for the Western District of Washington shall appoint a park commissioner, who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this Act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the government of the park and for the protection of the animals, birds, and fish in the park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of the commissioner to the United States District Court for the Western District of Washington; and the district court shall prescribe the rules of procedure and practice for the commissioner in the trial of cases and for appeal to the district court. (16 U.S.C. sec. 256d.)

Appointment and jurisdiction.

Judicial powers.

Appeals.

Procedure in other cases.

SEC. 6. The park commissioner shall also have power to issue process, as hereinbefore provided, for the arrest of any person charged with the commission within the park of any criminal offense not covered by the provisions of section 3 of this Act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged, for trial, shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States District

Court for the Western District of Washington, and certify a transcript of the record of his proceedings and the testimony in such case to the said district court, which court shall have jurisdiction of the case. The park commissioner shall have authority to grant bail in all cases according to the laws of the United States. (16 U.S.C. sec. 256e.)

Bail.

Pay of commissioner.

SEC. 7. The park commissioner shall be paid an annual salary as appropriated for by Congress. (16 U.S.C. sec. 256f.)

Fees, costs, and expenses.

SEC. 8. All fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. (16 U.S.C. sec. 256g.)

Deposit of collections.

SEC. 9. All fees, fines, costs, and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Washington. (16 U.S.C. sec. 256h.)

Notice of acceptance of jurisdiction.

SEC. 10. The Secretary of the Interior shall notify in writing the Governor of the State of Washington of the passage and approval of this Act, and of the fact that the United States assumes police jurisdiction over the park. Upon the acceptance by the Secretary of the Interior of further cessions of jurisdiction over lands now or hereafter included in the Olympic National Park, the provisions of sections 2 to 9, inclusive, shall apply to such lands. (16 U.S.C. sec. 256i.)

An Act To authorize the exchange of lands not in Federal ownership within the Olympic National Park, Washington, for national forest lands in the State of Washington, approved December 22, 1942 (56 Stat. 1070)

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

Olympic National Park, Wash.
Exchange of lands.

That title to State, county, and private lands situated north of the line between townships 27 and 28 north, Willamette base and meridian, Washington, and within the boundaries of the Olympic National Park as now or hereafter established by proclamation of the President of the United States, shall be subject to acceptance under the provisions of the Act approved March 20, 1922 (42 Stat. 465; 16 U.S.C. 485), and such lands when vested in the ownership of the United States shall be a part of the Olympic National Park subject to all laws and regulations applicable thereto. (16 U.S.C. sec. 251a.)

17. Platt National Park

		Page
Addition of lands to park	Excerpt from Act of June 18, 1940	83

Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes," approved June 18, 1940 (54 Stat. 406, 447)

Platt National Park, Oklahoma: For administration, protection, maintenance, and improvement, * * * and including not exceeding $3,500 for the purchase of land.[1]

[1] Pursuant to this provision, 63.75 acres of land were acquired and added to the park. See Solicitor's opinion (M.32041) of Feb. 4, 1943.

18. Sequoia National Park

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Addition to park authorized—lands to be acquired by exchange.....
.....Act of December 21, 1943 84

An Act To authorize the acquisition by exchange of certain lands for addition to the Sequoia National Park, approved December 21, 1943 (57 Stat. 606)

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 hereby authorized, in his discretion, to accept title to lands and interests in lands near the entrance to the Sequoia National Park, subject to existing easements for public highways and public utilities, within the following described tracts:

Tract A. A portion of tract 37, township 17 south, range 29 east, Mount Diablo meridian, Tulare County, California, comprising approximately two acres.

Tract B. A portion of the east half of the northeast quarter of section 4, township 17 south, range 29 east, Mount Diablo meridian, Tulare County, California, comprising approximately thirty-eight acres.

Tract C. A portion of the south half of tract 37, township 17 south, range 29 east, Mount Diablo meridian, Tulare County, California, comprising approximately sixty one-hundredths acre.

The owners of the lands to be conveyed to the United States, before any exchange is effective, shall furnish to the Secretary of the Interior evidence satisfactory to him of title to such lands. Such property shall become a part of the Sequoia National Park upon the acceptance of title thereto by the Secretary, and shall thereafter be subject to all laws and regulations applicable to the park. (16 U.S.C. sec. 45a-1.)

SEC. 2. That in exchange for the conveyance to the United States of tract A, as provided in section 1 of this Act, the Secretary is authorized, in his discretion, to patent to the owner of tract A, subject to such terms and conditions as the Secretary may deem necessary, certain lands of approximately equal value described as follows:

Tract D. A portion of the southeast quarter of section 33, township 16 south, range 29 east, Mount Diablo meridian, Tulare County, California, comprising approximately two and fifty one-hundredths acres.

In exchange for the conveyance to the United States of tracts B and C, as provided in section 1 of this Act, the Secretary is authorized to patent, in a similar manner, to the owner of tracts B and C certain lands of approximately equal value described as follows:

Tract E. The southwest quarter of the northwest quarter of section 4, which shall be subject to section 24 of the Federal Power Act (16 U.S.C., sec. 818); the south half of the northeast quarter of section 5; and approximately

sixty-eight acres of the north half of the southeast quarter of section 5, which shall not include the surveyed two-hundred-foot strip as shown on map "D" of exhibit "K", entitled "Detailed Map of Kaweah Project of the Southern California Edison Company, Ltd.", and filed in the office of the Federal Power Commission on December 12, 1923; all of said lands in tract E being situated in township 17 south, range 29 east, Mount Diablo meridian, comprising approximately one hundred and eighty-eight acres. (16 U.S.C. sec. 45a-2.)

SEC. 3. Nothing in this Act shall be construed to alter or affect in any manner the provisions, or extend the term, of the permit heretofore granted to the Southern California Edison Company and predecessors thereof for the use of lands in the Sequoia National Park for electric power development purposes, or to relieve the company of any financial or other obligation under said permit, or under agreements or orders relating or supplementary thereto. (16 U.S.C. sec. 45a-1 note.)

19. Shenandoah National Park

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Jurisdiction, State cession of 1928 authorized to be accepted	Act of August 19, 1937	86
Addition to park of certain lands of the Front Royal Quartermaster Depot Military Reservation	Act of June 13, 1939	89
Jurisdiction, State Act to provide for the respective jurisdictions of the United States and the Commonwealth of Virginia in the park	State Act of April 1, 1940	91
Jurisdiction, State Act of April 1, 1940 amended and reenacted	State Act of April 4, 1942	93
Jurisdiction, amend section 1 of the Act of August 19, 1937	Act of June 5, 1942	95
Shenandoah Recreational Demonstration Project, addition to park	Excerpt from Act of June 6, 1942	96

An Act To direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes, approved August 19, 1937 (50 Stat. 700) [1]

Shenandoah National Park, Va.

Police jurisdiction assumed by United States.

Exceptions.

Service of process, suits, etc., arising outside.

State tax powers. Franchise.

Gasoline, etc., tax.

Provisions applicable to future conveyances.

Application of laws.

Fugitives from justice.

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 be, and is hereby, directed to give notice to the State of Virginia through its Governor, as contemplated by the Act of the General Assembly of the State of Virginia approved March 28, 1928, that the United States assumes police jurisdiction over lands lying in the State of Virginia and included within the Shenandoah National Park, title to and exclusive jurisdiction over said lands having been conveyed and ceded under and by authority of said Act and accepted by the Secretary of the Interior, saving, however, to the State of Virginia the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held within the county or counties in which said park is situated; and saving further to the said State the right to tax sales of gasoline and other motor vehicle fuels and oil for use in motor vehicles. The Secretary is further directed to give like notice as to lands hereafter conveyed to the United States under like authority at such time or times as he shall determine to be consistent with the interests of the United States. All the laws applicable to places under sole and exclusive jurisdiction of the United States shall have force and effect in said park. All fugitives from justice taking

[1] Section 1 of this Act was amended by the Act of June 5, 1942 (56 Stat. 321), page 95.

refuge in said park shall be subject to the same laws as refugees from justice found in the State of Virginia. (16 U.S.C. 403c-1.)

District court for western district of Virginia, jurisdiction of.

SEC. 2. That said park shall constitute a part of the United States judicial district for the western district of Virginia, and the district court of the United States in and for said district shall have jurisdiction of all offenses committed within the boundaries of the said park. (16 U.S.C. sec. 403c-2.)

Protection of birds and animals.

SEC. 3. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park; nor shall any fish be taken out of any of the waters of the said park, in any other way than by hook and line, and then only at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. That the Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said park. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima-facie evidence that the person or persons having same are guilty of violating this Act. Any person or persons, or stage or express company, or railway company, who knows or has reason to believe that they were taken or killed contrary to the provisions of this Act, and who receives for transportation any of said animals, birds, or fish so killed, caught, or taken, or who shall violate any of the other provisions of this Act, or any rule or regulation that may be promulgated by the Secretary of the Interior, with reference to the management and care of the said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the said park, or who shall within said park commit any damage, injury or spoliation to or upon any building, fence, sign, hedge, gate, guide post, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than $500 or imprisonment not exceeding six months, or both, and be adjudged to pay all the costs of the proceedings. (16 U.S.C. sec. 403c-3.)

Unlawful fishing.

Administrative rules, etc.

Unlawful acts, evidence of violations.

Penalty provisions.

Guns, traps, teams, etc., forfeiture or seizure for violations.

SEC. 4. That all guns, traps, nets, seines, teams, horses, or means of transportation of every nature or description, used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, taking, or capturing such wild beasts, birds, fish, or animals, shall be forfeited to the United States and may be seized by the officers in said park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, nets, seines, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior. (16 U.S.C. sec. 403c-4.)

Disposition of.

United States commissioner. Appointment, jurisdiction.

SEC. 5. That upon the recommendation and approval of the Secretary of the Interior of a qualified candidate the United States District Court for the Western District of Virginia shall appoint a commissioner who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes, authorized by this Act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with the commission of any misdemeanor, or charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Western District of Virginia and the United States District Court in the aforementioned district shall prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States District Court. (16 U.S.C. sec. 403c-5.)

Judicial powers in violation of rules, etc.

Appeals.

Duties, powers, etc.

SEC. 6. That any and all United States commissioners now or hereafter authorized to act within the western district of Virginia and any and all persons who shall hereafter succeed to the duties, powers, and authority of United States commissioners in and for said district shall have full power, authority, and jurisdiction to act, with respect to offenses or violations of law occurring within the limits of the Shenandoah National Park, as the United States commissioner for the Shenandoah National Park may act with respect to offenses or violations of law occurring within the limits of said park. (16 U.S.C. sec. 403c-6.)

Arrest and confinement of persons charged with crime.

SEC. 7. That such commissioner shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 3 of this Act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged for trial, shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States District Court for the Western District of Virginia, and certify a transcript of the record of his proceedings and the testimony in such case to court, which court shall have jurisdiction of the case: *Provided,* That the said commissioner shall grant bail in all cases bailable under the laws of the United States or of said State. (16 U.S.C. sec. 403c-7.)

Proviso.

Bail.

Processes directed to marshal.

SEC. 8. That processes issued by the commissioner shall be directed to the marshal of the United States for the western district of Virginia but nothing herein contained shall be so construed as to prevent the arrest by any officer or employee of the Government or any person employed by the United States, without process of any person taken in the act of violating the law or this Act or the regulations prescribed by the said Secretary as aforesaid. (16 U.S.C. sec. 403c-8.)

Salary.

SEC. 9. That the commissioner provided for in this Act shall be paid an annual salary, as appropriated for by Congress: *Provided,* That the said commissioner shall reside within the exterior boundaries of the Shenandoah National Park or at a place reasonably adjacent to the park, the place of residence to be designated by the Secretary of the Interior: *And provided further,* That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in section 11 of this Act. (16 U.S.C. sec. 403c-9.)

Provisos.

Residence.

Disposal of fees, etc.

Fees chargeable to United States, payment of.

SEC. 10. That all fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. (16 U.S.C. sec. 403c-10.)

Deposit of fines and costs.

SEC. 11. That all fines and costs imposed and collected shall be deposited by said commissioner of the United States, or the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Virginia. (16 U.S.C. sec. 403c-11.)

An Act To add certain lands of the Front Royal Quartermaster Depot Military Reservation, Virginia, to the Shenandoah National Park, and for other purposes, approved June 13, 1939 (53 Stat. 815)

Shenandoah National Park, Va.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands of the Front Royal Quartermaster Depot Military Reservation, Virginia, are

Certain lands of Front Royal Quartermaster Depot Military Reservation added to.

Description.

hereby made a part of the Shenandoah National Park, subject to all laws and regulations applicable thereto: Beginning at concrete monument numbered 10 in the boundary line of the Front Royal Remount Depot, and running thence along said boundary line, north 70 degrees 00 minutes west 3,465.0 feet to monument numbered 11, thence north 40 degrees 30 minutes west 1,881.0 feet to monument numbered 12, thence north 2 degrees 00 minutes west 792.0 feet to monument numbered 13, thence north 78 degrees 00 minutes west 693.0 feet to monument numbered 14, thence south 1 degree 30 minutes west 379.5 feet to monument numbered 15, thence south 61 degrees 15 minutes west 2,244.0 feet to monument numbered 16, thence south 16 degrees 00 minutes east 2,640.0 feet to monument numbered 17, thence south 61 degrees 15 minutes west 3,333.0 feet to monument numbered 18, thence south 15 degrees 00 minutes east 646.8 feet to monument numbered 19, thence south 63 degrees 00 minutes west 627.0 feet to monument numbered 20, thence south 15 degrees 00 minutes west 1,254.0 feet to monument numbered 21, thence south 48 degrees 00 minutes east 3,267.0 feet to monument numbered 22, thence north 34 degrees 00 minutes east 297.0 feet to monument numbered 23, thence north 25 degrees 00 minutes west 1,551.0 feet to monument numbered 24, thence north 67 degrees 00 minutes east 1,716.0 feet to monument numbered 25, thence north 58 degrees 00 minutes east 2,862.75 feet to monument numbered 26, thence north 79 degrees 00 minutes east 2,377.15 feet to monument numbered 27, thence south 28 degrees 30 minutes west 338.25 feet to monument numbered 28 (offset 4 feet west), thence south 30 degrees 00 minutes west 462.0 feet to monument numbered 29 (offset 14 feet east), thence south 40 degrees 00 minutes west 396.0 feet to monument numbered 30 (offset 9.0 feet east), thence south 54 degrees 00 minutes west 132.0 feet to monument numbered 31 (offset 10.0 feet east), thence south 75 degrees 00 minutes west 429.0 feet to monument numbered 32, thence south 62 degrees 00 minutes west 297.0 feet to monument numbered 33 (offset 3.0 feet southeast), thence south 41 degrees 00 minutes west 462.0 feet to monument numbered 34 (offset 5.0 feet south), thence south 53 degrees 00 minutes west 264.0 feet to monument numbered 35 (offset 4 feet south), thence south 80 degrees 00 minutes west 165.0 feet to monument numbered 36 (offset 8.0 feet south), thence north 85 degrees 00 minutes west 396.0 feet to monument numbered 37 (offset 9.0 feet north), south 40 degrees 00 minutes west 354.75 feet to monument numbered 38, thence south 27 degrees 00 minutes east 1,023.0 feet to monument numbered 39, thence north 73 degrees 30 minutes east, 1,518.0 feet to monument numbered 40, thence north 52 degrees 00 minutes east 330.0 feet to monument numbered 41, thence along a proposed boundary line north 19 degrees 51 minutes east 1,684.5 feet to point A.1, thence north 52 degrees 20 minutes east

1,107.0 feet to point A.2, thence north 39 degrees 26 minutes east 717.5 feet to a point A.3, thence north 26 degrees 11 minutes east 1,978.0 feet to concrete monument numbered 10, the point of beginning, it being the intent of this Act to add to the Shenandoah National Park all that portion of the Front Royal Quartermaster Depot Military Reservation lying west of a line between monuments numbered 41 and 10, as described by the last four courses of the above description. The tract as described contains an area 977½ acres, more or less. (16 U.S.C. sec. 403-1.)

Act of the General Assembly of Virginia, approved April 1, 1940, to provide for the respective jurisdictions and powers of the United States and the Commonwealth of Virginia over lands in the Shenandoah National Park acquired by the United States, the effect of which is to modify the jurisdiction ceded to the United States over certain parts of said lands as set forth in Section 7 of Chapter 371 of the Acts of 1928, and over other parts as set forth in Section 19-a of the Code of Virginia. (Chapter 402, Acts of the General Assembly, 1940; sec. 585(58)a, Virginia Code of 1942)[2]

Whereas, the United States of America has acquired from time to time various tracts of lands in Virginia which form and constitute the Shenandoah National Park; and,

Whereas, the jurisdiction and powers of the United States over certain parts of said lands has been ceded to the United States in accordance with the provisions of section seven of chapter three hundred and seventy-one of the Acts of nineteen hundred and twenty-eight, and the jurisdiction and powers of the United States over certain other parts of said lands are vested in the United States by virtue of the provisions of section nineteen-a of the Code of Virginia, as enacted by chapter three hundred and eighty-two of the Acts of nineteen hundred and thirty-six; and,

Whereas, it is desired that the jurisdiction and powers of the United States over all of said lands comprising the said Shenandoah National Park shall be uniform, and shall be as hereinafter provided; now, therefore,

1. Be it enacted by the General Assembly of Virginia, That from and after the time of the acceptance by the Congress of the United States of the jurisdiction and powers hereby ceded and the modification of the jurisdiction and powers heretofore ceded by the Commonwealth of Virginia and accepted by the United States over lands in the Shenandoah National Park, the respective jurisdiction and powers of the Commonwealth of Virginia and the United States of America over all lands within the Shenandoah National Park as it is now constituted or may hereafter be extended shall be as follows:

(a) The United States shall have exclusive jurisdiction, legislative, executive and judicial, with respect to the commission of crimes, and the arrest, trial, and punishment therefor, and exclusive general police jurisdiction thereover.

[2] Amended by State Act of April 4, 1942, page 93

(b) The United States shall have the power to regulate or prohibit the sale of alcoholic beverages on said lands, provided, however, that, if the sale of alcoholic beverages is prohibited by general law in the Commonwealth of Virginia outside of said lands, no such alcoholic beverages shall be sold on said lands contained in said park area, and provided, further, that, if the general laws of the Commonwealth of Virginia permit the sale of alcoholic bererages, then the regulations of the United States relating to such sales on said lands shall conform as nearly as possible to the regulatory provisions in accordance with which such sales are permitted in the Commonwealth of Virginia outside of said park lands. Nothing in this subsection shall be construed as reserving in the Commonwealth power to require licenses of persons engaged in the sale of intoxicating beverages on said lands, nor the power to require that any sales be made through official liquor stores.

(c) The Commonwealth of Virginia reserves the right and shall have jurisdiction to serve civil process within the limits of said park in any suits properly instituted in any of the courts of the Commonwealth of Virginia, and to serve criminal process within said limits in any suits or prosecutions for or on account of crimes committed in said Commonwealth but outside of said park.

(d) The Commonwealth of Virginia shall have the jurisdiction and power to levy a nondiscriminatory tax on all unalcoholic beverages possessed or sold on said lands.

(e) The Commonwealth of Virginia shall have jurisdiction and power to tax the sales of oil and gasoline, and other motor vehicle fuels and lubricants for use in motor vehicles.

(f) The Commonwealth of Virginia shall have the jurisdiction and power to levy nondiscriminatory taxes on private individuals, associations, and corporations, their franchises and properties, on said lands, and on their businesses conducted thereon.

(g) The courts of the Commonwealth of Virginia shall have concurrent jurisdiction with the courts of the United States of all civil causes of action arising on said lands to the same extent as if the cause of action had arisen in the county or city in which the land lies outside the park area, and the State officers shall have jurisdiction to enforce on said lands the judgments of said State courts and the collection of taxes by appropriate process.

(h) Persons residing in or on any of the said lands embraced in said Shenandoah National Park shall have the right to establish a voting residence in Virginia by reason thereof, and the consequent right to vote at all elections within the county or city in which said land or lands upon which they reside are located upon like terms and conditions, and to the same extent as they would be entitled to vote in such county or city if the said lands on which they reside had not been deeded or conveyed to the United States of America.

2. An emergency existing, this act shall be in force from its passage.

Act of the General Assembly of Virginia, approved April 4, 1942, to amend and re-enact an Act designated as Chapter 402 of the Acts of 1940, approved April 1, 1940, entitled "An Act to provide for the respective jurisdictions and powers of the United States and the Commonwealth of Virginia over lands in the Shenandoah National Park acquired by the United States, the effect of which is to modify the jurisdiction ceded to the United States over certain parts of said lands as set forth in Section 7 of Chapter 371 of the Acts of 1928, and over other parts as set forth in Section 19-a of the Code of Virginia." (Chapter 414, Acts of the General Assembly, 1942; sec. 585(58)a, Virginia Code of 1942)

Whereas, the United States of America has acquired from time to time various tracts of land in Virginia which form and constitute the Shenandoah National Park; and

Whereas, the jurisdiction and powers of the United States over certain parts of said lands has been ceded to the United States in accordance with the provisions of section seven of chapter three hundred and seventy-one of the Acts of nineteen hundred and twenty-eight, and the jurisdiction and powers of the United States over certain other parts of said lands are vested in the United States by virtue of the provisions of section nineteen-a of the Code of Virginia, as enacted by chapter three hundred and eighty-two of the Acts of nineteen hundred and thirty-six; and

Whereas, it is desired that the jurisdiction and powers of the United States over all of said lands comprising the said Shenandoah National Park shall be uniform, and shall be as hereinafter provided; now, therefore,

1. Be it enacted by the General Assembly of Virginia, That from and after the time of the acceptance by the Congress of the United States of the jurisdiction and powers hereby ceded and the modification of the jurisdiction and powers heretofore ceded by the Commonwealth of Virginia and accepted by the United States over lands in the Shenandoah National Park, the respective jurisdiction and powers of the Commonwealth of Virginia and the United States of America over all lands within the Shenandoah National Park as it is now constituted or may hereafter be extended shall be as follows:

(a) The United States shall have exclusive jurisdiction, legislative, executive and judicial, with respect to the commission of crimes, and the arrest, trial, and punishment therefor, and exclusive general police jurisdiction thereover.

(b) The United States shall have the power to regulate or prohibit the sale of alcoholic beverages on said lands; Provided, however, that, if the sale of alcoholic beverages is prohibited by general law in the Commonwealth of Virginia outside of said lands, no such alcoholic beverages shall be sold on said lands contained in said park area; And provided further, That if the general laws of the Commonwealth of Virginia permit the sale of alcoholic beverages, then the regulations of the United States relating to

such sales on said lands shall conform as nearly as possible to the regulatory provisions in accordance with which such sales are permitted in the Commonwealth of Virginia outside of said park lands. Nothing in this subsection shall be construed as reserving in the Commonwealth power to require licenses of persons engaged in the sale of intoxicating beverages on said lands, nor the power to require that any sales be made through official liquor stores.

(c) The Commonwealth of Virginia shall have jurisdiction to serve civil process within the limits of said park in any suits properly instituted in any of the courts of the Commonwealth of Virginia, and to serve criminal process within said limits in any suits or prosecutions for or on account of crimes committed in said Commonwealth but outside of said park.

(d) The Commonwealth of Virginia shall have the jurisdiction and power to levy a nondiscriminatory tax on all alcoholic beverages possessed or sold on said lands.

(e) The Commonwealth of Virginia shall have jurisdiction and power to tax the sales of oil and gasoline, and other motor vehicle fuels and lubricants for use in motor vehicles. This subsection shall not be construed as a consent by the United States to the taxation by the Commonwealth of such sales for the exclusive use of the United States.

(f) The Commonwealth of Virginia shall have the jurisdiction and power to levy nondiscriminatory taxes on private individuals, associations, and corporations, their franchises and properties, on said lands, and on their businesses conducted thereon.

(g) The courts of the Commonwealth of Virginia shall have concurrent jurisdiction with the courts of the United States of all civil causes of action arising on said lands to the same extent as if the cause of action had arisen in the county or city in which the land lies outside the park area, and the State officers shall have jurisdiction to enforce on said lands the judgments of said State courts and the collection of taxes by appropriate process.

(h) Persons residing in or on any of the said lands embraced in said Shenandoah National Park shall have the right to establish a voting residence in Virginia by reason thereof, and the consequent right to vote at all elections within the county or city in which said land or lands upon which they reside are located upon like terms and conditions, and to the same extent as they would be entitled to vote in such county or city if the said lands on which they reside had not been deeded or conveyed to the United States of America. All fugitives from justice taking refuge in the park shall be subject to the same laws as refugees from justice found in the Commonwealth of Virginia.

2. An emergency existing, this act shall be in force from its passage.

An Act To amend section 1 of the Act approved August 19, 1937 (50 Stat. 700), entitled "An Act to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes," approved June 5, 1942 (56 Stat. 321)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of August 19, 1937 (50 Stat. 700), entitled "An Act to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes", is hereby amended to read as follows:

Shenandoah National Park, Va.

16 U.S.C. secs. 403c-1.

"That in order to provide for uniform Fereral jurisdiction over all of the lands now or hereafter embraced within the Shenandoah National Park, the provisions of the Act of the General Assembly of the Commonwealth of Virginia, approved April 1, 1940 (Acts of 1940, ch. 402, p. 725), fixing and defining the respective jurisdiction and powers of the Commonwealth of Virginia and the United States and ceding to the United States exclusive police jurisdiction over all lands now or hereafter included within the park are hereby accepted and such exclusive jurisdiction is assumed by the United States over such lands. From the effective date of this Act the respective jurisdiction and powers of the Commonwealth of Virginia and the United States over all lands within the Shenandoah National Park as it is now constituted or may hereafter be extended shall be as follows:

Assumption by U. S. of exclusive police jurisdiction.

State and Federal powers defined.

"(a) The United States shall have exclusive jurisdiction, legislative, executive, and judicial, with respect to the commission of crimes, and the arrest, trial, and punishment therefor, and exclusive general police jurisdiction thereover.

U. S. jurisdiction and powers.

Commission of crimes.

"(b) The United States shall have the power to regulate or prohibit the sale of alcoholic beverages on said lands: *Provided, however,* That, if the sale of alcoholic beverages is prohibited by general law in the Commonwealth of Virginia outside of said lands, no such alcoholic beverages shall be sold on said lands contained in said park area: *And provided further,* That, if the general laws of the Commonwealth of Virginia permit the sale of alcoholic beverages, then the regulations of the United States relating to such sales on said lands shall conform as nearly as possible to the regulatory provisions in accordance with which such sales are permitted in the Commonwealth of Virginia outside of said park lands. Nothing in this subsection shall be construed as reserving in the Commonwealth power to require licenses of persons engaged in the sale of intoxicating beverages on said lands, nor the power to require that any sales be made through official liquor stores.

Sale of alcoholic beverages.

Provisos.

Effect of general laws of Virginia.

"(c) The Commonwealth of Virginia shall have jurisdiction to serve civil process within the limits of said park

Jurisdiction and powers of Virginia.

Service of process.

in any suits properly instituted in any of the courts of the Commonwealth of Virginia, and to serve criminal process within said limits in any suits or prosecutions for or on account of crimes committed in said Commonwealth but outside of said park.

Beverage tax.

"(d) The Commonwealth of Virginia shall have the jurisdiction and power to levy a nondiscriminatory tax on all alcoholic beverages possessed or sold on said lands.

Motor-vehicle fuel, etc., taxes.

"(e) The Commonwealth of Virginia shall have jurisdiction and power to tax the sales of oil and gasoline, and other motor-vehicle fuels and lubricants for use in motor vehicles. This subsection shall not be construed as a consent by the United States to the taxation by the Commonwealth of such sales for the exclusive use of the United States.

Taxes on individuals, corporations, etc.

"(f) The Commonwealth of Virginia shall have the jurisdiction and power to levy nondiscriminatory taxes on private individuals, associations, and corporations, their franchises and properties, on said lands, and on their businesses conducted thereon.

Concurrent jurisdiction in civil actions.

"(g) The courts of the Commonwealth of Virginia shall have concurrent jurisdiction with the courts of the United States of all civil causes of action arising on said lands to the same extent as if the cause of action has arisen in the county or city in which the land lies outside the park area,

Enforcement of judgments; collection of taxes.

and the State officers shall have jurisdiction to enforce on said lands the judgments of said State courts and the collection of taxes by appropriate process.

Right to vote.

"(h) Persons residing in or on any of the said lands embraced in said Shenandoah National Park shall have the right to establish a voting residence in Virginia by reason thereof, and the consequent right to vote at all elections within the county or city in which said land or lands upon which they reside are located upon like terms and conditions, and to the same extent, as they would be entitled to vote in such county or city if the said lands on which they reside had not been deeded or conveyed to the United States of America. All fugitives from justice taking refuge

Fugitives from justice.

in the park shall be subject to the same laws as refugees from justice found in the Commonwealth of Virginia." (16 U.S.C. sec. 403c-1.)

Excerpt from "An Act To authorize the disposition of recreational demonstration projects, and for other purposes," approved June 6, 1942 (56 Stat. 327)

SEC. 2. From and after the date of this Act, the lands acquired for the Acadia, French Creek, Shenandoah, and White Sands recreational demonstration projects shall be added to and become a part of Acadia National Park, Hopewell Village National Historic Site, Shenandoah National Park, and White Sands National Monument, in the order named above, subject to all laws, rules, and regulations applicable to the respective areas to which such recrea-

tional demonstration projects are added: *Provided,* That within six months after the date of this Act the Secretary of the Interior shall file with The National Archives a map of each recreational demonstration project enumerated in this section. (16 U.S.C. sec. 459s.)

20. Wind Cave National Park

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Addition to the park of the Wind Cave National Game Preserve.....Excerpt from Act of June 15, 1935	98
Disposal of surplus buffalo and elk.....Act of June 16, 1938	98

Excerpt from "An Act To amend the Migratory Bird Hunting Stamp Act of March 16, 1934, and certain other Acts relating to game and other wildlife, administered by the Department of Agriculture, and for other purposes," approved June 15, 1935 (49 Stat. 378, 383)

Wind Cave National Game Preserve, S. Dak.

TITLE VI—TRANSFER OF WIND CAVE NATIONAL GAME PRESERVE TO THE DEPARTMENT OF THE INTERIOR.

Abolished; transfer of property to Interior Department.

SECTION 601. That, effective July 1, 1935, the Wind Cave National Game Preserve in the State of South Dakota, be, and the same is hereby, abolished, and all the property, real or personal, comprising the same is hereby transferred to and made a part of the Wind Cave National Park and the same shall hereafter be administered by the Secretary of the Interior as a part of said park, subject to all laws and regulations applicable thereto, for the purposes expressed in the Act of August 10, 1912 (37 Stat. 268-293), establishing said game preserve. (16 U.S.C. sec. 141b.)

An Act To authorize the Secretary of the Interior to dispose of surplus buffalo and elk of the Wind Cave National Park herd and for other purposes, approved June 16, 1938 (52 Stat. 708)

Wind Cave National Park.

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, in his discretion and under regulations to be prescribed by him, to sell or otherwise dispose of the surplus buffalo and elk of the Wind Cave National Park herd.

Disposition of surplus buffalo and elk.

Deposit of receipts.

SEC. 2. All moneys received from the sale of any such surplus animals, or products thereof, shall be deposited in the Treasury of the United States as miscellaneous receipts. (16 U.S.C. sec. 141c.)

21. Yellowstone National Park [1]

Page

Division of the waters of the Yellowstone River.....Act of June 15, 1940 99

An Act Granting the consent of Congress to the States of Montana, North Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River, approved June 15, 1940 (54 Stat. 399)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress approved August 2, 1937 (50 Stat. 551), granting the consent of Congress to the States of Montana and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River be, and it is hereby, amended to provide that the consent of Congress is given to the State of North Dakota to negotiate and to enter into the compact or agreement therein authorized providing for an equitable division and an apportionment between the States of the water supply of the Yellowstone River and of the streams tributary thereto, upon condition that the representative appointed by the President of the United States under the Act of August 2, 1937, to participate in said negotiations as the representative of the United States and to report to Congress of proceedings and of any compact or agreement entered into, shall continue to represent the United States and to report under this Act: *Provided,* That such Act of August 2, 1937, is amended by striking out "June 1, 1939" and inserting in lieu thereof "June 1, 1943": [2] *Provided,* That such compact or agreement shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been approved by the legislatures of each of the said States and by the Congress of the United States: *Provided further,* That nothing in this Act shall apply to any waters within or tributary to the Yellowstone National Park or shall establish any right or interest in or to any lands within the boundaries thereof.

Yellowstone River.
Consent given to N. Dak. to negotiate, etc., for division of waters.

Federal representative; report to Congress.

Provisos.
Time extension.
Approval.

Yellowstone National Park, nonapplication to waters within, etc.

[1] See proclamation No. 2013 of October 20, 1932 (47 Stat. 2537), adding certain lands to Yellowstone National Park, pursuant to Act of May 26, 1926 (44 Stat. 655, 657).

[2] Act of March 16, 1944 (Public Law 257—78th Congress) amended this Act by striking out "June 1, 1943" and inserting in lieu thereof "June 1, 1947."

22. Yosemite National Park [1]

Page
Authorization to acquire additional lands for park..Act of July 9, 1937 [2] 100

An Act To provide for the acquisition of certain lands for, and the addition thereof to, the Yosemite National Park, in the State of California, and for other purposes, approved July 9, 1937 (50 Stat. 485)

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 hereby authorized to acquire, by purchase when purchasable at prices deemed by him reasonable—otherwise by condemnation under the provisions of the Act of August 1, 1888, on behalf of the United States under any fund or moneys available for such purpose, at the time of the passage of this Act, except from the general fund of the Treasury, any of the following-described lands in the State of California now in private ownership, to wit: Section 25, lots 3, 4, 5, 8, and 9, section 34, northeast quarter, southeast quarter of the northwest quarter, lots 1 to 10, inclusive, section 35, section 36, township 1 south, range 19 east; southeast quarter northwest quarter, east half southwest quarter, southeast quarter, lots 2, 3, and 4, section 30, section 31, township 1 south, range 20 east; sections 1, 2, and 3, east half section 10, sections 11 and 12, north half section 14, northeast quarter section 15, township 2 south, range 19 east; southeast quarter northwest quarter, east half southwest quarter, lots 3 to 7, inclusive, section 6, township 2 south, range 20 east, Mount Diablo meridian. (16 U.S.C. sec. 47e.)

Yosemite National Park, Calif.
Lands added.
Condemnation proceedings.
25 Stat. 357.
40 U.S.C. sec. 257.
Description.

SEC. 2. When title to the aforesaid privately owned lands has been vested in the United States, all of the lands described in section 1 hereof shall be added to and become a part of the Yosemite National Park and shall be subject to all laws and regulations applicable thereto: *Provided,* That nothing in this Act shall be construed to affect any valid existing rights. (16 U.S.C. sec. 47e.)

Additions to become part of park.
Proviso.
Existing rights not affected.

SEC. 3. The provisions of the Act approved June 10, 1920, as amended, known as the Federal Water Power Act, shall not apply to any of the lands added to the Yosemite National Park pursuant to the provisions of this Act. (16 U.S.C. sec. 47f.)

Federal Water Power Act of 1920.
Provisions not to apply.
41 Stat. 1063.
16 U.S.C. secs. 791-823.

[1] See proclamations No. 1904 of April 14, 1930 (46 Stat. 3017) and No. 2005 of August 13, 1932 (47 Stat. 2527), adding certain lands to Yosemite National Park, pursuant to Acts of March 2, 1929 (45 Stat. 1486) and February 14, 1931 (46 Stat. 1115, 1154).

[2] See Executive order No. 7898 of May 26, 1938 (3 Fed. Reg. 1028), relating to withdrawal of public land authorized to be added to the park.

23. Zion National Park

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Virgin River Bridge property, conveyance to Washington County, Utah ..... Act of June 3, 1941	101
Springdale, Utah, use of water from springs in park ..... Act of July 8, 1943	101

An Act To authorize the Secretary of the Interior to convey certain property to Washington County, Utah, and for other purposes, approved June 3, 1941 (55 Stat. 237)

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, in his discretion, is hereby authorized to convey, by quitclaim deed, to Washington County, Utah, or the authorized agents or representatives of said county, certain land and the improvements thereon, said land being described as follows:

Washington County, Utah. Conveyance to.

SALT LAKE MERIDIAN

A part of lot 1 in block 9, and a part of lot 2 in block 3 of Rockville Townsite Survey, described as follows: Beginning at the southeast corner of said lot 2 in block 3, which point is approximately north six hundred and thirty-nine feet and west nine hundred and twenty-three feet from the southeast corner of section 1, township 42 south, range 11 west, and running thence north thirty feet, thence west eighty feet, thence south three hundred and twenty-five feet, thence east eighty feet, thence north two hundred and ninety-five feet to the place of beginning, containing twenty-six thousand square feet, more or less.

Description.

An Act To amend the description of the area affected by the Act of May 28, 1928, entitled "An Act for the relief of the town of Springdale, Utah," and for other purposes, approved July 8, 1943 (Public Law 122—78th Congress)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 28, 1928 (45 Stat. 787, ch. 818), is hereby amended by substituting the following language in lieu of the language in the Act following the words "to grant permission to the town of Springdale, Utah," "to convey through such piping facilities as may be necessary, for domestic and other uses within the limits of said town of Springdale, Utah, water from certain springs in the Zion National Park, Utah, located in sections 17, 22, and 27, township 41 south, range 10 west, Salt Lake base and meridian".

III. LEGISLATION RELATING TO THE NATIONAL HISTORICAL PARKS

1. Abraham Lincoln National Historical Park

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Name changed, "Abraham Lincoln National Historical Park" substituted for "Abraham Lincoln National Park"..Act of August 11, 1939 103

An Act To change the designations of the Abraham Lincoln National Park, in the State of Kentucky, and the Fort McHenry National Park, in the State of Maryland, approved August 11, 1939 (53 Stat. 1405)

Abraham Lincoln National Park, Ky., and Fort McHenry National Park, Md.

16 U. S. C. secs. 211-214, 437-440.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Abraham Lincoln National Park, in the State of Kentucky, authorized by the Act of July 17, 1916 (39 Stat. 385), and the Fort McHenry National Park, in the State of Maryland, authorized by the Act of March 3, 1925 (43 Stat. 1109), shall hereafter be called and known as the "Abraham Lincoln National Historical Park", and the "Fort McHenry National Monument and Historic Shrine," respectively, and all moneys heretofore or hereafter appropriated for these areas under previous designations may be used in these areas as redesignated. (16 U.S.C. secs. 214, 215, 217.)

Designations changed.

2. Chalmette National Historical Park

Page
Establishment of park.....Act of August 10, 1939 104

An Act To provide for the establishment of the Chalmette National Historical Park in the State of Louisiana, and for other purposes, approved August 10, 1939 (53 Stat. 1342)

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

Chalmette National Historical Park, La.
Establishment of.

That the lands in Federal ownership located in Chalmette, Louisiana, in sections 10 and 21, township 13 south, range 12 east, Saint Helena meridian, on which there has been erected a monument pursuant to the provisions of the Act of Congress approved March 4, 1907 (34 Stat. 1411), as amended by the Act of June 2, 1930 (46 Stat. 489), to the memory of the soldiers who fell in the Battle of New Orleans in the War of 1812, including the national cemetery at Chalmette, Louisiana, are hereby designated as the Chalmette National Historical Park. (16 U.S.C. sec. 231.)

16 U.S.C. sec. 450a.

Additional lands.

SEC. 2. That upon the vesting of title in the United States to such additional lands as may be designated by the Secretary of the Interior as necessary and desirable for the purposes of the Chalmette National Historical Park, such lands shall become a part of the said park and shall be subject to all laws, rules, and regulations applicable thereto: *Provided, however,* That the total area included within the said park and any enlargement thereof shall not exceed five hundred acres. (16 U.S.C. sec. 231a.)

Proviso.
Limitation.

Acquisition of property located within park.

SEC. 3. That the Secretary of the Interior is authorized, in his discretion, to acquire in behalf of the United States, through donations or by purchase at prices deemed by him reasonable, or by condemnation in accordance with the Act of August 1, 1888 (25 Stat. 357), lands, buildings, structures, and other property, or interests therein, located within the boundaries of the Chalmette National Park as fixed and determined hereunder, the title to such property and interests to be satisfactory to the Secretary of the Interior, and to accept donations of funds for the acquisition and maintenance thereof: *Provided,* That payment for such property or interests shall be made solely from donated funds. (16 U.S.C. sec. 231b.)

40 U.S.C. secs. 257, 258.

Proviso.
Payment from donated funds.

Administration.

SEC. 4. The administration, protection, and development of the aforesaid national historical park 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." (16 U.S.C. sec. 231c.)

39 Stat. 535. 16 U.S.C. secs. 1-4.

Inconsistent laws repealed.

SEC. 5. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency. (16 U.S.C. sec. 231d.)

3. Colonial National Historical Park [1]

		Page
Additions authorized, monument redesignated as "Colonial National Historical Park"	Act of June 5, 1936	105
Cape Henry Memorial site in Fort Story, Va., transfer and addition to park authorized	Joint Resolution of June 15, 1938	105
Boundaries revised, acquisitions for rounding out boundaries authorized	Act of June 28, 1938	106
Transfer of park land to Navy Department authorized	Act of December 24, 1942	107

An Act To provide for the addition or additions of certain lands to the Colonial National Monument in the State of Virginia, approved June 5, 1936 (49 Stat. 1483)

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 be, and he is hereby, authorized, in his discretion, to acquire by purchase and/or accept by donation, in behalf of the United States, such lands, easements, and buildings comprising the former Governor Berkeley's mansion and homestead in James City County and Carter's Grove mansion and homestead in the same county, and the Rosewell mansion and homestead in Gloucester County as are desirable for the proper rounding out of the boundaries and for the administrative control of the Colonial National Monument, and such lands as are necessary for parkways, not to exceed five hundred feet wide, to connect said mansions to the said Colonial National Monument, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided,* That the said acquisition of lands and/or improvements shall be made only from such funds as may be appropriated pursuant to the authorization of the Act of March 3, 1931 (46 Stat. 1490). (16 U.S.C. sec. 81c.)

Colonial National Monument, Va. Lands, etc., added to.

Parkways.

Limitation on expenditures.

SEC. 2. That the area now within the Colonial National Monument, together with such additions as may hereafter be made thereto, pursuant to section 1 hereof, shall be known as the "Colonial National Historical Park", under which name the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Colonial National Monument. (16 U.S.C. secs. 81, 81a, 81c, 81e, 81f, 81g, 81h.)

To be known hereafter as "Colonial National Historical Park."

SEC. 3. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

Joint Resolution To provide for the transfer of the Cape Henry Memorial site in Fort Story, Virginia, to the Department of the Interior, approved June 15, 1938 (52 Stat. 695)

Whereas the Colonial National Historical Park (formerly the Colonial National Monument) established under the

Cape Henry Memorial, Fort Story, Va.

[1] See proclamation No. 2055 of August 22, 1933 (48 Stat. 1706), adding certain lands to the area pursuant to Act of July 3, 1930 (46 Stat. 855).

Preamble.
46 Stat. 855.

Act of Congress approved July 3, 1930, includes Jamestown, Yorktown, and Williamsburg; and

Whereas the Jamestown colonists who established the first permanent English settlement in America first landed and set up a cross on April 26, 1607, at the First Landing Dune in Fort Story, Cape Henry, Virginia, which is now a shrine marked by a cross memorial: Therefore be it

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

Transfer of proposed site to Secretary of the Interior.

That the Secretary of War is authorized in his discretion, subject to such terms and conditions as he may deem essential for the protection of military interests, to transfer to the Secretary of the Interior such part of the Fort Story Military Reservation, Cape Henry, Virginia, as the Secretary of War may select, but not to exceed an area of one hundred feet square, as a proposed site for the Cape Henry Memorial (First Landing Dune), including the site on which the Daughters of the American Colonies have heretofore erected a monument under authority of the War Department. The Secretary of the Interior, through the National Park Service, shall exercise jurisdiction over and maintain such site and memorial as a part of the Colonial National Historical Park, under the provisions of the Act establishing the National Park Service, approved August 25, 1916, as amended and supplemented: *Provided,* That the use of any property transferred under the provisions of this Act shall be subject to the paramount needs of national defense.

Jurisdiction, etc.
39 Stat. 535.
16 U.S.C. ch. 1.
Use of transferred property.

An Act To revise the boundaries of the Colonial National Historical Park in the State of Virginia, and for other purposes, approved June 28, 1938 (52 Stat. 1208)

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

Colonial National Historical Park, Va.

That subject to all the laws and regulations applicable to the Colonial National Historical Park, the boundaries of said historical park as established by the Act of June 5, 1936 (49 Stat. 1483), and as defined by Presidential Proclamation Numbered 2055, dated August 22, 1933 (48 Stat. 1706), are hereby revised by the elimination of the parkway area described in said proclamation as running north and west of the city of Williamsburg to Jamestown Island, and the substitution therefor of a parkway area running southerly through or around the city of Williamsburg, thence continuing south of said city to the James River and thence along said river and connecting waters to Jamestown Island, the exact location of which shall be determined by the Secretary of the Interior: *Provided,* That said parkway area shall not exceed an average of five hundred feet in width outside the city of Williamsburg: *And provided further,* That condemnation proceedings shall not be had, exercised, or resorted to as to any lands in the city of Williamsburg except such lands as may be required for a

Parkway changes.
Maximum width.
Condemnation proceedings; restriction.

right-of-way not exceeding two hundred feet in width through said city to connect with highways or parkways leading from Williamsburg to Jamestown and Yorktown. (16 U.S.C. sec. 81b.)

Acquisitions for rounding out boundaries.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion, to acquire by purchase, donation, or otherwise, in behalf of the United States, such lands or interests in lands, easements, and buildings comprising the following: Glass House Point, in James City County; the area known as "The Hook", including the site of the action of October 3, 1781, in Gloucester County; and such additional lands as are desirable for the proper rounding out of the boundaries and for the administrative control of the Colonial National Historical Park: *Provided,* That the total acreage of lands to be added to the park, with the exception of parkways under the terms hereof shall not exceed seven hundred and fifty acres: *Provided further,* That the said acquisition of lands or improvements shall be made from such funds as may be appropriated pursuant to the authorization of the Act of March 3, 1931 (46 Stat. 1490). (16 U.S.C. sec. 81d.)

Maximum addition.

Funds available.

An Act To authorize the transfer of jurisdiction of a portion of the Colonial National Historical Park, Yorktown, Virginia, from the Department of the Interior to the Department of the Navy, approved December 24, 1942 (56 Stat. 1085)

Colonial National Historical Park, Va.

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 be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Department of the Navy a portion of the Colonial National Historical Park, Yorktown, Virginia, south of Ballards Creek and adjacent to the east boundary of the naval mine depot, containing approximately sixteen acres.

Transfer of jurisdiction of portion to Navy Department.

Provision for retransfer.

SEC. 2. The President of the United States is authorized by Executive order to retransfer jurisdiction over the property to the Secretary of the Interior upon his application when, in the judgment of the President, the property has become surplus to the needs of the Department of the Navy, in which event it again shall become a part of the Colonial National Historical Park. (16 U.S.C. sec. 81 note.)

4. Cumberland Gap National Historical Park project

		Page
Establishment of park authorized	Act of June 11, 1940	108
Amend Act of June 11, 1940, concerning requirements for establishment of the park	Act of May 26, 1943	109

An Act To provide for the establishment of the Cumberland Gap National Historical Park in Tennessee, Kentucky, and Virginia, approved June 11, 1940 (54 Stat. 262) [1]

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

Cumberland Gap National Historical Park, Tenn., Ky., and Va.

That when title to all the lands, structures, and other property in the Cumberland Gap-Cumberland Ford areas, being portions of the Warriors Path of the Indians and Wilderness Road of Daniel Boone, within Bell and Harlan Counties, Kentucky; Lee County, Virginia; and Claiborne County, Tennessee; as may be determined by the Secretary of the Interior as necessary or desirable for national historical park purposes, shall have been vested in the United States such area or areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the "Cumberland Gap National Historical Park": *Provided,* That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid areas: *Provided further,* That such area or areas shall include, at least, the following features and intervening lands: Cumberland Gap, The Pinnacle, the remaining fortifications of the War between the States, Soldiers Cave, King Solomon's Cave, Devils Garden, Sand Cave, The Doublings, White Rocks, Rocky Face, Moore Knob, and that portion of the Warriors Path and Daniel Boone's Wilderness Road extending from the city of Cumberland Gap, Tennessee, to Cumberland Ford, near Pineville, Kentucky. (16 U.S.C. sec. 261.)

Establishment of, upon acquisition of title to lands etc., by U. S.

Provisos.

Restriction on use of funds.

Lands, etc., to be included.

Limitation on area.

SEC. 2. The total area of the Cumberland Gap National Historical Park, as determined pursuant to this Act, shall not exceed fifty thousand acres, and shall not include any land within the city limits of Middlesboro and Pineville, Kentucky; Cumberland Gap, Tennessee; or any lands adjacent thereto which the proper officials thereof shall indicate to the Secretary of the Interior prior to the establishment of said park are required for expansion of said cities. (16 U.S.C. sec. 262.)

Lands excluded.

Acceptance of donations of land, etc., authorized.

SEC. 3. That the Secretary of the Interior be, and he is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of the said historical park as determined and fixed hereunder, and donations of funds for the purchase

[1] Sections 1 and 2 of this Act were amended by Act of May 26, 1943, immediately following.

and maintenance thereof: *Provided,* That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within said historical park as may be necessary for the completion thereof. The title to any lands or interests in lands to be acquired pursuant to this Act shall be satisfactory to the Secretary of the Interior. (16 U.S.C. sec. 263.)

Proviso.
Acquisition of certain lands from donated funds.
25 Stat. 357. 40 U.S.C. secs. 257, 258.

SEC. 4. The administration, protection, and development of the aforesaid national historical park 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 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended. **(16 U.S.C. sec. 264.)**

Administration, etc.
16 U.S.C. secs. 1-4.

An Act To amend sections 1 and 2 of the Act approved June 11, 1940 (54 Stat. 262) relating to the establishment of the Cumberland Gap National Historical Park in Tennessee, Kentucky, and Virginia, and to grant the consent of Congress to such States to enter into a compact providing for the acquisition of property for such park, approved May 26, 1943 (57 Stat. 85)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1 and 2 of the Act approved June 11, 1940 (54 Stat. 262; 16 U.S.C., 1940 edition, title 16, secs. 261, 262), relating to the establishment of the Cumberland Gap National Historical Park, are hereby amended to read as follows:

"That when title to such lands, structures, and other property in the Cumberland Gap-Cumberland Ford areas, being portions of the Warriors Path of the Indians and Wilderness Road of Daniel Boone, within Bell and Harlan Counties, Kentucky; Lee County, Virginia; and Claiborne County, Tennessee; as may be determined by the Secretary of the Interior as necessary or desirable for national historical park purposes, shall have been vested in the United States, such area or areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the Cumberland Gap National Historical Park: *Provided,* That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid areas. (16 U.S.C. sec. 261.)

Establishment.

"SEC. 2. The total area of the Cumberland Gap National Historical Park, as determined pursuant to this Act, shall comprise not less than six thousand acres and shall not exceed fifty thousand acres, and lands may be added to the park following its establishment within the aforesaid limitations. The park shall not include any land within the city limits of Middlesboro and Pineville, Kentucky; Cumberland Gap, Tennessee; which the proper officials

Total area.

Land excluded.

thereof shall indicate to the Secretary of the Interior prior to the establishment of said park are required for expansion of said cities.

Interstate compact.

"(a) The consent of Congress is hereby given to the States of Tennessee, Kentucky, and Virginia to enter into a compact providing for (1) the acquisition of the lands, structures, and other property in the Cumberland Gap-Cumberland Ford areas referred to in section 1 of such Act of June 11, 1940, as amended by this Act, and (2) the transfer of title to such lands, structures, and other property to the United States.

"(b) The right to alter, amend, or repeal this section is hereby expressly reserved." (16 U.S.C. sec. 262.)

5. Saratoga National Historical Park project

		Page
Establishment of park authorized	Act of June 1, 1938	111

An Act To provide for the creation of the Saratoga National Historical Park in the State of New York and for other purposes, approved June 1, 1938 (52 Stat. 608)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to all the lands, structures, and other property in the area at Saratoga, New York, whereon was fought the Battle of Saratoga during the War of the Revolution, shall have been vested in the United States, such area shall be, and it is hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the Saratoga National Historical Park: *Provided,* That such area shall include that part of the Saratoga Battlefield now belonging to the State of New York and any additional lands in the immediate vicinity thereof which the Secretary of the Interior may, within six months after the approval of this Act, designate as necessary or desirable for the purposes of this Act. (16 U.S.C. sec. 159.)

Saratoga National Historical Park, N. Y.

Establishment, when title to lands is vested in United States.

Proviso.

Inclusion of battlefield, etc.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of said historical park as determined and fixed hereunder and donations of funds for the purchase or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided,* That he may acquire on behalf of the United States, out of any donated funds, 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 historical park as may be necessary for the completion thereof. (16 U.S.C. sec. 159a.)

Acceptance of donations, etc.

Proviso.

Purchase of lands from donated funds.

25 Stat. 357. 40 U.S.C. sec. 257.

SEC. 3. That the administration, protection, and development of the aforesaid national historical park 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. (16 U.S.C. sec. 159b.)

Supervision by National Park Service.

39 Stat. 535. 16 U.S.C. sec. 1.

IV. LEGISLATION RELATING TO THE NATIONAL MILITARY PARKS

1. Chickamauga and Chattanooga National Military Park

		Page
Addition to park authorized	Act of May 4, 1934	113
Conveyance of land to New Salem School district authorized	Excerpt from Act of August 9, 1939	113
Addition of land on Signal Mountain authorized and conveyance of certain property to State of Georgia	Act of March 5, 1942	114

An Act To provide for the addition of certain lands to the Chickamauga and Chattanooga National Military Park in the States of Tennessee and Georgia, approved May 4, 1934 (48 Stat. 666)

Chickamauga and Chattanooga National Military Park, Tenn.-Ga.

Addition authorized.

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 be, and he is hereby, authorized, in his discretion, to accept in behalf of the United States lands, easements, and buildings as may be donated for an addition to the Chickamauga and Chattanooga National Military Park lying within what is known as the "Chattanooga-Lookout Mountain Park" (a corporation, Adolph S. Ochs, president) and/or any lands within one mile of said Chattanooga-Lookout Mountain Park in the States of Tennessee and Georgia. (16 U.S.C. sec. 424a.)

Laws extended.

SEC. 2. That all laws affecting the Chickamauga and Chattanooga National Military Park, shall be extended and apply to any addition or additions which may be added to said park under the authority of this Act. (16 U.S.C. sec. 424b.)

Excerpt from "An Act To amend the Act approved June 26, 1935, entitled 'An Act to create a national memorial military park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes,'" approved August 9, 1939 (53 Stat. 1275)

New Salem School district, Dade County, Ga., conveyance of land.

SEC. 3. That the Secretary of the Interior, in his discretion, is hereby authorized to convey without consideration, but under such terms and conditions as he may deem advisable, to the New Salem School district of Dade County, Georgia, not to exceed ten acres of land located within lot numbered 114, eleventh district, fourth section, of Dade County, Georgia, now a part of the Chickamauga-Chattanooga National Military Park.

An Act To revise the boundaries of the Chickamauga-Chattanooga National Military Park in the States of Georgia and Tennessee, approved March 5, 1942 (56 Stat. 133)

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, in his discretion, is hereby authorized to accept, on behalf of the United States, donations of lands, buildings, structures, and other property, or interests therein, on Signal Mountain near Chattanooga, Tennessee, for addition to the Chickamauga-Chattanooga National Military Park, the title to such property or interests to be satisfactory to him. Upon acquisition, such lands shall be a part of the Chickamauga-Chattanooga National Military Park and shall be subject to all laws and regulations applicable thereto. (16 U.S.C. sec. 424a-1.)

Chickamauga-Chattanooga National Military Park, Ga.-Tenn.

Addition of certain property.

Conveyance to State of Georgia.

SEC. 2. The Secretary of the Interior, in his discretion, is hereby authorized to convey, without consideration but under such terms and conditions as he may deem advisable, to the State of Georgia all of lot 78 and approximately one hundred and fifty acres of lot 114, Eleventh District, fourth section, of Dade County, Georgia, now a part of the Chickamauga-Chattanooga National Military Park. (16 U.S.C. 424a-2.)

2. Fort Donelson National Military Park

Page
Addition of lands to park.....Act of Aug. 30, 1937 115

An Act To provide for the addition of certain lands to the Fort Donelson National Military Park in the State of Tennessee, and for other purposes, approved August 30, 1937 (50 Stat. 881)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described tracts or parcels of land, lying and being within the seventh civil district of Stewart County, Tennessee, are hereby transferred from the jurisdiction of the Secretary of War to the jurisdiction of the Secretary of the Interior as additions to the Fort Donelson National Military Park, and shall hereafter be subject to all laws and rules and regulations applicable to said park:

Fort Donelson National Military Park, Tenn.

Certain lands added.

Description.

Tract numbered 1, a right-of-way, fifty feet wide, lying twenty-five feet on each side of a center line, beginning at a point in the southerly boundary line of lock D reservation, seven hundred and thirty-four and eight-tenths feet from the southwest corner of this reservation; thence south thirty-one degrees five minutes west seventy-seven and one-tenth feet, thence south eighty-six degrees twenty-one minutes west four hundred and seventy-nine and nine-tenths feet, thence south sixty-three degrees fifty-three minutes west two hundred and sixty-two and three-tenths feet, thence south thirty-nine degrees thirty-six minutes west one hundred and eighty-six and seven-tenths feet, thence south exactly forty minutes east exactly one hundred and ninety-four feet, thence south thirty degrees fifty-eight minutes east three hundred and fourteen and five-tenths feet, thence south twenty-eight degrees fifteen minutes east exactly eighty-five feet, thence south twenty-eight degrees thirty-seven minutes east two hundred and fifty and five-tenths feet, thence south four degrees six minutes east two hundred and sixty-one and seven-tenths feet, thence south thirty-six degrees twenty-seven minutes east two hundred and eighty-two and three-tenths feet, thence south twenty-three degrees forty-five minutes east one hundred and seventy-eight and three-tenths feet to center line of county road, reserving, however, to the War Department the right to the continued use of the road over this tract as a means of access to lock D.

Tract numbered 2, beginning at a point in the southern boundary line of lock D reservation, seven hundred and fifty-three and five-tenths feet from the southwest corner of this reservation, thence north seventy-four degrees twenty-eight minutes east one hundred and ninety-one and ninety-eight one-hundredths feet, thence south eighty-five degrees twelve minutes east fifty-two and nine-tenths feet, thence south

fifty-one degrees thirty-six minutes east thirty-two and nine-tenths feet, thence south nine degrees thirty-three minutes east one hundred and seventeen and two one-hundredths feet, thence south thirty-one degrees three minutes west sixty-nine and eighty-two one-hundredths feet, thence north fifty-eight degrees fifty-seven minutes west two hundred and eighty-eight and eight one-hundredths feet to beginning.

Tract numbered 3, beginning at a point in the southern boundary line of lock D reservation, five hundred and ninety feet from the southwest corner of this reservation, this point being marked by an iron fence post, thence north fifty-eight degrees fifty-seven minutes west five hundred and ninety feet along the southern boundary line of lock D reservation, thence north thirty-one degrees three minutes east four hundred and eighty-eight feet along the western boundary line of the lock D reservation to low-water mark on bank of Cumberland River, thence along low-water line of Cumberland River in a southeasterly direction three hundred and thirty-five feet, thence south thirty-four degrees five minutes west one hundred and twenty-three feet to an iron pin, thence south fifty-five degrees fifty-five minutes east three hundred and seven and five-tenths feet to an iron pin, thence south forty degrees five minutes west three hundred and ten and five-tenths feet to beginning. (16 U.S.C. sec. 428d-1.)

Acceptance of donations, etc.

SEC. 2. The Secretary of the Interior is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property within a distance of one mile from the boundaries of said Fort Donelson National Military Park, as hereby extended, and donations of funds for the purchase or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided,* That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable or by condemnation, such tracts of land within a distance of one mile from the boundaries of the said national military park as may be necessary for the completion thereof. Upon the acquisition of such land, the same shall become a part of the Fort Donelson National Military Park and shall be subject to the laws and rules and regulations applicable to said park. (16 U.S.C. sec. 428d-2.)

Proviso.

Acquisition of land.

Administration, etc.

SEC. 3. The administration, protection, and development of the lands hereby authorized to be added to the Fort Donelson National Military Park 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 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U. S. C. sec. 428d-3.)

39 Stat. 535.
16 U.S.C. sec. 1.

3. Guilford Courthouse National Military Park

		Page
Commission abolished	Act of October 9, 1942	117

An Act To abolish the Guilford Courthouse National Military Park Commission, and for other purposes, approved October 9, 1942 (56 Stat. 778)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Guilford Courthouse National Military Park Commission, established pursuant to the Act of March 2, 1917 (39 Stat. 996; 16 U.S.C. 430i), is abolished effective at the expiration, on October 13, 1941, of the current appointment of the resident commissioner. (16 U.S.C. sec. 430i note.)

Guilford Courthouse National Military Park Commission, abolishment.

4. Monocacy National Military Park project

		Page
Establishment of park authorized	Act of June 21, 1934	118

An Act To establish a national military park at the battlefield of Monocacy, Maryland, approved June 21, 1934 (48 Stat. 1198)

Monocacy National Military Park, Md.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to commemorate the Battle of Monocacy, Maryland, and to preserve for historical purposes the breastworks, earthworks, walls, or other defenses or shelters used by the armies therein, the battlefield at Monocacy, in the State of Maryland, is hereby declared a national military park to be known as the "Monocacy National Military Park", whenever the title to the lands deemed necessary by the Secretary of the Interior shall have been acquired by the United States and the usual jurisdiction over the lands and roads of the same shall have been granted to the United States by the State of Maryland. (16 U.S.C. sec. 430j.)

Establishment, when title to land, etc. acquired.

Condemnation proceedings to acquire lands.

SEC. 2. The Secretary of the Interior is hereby authorized to cause condemnation proceedings to be instituted in the name of the United States under the provisions of the Act of August 1, 1888, entitled "An Act to authorize condemnation of lands for sites for public buildings and for other purposes" (25 Stat.L. 357), to acquire title to the lands, interests therein, or rights pertaining thereto within the said Monocacy National Military Park, and the United States shall be entitled to immediate possession upon the filing of the petition in condemnation in the United States District Court for the District of Maryland: *Provided,* That when the owner of such lands, interests therein, or rights pertaining thereto shall fix a price for the same, which in the opinion of the Secretary of the Interior shall be reasonable, the Secretary may purchase the same without further delay: *Provided further,* That the Secretary of the Interior is authorized to accept, on behalf of the United States, donations of lands, interests therein, or rights pertaining thereto required for the Monocacy National Military Park: *And provided further,* That title and evidence of title to lands and interests therein acquired for said park shall be satisfactory to the Secretary of the Interior. (16 U.S.C. sec. 430k.)

Purchase from owners.

Acceptance of donations.

Title.

Leases with owners for lands unnecessary to purchase.

SEC. 3. The Secretary of the Interior is hereby authorized to 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 the 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 that they will preserve the present breastworks, earthworks, walls, defenses, shelters, buildings and roads, and the present outlines of the battlefields, and that they will only cut trees or underbrush or disturb or remove the soil, under such regulations as the Secretary of the Interior may prescribe, and that they will assist in protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority. (16 U.S.C. sec. 430*l*.)

Cultivation of holdings.

Condition.

Supervision of National Parks, etc., office.

SEC. 4. The affairs of the Monocacy National Military Park shall, subject to the supervision and direction of the Office of National Parks, Buildings, and Reservations of the Interior Department, be in charge of a superintendent, to be appointed by the Secretary of the Interior. (16 U.S.C. sec. 430m.)

Duties prescribed.

SEC. 5. It shall be the duty of the superintendent, under the direction of the Office of National Parks, Buildings, and Reservations of the Interior Department, to superintend the opening or repair of such roads as may be necessary to the purposes of the park, and to ascertain and mark with historical tablets or otherwise, as the Secretary of the Interior may determine, all breastworks, earthworks, walls, or other defenses or shelters, lines of battle, location of troops, buildings, and other historical points of interest within the parks or in its vicinity. (16 U.S.C. sec. 430n.)

Acceptance of gifts, etc., authorized.

SEC. 6. The said Office of National Parks, Buildings, and Reservations, acting through the Secretary of the Interior, is authorized to receive gifts and contributions from States, Territories, societies, organizations, and individuals for the Monocacy National Military Park: *Provided,* That all contributions of money received shall be deposited in the Treasury of the United States and credited to a fund to be designated "Monocacy National Military Park fund", which fund shall be applied to and expended under the direction of the Secretary of the Interior, for carrying out the provisions of this Act. (16.U.S.C. sec. 430o.)

Contributions to be deposited to credit of special fund.

States may mark lines of battle of their troops.

SEC. 7. It shall be lawful for the authorities of any State having had troops at the Battle of Monocacy to enter upon the lands and approaches of the Monocacy National Military Park for the purpose of ascertaining and marking the line of battle of troops engaged therein: *Provided,* That before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise, including the design and inscription for the same, shall be submitted to the Secretary of the Interior and shall first receive written approval of the Secretary, which approval shall be based upon formal written reports to be made to him in each case by the Office

Approval of marking, etc.

No discrimination in designating lines.

of National Parks, Buildings, and Reservations: *Provided,* That no discrimination shall be made against any State as to the manner of designating lines, but any grant made to any State by the Secretary of the Interior may be used by any other State. (16 U.S.C. sec. 430p.)

Penalty for destroying, injuring, etc., property.

SEC. 8. If any person shall, except by permission of the Secretary of the Interior, destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, enclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree or trees growing or being upon said park, or hunt within the limits of the park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter or any part thereof constructed by the armies formerly engaged in the battles on the lands or approaches to the park, any person so offending and found guilty thereof, before any United States commissioner or court, of the jurisdiction in which the offense may be committed, shall for each and every such offense forfeit and pay a fine, in the discretion of the United States commissioner or court, according to the aggravation of the offense, of not less than $5 nor more than $500. (16 U.S.C. sec. 430q.)

Rules, etc., to be prescribed.

SEC. 9. The Secretary of the Interior shall have the power to make all needful rules and regulations for the care of the park, and for the establishment and marking of lines of battle and other historical features of the park. (16 U.S.C. sec. 430r.)

Appropriation authorized.

SEC. 10. For the purposes of carrying out the provisions of this Act, the sum of $50,000 is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated. (16 U.S.C. sec. 430s note.)

5. Petersburg National Military Park

Page
Transfer of park lands to War Department.....Act of June 5, 1942 121

An Act Relating to the transfer to the Secretary of War of certain lands owned by the United States, approved June 5, 1942 (56 Stat. 322)

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 shall transfer to the Secretary of War jurisdiction over all lands owned by the United States lying south and east of the Hickory Hill Road within the Petersburg National Military Park in the Commonwealth of Virginia. Upon the date of the transfer, the lands shall cease to be a part of the Petersburg National Military Park and the Secretary of War shall thereafter administer the lands for military purposes. (16 U.S.C. sec. 423 note.)

Petersburg National Military Park, Va.

Transfer of portion to Secretary of War.

6. Vicksburg National Military Park

Page

Donations of property within one mile from park boundaries—authority to accept.....Act of October 9, 1940 122

An Act To authorize the acceptance of donations of property for the Vicksburg National Military Park, in the State of Mississippi, and for other purposes, approved October 9, 1940 (54 Stat. 1061)

Vicksburg National Military Park, Miss.

Acceptance of property donations.

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 hereby authorized, in his discretion, to accept, in behalf of the United States, donations of lands, buildings, structures, and other property, or interests therein, within a distance of one mile of the present boundaries of the Vicksburg National Military Park, which he may determine to be of historical interest in connection with said park, the title to such property or interests therein to be satisfactory to the Secretary of the Interior.

Applicability of specified laws and regulations.

All such property or interests therein, upon acceptance thereof, shall become a part of the Vicksburg National Military Park and shall be subject to all laws and regulations applicable thereto. (16 U.S.C. sec. 430h-1.)

V. LEGISLATION RELATING TO THE NATIONAL BATTLEFIELD PARKS

1. Kennesaw Mountain National Battlefield Park project

		Page
Establishment of park authorized	Act of June 26, 1935	123
Amend Act of June 26, 1935, acquisition of additional land authorized	Act of August 9, 1939	124

An Act To create a national memorial military park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes, approved June 26, 1935 (49 Stat. 423)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to all the lands, structures, and other property within the military battlefield area and other areas of Civil War interest at and in the vicinity of Kennesaw Mountain in the State of Georgia, as shall be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for national battlefield park purposes, shall have been vested in the United States, such areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the "Kennesaw Mountain National Battlefield Park." (16 U.S.C. sec. 430t.)

Kennesaw Mountain National Battlefield Park, Ga.

Establishment; condition.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of said national battlefield park as determined and fixed hereunder, the title and evidence of title to lands purchased to be satisfactory to the Secretary of the Interior: *Provided,* That under such funds available therefor 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 national battlefield park as may be necessary for the completion thereof. (16 U.S.C. sec. 430u.)

Acceptance of donations, etc.

Acquisition of land.

SEC. 3. Upon creation of the national battlefield park the Secretary of the Interior shall—

(a) Allow monuments and memorials to be erected in the park by and to the various organizations and individuals of either the Union or Confederate Armies, subject to the written approval of said Secretary as to the location and character of such monuments and memorials.

Erection of monuments, etc.

(b) Make such regulations as are necessary from time to time for the care and protection of the park. Any person violating such regulations shall be guilty of an offense

Regulations.

Punishment for violations.

Marking battle lines, etc.

punishable by a fine of not more than $500, or imprisonment not exceeding six months, or both.

(c) Provide for the ascertainment and marking of the route of march of the Union and Confederate armies from Chattanooga, Tennessee, through Georgia, and of principal battle lines, breastworks, fortifications, and other historical features along such route, and for the maintenance of such markers to such extent as deemed advisable and practicable. (16 U.S.C. sec. 430v.)

National Park Service to administer, etc.

SEC. 4. That the administration, protection, and development of the aforesaid national battlefield park 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. (16 U.S.C. sec. 430w.)

Appropriation authorized.

SEC. 5. The sum of $100,000 is hereby authorized, to be appropriated out of any sums in the Treasury not otherwise appropriated for the purposes herein designated. (16 U.S.C. sec. 430x.) [1]

Inconsistent Acts repealed.

SEC. 6. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

An Act To amend the Act approved June 26, 1935, entitled "An Act to create a national memorial military park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes," approved August 9, 1939 (53 Stat. 1274)

Kennesaw Mountain National Battlefield Park, Ga.

49 Stat. 424.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act approved June 26, 1935, entitled "An Act to create a national memorial military park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes", be, and the same is hereby, amended by striking the period at the end thereof and inserting a colon and the following proviso: *"Provided,*

Proviso.

Acquisition of additional lands authorized.

That if, after the expenditure of the funds herein authorized, the Secretary of the Interior shall determine that the acquisition of additional lands is necessary in order to perfect the symmetry of the park area or to acquire locations of historic interest adjacent to the park area already acquired upon which fortifications or entrenchments are located which are likely to deteriorate or be destroyed under private ownership, he is authorized to acquire additional lands for such purposes." (16 U.S.C. sec. 430x.)

Appropriation authorized.

SEC. 2. There is hereby authorized to be appropriated to carry out the purposes of this Act not to exceed the sum of $55,000. (16 U.S.C. sec. 430x note.)

New Salem School district, Dade County, Ga., conveyance of land.

SEC. 3. That the Secretary of the Interior, in his discretion, is hereby authorized to convey without consideration, but under such terms and conditions as he may deem

[1] Section 5 amended by Act of August 9, 1939, immediately following.

advisable, to the New Salem School district of Dade County, Georgia, not to exceed ten acres of land located within lot numbered 114, eleventh district, fourth section, of Dade County, Georgia, now a part of the Chickamauga-Chattanooga National Military Park.

2. Richmond National Battlefield Park

Page
Establishment of park authorized.....Act of March 2, 1936 126

An Act To provide for the establishment of the Richmond National Battlefield Park, in the State of Virginia, and for other purposes, approved March 2, 1936 (49 Stat. 1155)

Richmond National Battlefield Park, Va.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to all such lands, structures, and other property in the military battlefield area or areas in the city of Richmond, Virginia, or within five miles of the city limits of said city or within five miles of the boundary of the present Richmond Battlefield State Park, as shall be designated by the Secretary of the Interior, in the exercise of his discretion as necessary or desirable for national battlefield park purposes, shall have been vested in the United States, such area or areas shall be, and they are hereby, established, dedicated, and set apart as a public park for the benefit and inspiration of the people and shall be known as the "Richmond National Battlefield Park": *Provided,* That such area or areas shall include, at least, the Richmond Battlefield Parks now belonging to the State of Virginia. (16 U.S.C. sec. 423j.)

Establishment, when title to land, etc., acquired.

Certain State parks to be included.

Acceptance of donations.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept in behalf of the United States donations of lands, interest in lands, buildings, structures and other property within the boundaries of the said park as herein authorized and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands purchased or otherwise acquired to be satisfactory to the Secretary of the Interior: *Provided,* That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national battlefield park as may be necessary for the completion thereof. (16 U.S.C. sec. 423k.)

Acquisition by purchase, etc.

Administration, etc.

SEC. 3. The administration, protection, and development of the aforesaid national battlefield park 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. (16 U.S.C. sec. 423*l*.)

39 Stat. 535.

VI. LEGISLATION RELATING TO NATIONAL MEMORIAL PARK

1. Spanish War Memorial Park project

Page
Establishment of park authorized.....Act of August 20, 1935 127

An Act To provide for the creation of a memorial park at Tampa, in the State of Florida, to be known as "The Spanish War Memorial Park," and for other purposes, approved August 20, 1935 (49 Stat. 661)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to such lands located on Davis Island in the city of Tampa, Florida, as shall be designated by the Secretary of the Interior, in the exercise of his judgment and discretion as necessary and suitable for the purpose, shall have been vested in the United States, said area shall be set apart as The Spanish War Memorial Park, for the benefit and inspiration of the people: *Provided,* That said lands shall be donated without cost to the United States by the city of Tampa, Florida, and the Secretary of the Interior is authorized to accept such conveyance of lands. (16 U.S.C. sec. 430y.)

The Spanish War Memorial Park, Tampa, Fla.; establishment.

No Federal cost.

SEC. 2. That there is hereby authorized to be located and constructed within said memorial park a suitable monument or memorial to commemorate the patriotic services of the American forces in the War with Spain. The cost of establishing such monument or memorial, of constructing suitable side walks and approaches, and of landscaping such site, may be paid from any fund or moneys available for such purpose, except from the general fund of the Treasury; and the Secretary is for that purpose further authorized and empowered to determine upon a suitable location, plan, and design for said monument or memorial, by and with the advice of the National Commission of Fine Arts. (16 U.S.C. sec. 430z.)

Erection of monument.

Cost.

Location, design.

SEC. 3. In the discharge of his duties hereunder, the Secretary of the Interior, through the National Park Service, is authorized to employ, in his discretion, by contract or otherwise, landscape architects, architects, artists, engineers, and/or other expert consultants in accordance with the usual customs of the several professions without reference to civil-service requirements or to the Classification Act of 1923, as amended, and that expenditures for such employment shall be construed to be included in any appropriations hereafter authorized for any work under the objectives of this Act. (16 U.S.C. sec. 430z-1.)

Expert services.

Other memorials permitted.

SEC. 4. The Secretary of the Interior is further authorized, by and with the advice of the National Commission of Fine Arts, to authorize and permit the erection in said memorial park of suitable memorials in harmony with the monument and/or memorial herein authorized that may be desired to be constructed by Spanish War organizations, States, and/or foreign governments: *Provided,* That the design and location of such memorials must be approved by the Secretary of the Interior, by and with the advice of the National Commission of Fine Arts, before construction is undertaken. (16 U.S.C. sec. 430z-2.)

Approval required.

Supervision, etc.

SEC. 5. The administration, protection, and development of the aforesaid Spanish War Memorial Park, including any and all memorials that may hereafter be erected thereon, shall be exercised under the direction of the Secretary of the Interior by the National Park Service. (16 U.S.C. sec. 430z-3.)

VII. LEGISLATION RELATING TO NATIONAL BATTLEFIELD SITES

1. Antietam National Battlefield Site

		Page
Acquisition of property authorized	Act of May 14, 1940	129

An Act To authorize the Secretary of the Interior to acquire property for the Antietam Battlefield site in the State of Maryland, and for other purposes, approved May 14, 1940 (54 Stat. 212)

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 hereby authorized, in his discretion, to acquire in behalf of the United States, through donations or by purchase at prices deemed by him reasonable or by condemnation in accordance with the Act of August 1, 1888 (25 Stat. 357), lands, buildings, structures, and other property, or interests therein, which he may determine to be of historical interest in connection with the Antietam Battlefield site, the title to such property or interests to be satisfactory to the Secretary of the Interior: *Provided,* That payment for such property or interests shall be made solely from donated funds. All such property and interests shall be a part of the Antietam Battlefield site and shall be subject to all laws and regulations applicable thereto.

Antietam Battlefield site, Md.

Acquisition of lands, property, etc., for.

Condemnation proceedings authorized.

40 U.S.C. secs. 257, 258.

Proviso.

Payment from donated funds.

2. Eutaw Springs Battlefield Site project

		Page
Establishment of area authorized	Act of June 26, 1936	130

An Act To provide for the commemoration of the Battle of Eutaw Springs, in the State of South Carolina, approved June 26, 1936 (49 Stat. 1975)

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

Battle of Eutaw Springs, S. C.

Designation of lands on site of, for battlefield-site purposes.

That for the purpose of commemorating the battle which occurred at Eutaw Springs, in the State of South Carolina, during the Revolutionary War, when title to such lands on the site of the Battle of Eutaw Springs as may be designated by the Secretary of the Interior in the exercise of his discretion as necessary or desirable for battlefield-site purposes, shall be vested in the United States, said area shall be set apart as a battlefield site for the benefit and inspiration of the people and shall be called the Eutaw Springs Battlefield Site. (16 U.S.C. sec. 423m.)

Name designated.

Acceptance of land, etc., donations.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, and/or buildings, structures, and other property within the boundaries of the said battlefield site as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided,* That he may acquire on behalf of the United States out of any donated funds, either by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land on the said battlefield site as may be necessary for the completion thereof. (16 U.S.C. sec. 423n.)

Purchases from donated funds.

Condemnation.

Administration, etc., by National Park Service.

SEC. 3. The administration, protection, and development of the aforesaid battlefield site 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. (16 U.S.C. sec. 423o.)

VIII. LEGISLATION RELATING TO NATIONAL HISTORIC SITES

1. Home of Franklin D. Roosevelt National Historic Site [1]

Page

Authorizing acceptance by Federal Government of title to any part of Hyde Park estate which shall be donated to the United States.....
.....Excerpt from Joint Resolution of July 18, 1939 131

Excerpt from "Joint Resolution To provide for the establishment and maintenance of the Franklin D. Roosevelt Library, and for other purposes," approved July 18, 1939 (53 Stat. 1062)

TITLE III—FRANKLIN D. ROOSEVELT RESIDENCE

Acceptance of parts of Hyde Park estate of donor for use designated, subject to life estate, etc.

SEC. 301. The head of any executive department, pursuant to agreement between him and the donor, may accept for and in the name of the United States from the donor, or from such person or persons as shall be empowered to act for the donor, title to any part or parts of the said Hyde Park estate of the donor and his family which shall be donated to the United States for use in connection with any designated function of the Government administered in such department. The title to any such property may be accepted under this section notwithstanding that it may be subject to the life estate of the donor or of any other person or persons now living: *Provided,* That during the continuance of any life estate reserved therein no expense to the United States in connection with the ordinary maintenance of the property so acquired shall be incurred: *Provided further,* That the acceptance hereunder by the United States of the title to property in which any life estate is reserved shall not during the existence of such life estate exempt the property, except to the extent provided in section 304 of this title, from taxation by the town of Hyde Park, Dutchess County, or the State of New York as other real property in the said town, county, or State is taxed under the applicable laws relating to taxation of real property.

No Federal expense during continuance of life estate reserved therein.

Local and State taxes.

Jurisdiction and control upon expiration of all life estates reserved.

SEC. 302. Upon the expiration of all life estates reserved in any property acquired under this title for use in connection with a designated function of the Government, or, if no life estate is reserved, immediately upon the acceptance of title thereto, the head of the department administering the said function shall assume jurisdiction and control over the property so acquired and administer it for the purpose designated, subject to the applicable provisions of law.

[1] So designated on Jan. 15, 1944 (9 Fed.Reg. 977).

Rights reserved by Congress.

SEC. 303. The right is reserved in the Congress to take such action and to make such changes, modifications, alterations, and improvements in connection with and upon any property acquired under this title, during or after the expiration of any life estate reserved therein, as the Congress shall deem proper and necessary to protect and preserve the same; but neither the improvements so made nor any increase in the value of the property by reason thereof shall be subject to taxation during the existence of any life estate reserved in the property.

2. Hopewell Village National Historic Site

Page

Addition of French Creek Recreational Demonstration Project.....
.....Excerpt from Act of June 6, 1942 133

Excerpt from "An Act To authorize the disposition of recreational demonstration projects, and for other purposes," approved June 6, 1942 (56 Stat. 327)

Addition of designated projects to other areas.

SEC. 2. From and after the date of this Act, the lands acquired for the Acadia, French Creek, Shenandoah, and White Sands recreational demonstration projects shall be added to and become a part of Acadia National Park, Hopewell Village National Historic Site, Shenandoah National Park, and White Sands National Monument, in the order named above, subject to all laws, rules, and regulations applicable to the respective areas to which such recreational demonstration projects are added: *Provided,* That within six months after the date of this Act the Secretary of the Interior shall file with The National Archives a map of each recreational demonstration project enumerated in this section. (16 U.S.C. sec. 459s.)

3. Salem Maritime National Historic Site [1]

Authorizing transfer of customhouse at Salem, Massachusetts, to Interior Department.....Act of May 26, 1936 Page 134

An Act To authorize the transfer of the customhouse at Salem, Massachusetts, from the jurisdiction of the Treasury Department to the Department of the Interior, approved May 26, 1936 (49 Stat. 1374)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to transfer to the control and jurisdiction of the Secretary of the Interior the customhouse at Salem, Massachusetts, and such adjoining property, both real and personal, as may now be under the jurisdiction of the Secretary of the Treasury.

Salem, Mass. Transfer of customhouse to Department of Interior, authorized.

Preserving of, as an historic site.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to acquire the above property for the purpose of establishing same as an historic site or otherwise preserving the buildings and grounds in connection therewith: *Provided,* That the Secretary of the Treasury may retain sufficient space in the building for the necessary operation of the Bureau of Customs.

Space for Customs Bureau.

[1] Designated by Order of the Secretary of the Interior on March 17, 1938 (3 Fed. Reg. 671).

IX. LEGISLATION RELATING TO NATIONAL AND INTERNATIONAL MEMORIALS

1. Mount Rushmore National Memorial

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Mount Rushmore National Memorial Commission created.....Act of February 25, 1929	135
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An Act Creating the Mount Rushmore National Memorial Commission and defining its purposes and powers, approved February 25, 1929 (45 Stat. 1300)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created and established, to be known as the Mount Rushmore National Memorial Commission (hereafter referred to as the commission), to consist of twelve members, who shall be appointed by the President. The members shall serve at the pleasure of the President, who shall fill all vacancies that from time to time occur.

Mount Rushmore National Memorial Commission.

Creation and composition of.

The members of the commission shall serve without compensation, except that their actual expenses in connection with the work of the commission may be paid from any funds appropriated for the purposes of this Act or acquired by other means hereafter authorized: *Provided,* That the secretary may be paid such salary for his services as may be determined by the commission. The commission is also authorized to pay such actual and necessary expenses as the secretary may incur in the performance of his duties. Such salary and expenses shall be paid by the treasurer of the commission upon the order of the secretary thereof and then only when approved and countersigned by the chairman of the executive committee.

Allowance only for expenses.

Proviso.

Secretary, etc.

SEC. 2. The commission when appointed shall organize by electing a chairman, a vice chairman, a secretary, and a treasurer: *Provided,* That a treasurer may be selected

Organization.

Proviso.

Treasurer.

outside of the commission and may be a bank or trust company. Such treasurer shall execute a bond so conditioned and in such amount as shall insure the protection of funds coming into his possession.

Executive committee.

The commission may also create from its own membership an executive committee of five, which shall exercise such powers and functions within the purview of this Act as may be authorized by the commission.

Completion of memorial.

SEC. 3. The purpose of the commission is to complete the carving of the Mount Rushmore National Memorial to consist of heroic figures of Washington, Jefferson, Lincoln, and Roosevelt, together with an entablature upon which there shall be cut a suitable inscription to be indited by Calvin Coolidge, and to landscape the contiguous grounds and construct the entrances thereto. Such memorial is to be constructed according to designs and models by Gutzon Borglum, now owned or contracted for by the Mount Harney Memorial Association of South Dakota. No charge shall ever be made for admission to the memorial grounds or for viewing the memorial.

Authority.

SEC. 4. The commission is authorized—

Receive all property, etc., of Mount Harney Memorial Association.

(a) To receive and take over all property, contracts, rights, and moneys now in the hands of and possessed by the Mount Harney Memorial Association, including memoranda, records, sketches, models, and the incompleted figures on Mount Rushmore.

Receive and disburse funds.

(b) To receive funds and pledges to cover the expense of finishing such memorial, and to pay out the same upon properly receipted vouchers to persons entitled.

Employ artists, sculptors, etc.

(c) To employ the services of such artists, sculptors, landscape architects, and others as it shall determine to be necessary to complete said memorial, including the landscaping of the grounds and construction of the entrances thereto.

Other powers.

(d) To exercise such powers and functions as are necessary and proper to carry out the purposes of this Act.

Federal contribution limited.

SEC. 5. That not more than one-half of the cost of such memorial and landscaping shall be borne by the United States, and not to exceed $250,000 is hereby authorized to be appropriated for the purpose. Upon requisition of the executive committee herein provided for, the proportionate share of the United States shall be advanced to the treasurer of said commission from time to time by the Secretary of the Treasury out of any available appropriation, and in sufficient amounts to match the funds advanced from other sources to said commission, whether such funds are in the hands of its treasurer or have already been expended upon such memorial by the commission or by its predecessor, the Mount Harney Memorial Association: *Provided,* That the Secretary of the Treasury shall first be satisfied that the funds received from sources other than the United States are actually available in the hands of the treasurer of the commission or have been properly expended in carrying out the purposes of this Act.

Advance to treasurer from funds appropriated.

Proviso.

Condition.

SEC. 6. That such commission, on or before the 1st day of December of each year, shall transmit to Congress a report of its activities and proceedings for the preceding year, including a full and complete statement of its receipts and expenditures. Report to Congress.

An Act To amend the Act entitled "An Act creating the Mount Rushmore National Memorial Commission and defining its powers and purposes", approved February 25, 1929, and for other purposes, approved June 26, 1934 (48 Stat. 1223)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act creating the Mount Rushmore National Memorial Commission and defining its powers and purposes", approved February 25, 1929, is amended by adding at the end thereof the following new sentence: "If by reason of death, disability, or other cause, any individual to whom functions are assigned under this section has been or shall be rendered unable to perform such functions, the Commission is authorized to designate or employ such other person as it deems competent to perform such functions." Mount Rushmore National Memorial Commission. Successor to be appointed in case of death, disability, etc.

SEC. 2. Section 5 of such Act of February 25, 1929, is amended to read as follows: Federal contribution.

"SEC. 5. There is hereby authorized to be appropriated the sum of not to exceed $250,000 for the purpose of defraying the cost of such memorial and landscaping. Such sums as may be appropriated pursuant to this Act shall be advanced to the treasurer of said Commission from time to time by the Secretary of the Treasury upon requisition of the executive committee provided for by this Act." Appropriation authorized. Advances, from sums available.

SEC. 3. Any funds heretofore made available for expenditure under the provisions of such Act of February 25, 1929, are hereby made available for expenditure under such Act as amended by this Act. Continuation of appropriations.

An Act To provide additional funds for the completion of the Mount Rushmore National Memorial, in the State of South Dakota, and for other purposes, approved August 29, 1935 (49 Stat. 962)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of $200,000, in addition to the amount previously authorized, for the purpose of defraying the cost of completing the Mount Rushmore National Memorial, in the State of South Dakota, including landscaping of the contiguous grounds thereof, constructing the entrances thereto, and constructing a suitable museum room in connection therewith. Mount Rushmore National Memorial. Appropriation authorized for completing.

SEC. 2. The Mount Rushmore National Memorial Commission, with the approval of the Secretary of the Interior, Contracts authorized.

is hereby authorized to enter into contract for the execution and completion of the work and to fix the compensations to be paid to artists, sculptors, landscape architects, and others, who may be employed by the Mount Rushmore National Memorial Commission, in the completion of the said Mount Rushmore National Memorial pursuant to the provisions of section 3 of Public Law Numbered 805, Seventieth Congress, approved February 25, 1929, as amended by section 1 of Public Law Numbered 471, Seventy-third Congress, approved June 26, 1934.

An Act To amend the Act entitled "An Act creating the Mount Rushmore National Memorial Commission and defining its purposes and powers", approved February 25, 1929, as amended, approved June 15, 1938 (52 Stat. 694)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mount Rushmore Memorial Act of 1938".

Mount Rushmore Memorial Act of 1938.

Mount Rushmore National Memorial Commission.

45 Stat. 1300.

SEC. 2. The Act entitled "An Act creating the Mount Rushmore National Memorial Commission and defining its purposes and powers", approved February 25, 1929 (45 Stat. 1300), as amended, is amended as follows: Strike out all of such Act, after the first paragraph of section 1, and insert the following: "Any six members of the Commission shall constitute a quorum. No member of the Commission shall receive compensation for his services, but the actual expenses of any member in connection with the work of the Commission may be paid from any appropriations available for the purpose of carrying out the provisions of this Act: *Provided,* That nothing in this section shall be deemed to prohibit the payment to any member of the Commission who may be elected secretary or treasurer of the Commission of such compensation for the performance of his duties as secretary or treasurer, as may be determined by the Commission.

Quorum.

Restriction on compensation; payment of expenses.

Proviso.

Secretary or treasurer, compensation.

"SEC. 2. The Commission shall elect its chairman, vice chairman, secretary, and treasurer. The chairman and the vice chairman shall, and the secretary and the treasurer may but need not, be elected from among the members of the Commission. The treasurer may be a bank or trust company. The treasurer shall execute a bond so conditioned and in such amount as shall insure the protection of funds coming into his possession. The Commission may create from its own membership an executive committee of five, which shall exercise such powers and functions within the purview of this Act as may be authorized by the Commission.

Organization, etc.

Treasurer may be a bank; bond required.

Executive committee.

"SEC. 3. The Commission shall, in accordance with designs and models prepared by the designer-sculptor, complete the Mount Rushmore National Memorial, including an entablature upon which shall be cut a suitable inscription, construction of a museum and a stairway to the mu-

Completion of memorial.

seum hall, reconstruction of the studio for preservation of the models, landscaping of contiguous grounds, and construction of the entrance to the memorial. No charge shall ever be made for admission to the memorial grounds or for viewing the memorial.

No admission charge.

"SEC. 4. The Commission is authorized—

Authority of Commission.

"(a) To designate and describe by metes and bounds an area of not more than fifteen hundred acres of the public lands of the United States within the Harney National Forest, State of South Dakota, immediately surrounding the Mount Rushmore National Memorial. Upon such designation such area is hereby reserved for and declared to be a part of the Mount Rushmore National Memorial, and withdrawn from location or entry under the mining or other laws of the United States. The Commission shall prepare a survey of such area and shall furnish a plat thereof to the Secretary of Agriculture, the Secretary of the Interior, and the United States land office at Pierre, South Dakota: *Provided,* That this Act shall not defeat or affect any vested right under the mining or other laws of the United States and which is hereafter maintained in accordance therewith.

Designation of area within Harney National Forest, S. Dak.

Reservation as part of memorial.

Proviso.

Vested rights under mining, etc., laws not affected.

"(b) To receive and take over all property, contracts, rights, and moneys heretofore possessed by the Mount Harney Memorial Association, including memoranda, records, sketches, models, and the incompleted figures on Mount Rushmore.

Receipt of property heretofore possessed by Mount Harney Memorial Association.

"(c) To administer funds appropriated, or obtained by gifts, the acceptance of which is hereby authorized, for the purpose of completing, developing, and maintaining the memorial, and to pay out the same upon properly receipted vouchers to persons entitled thereto.

Administration of funds.

"(d) To employ, without regard to the civil-service laws and the Classification Act of 1923, as amended, such artists, sculptors, landscape architects, and other employees as it shall determine to be necessary to carry out the purposes of this Act.

Employment of artists, sculptors, etc.

"(e) To administer, protect, and develop the memorial.

Administration, etc., of memorial.

"(f) To exercise such other powers and functions, including the promulgation of such rules and regulations, as may be necessary and proper to carry out the purposes of this Act.

Other powers.

"SEC. 5. For the purpose of carrying out the provisions of this Act, there is hereby authorized to be appropriated, in addition to any sums authorized to be appropriated prior to the date of approval of this Act, the sum of $300,000, or so much thereof as may be necessary. Upon requisition of the Commission, the Secretary of the Treasury shall advance to the treasurer of the Commission out of any amounts appropriated for such purpose, such sums as may be needed by the Commission to exercise its functions.

Additional sum authorized.

Advance to treasurer from funds appropriated.

"SEC. 6. The Commission shall, on or before the first day of each regular session of Congress, transmit to Con-

Report to Congress.

gress a report of its activities and proceedings for the preceding fiscal year, including a full and complete statement of its receipts and expenditures."

Transmitted May 9, 1939.
Effective July 1, 1939.
5 U.S.C. sec. 133s.

Excerpt from "Reorganization Plan No. II, Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 9, 1939, pursuant to the provisions of the Reorganization Act of 1939, approved April 3, 1939." (4 Fed. Reg. 2731; 53 Stat. 1431, 1434)

Mount Rushmore National Memorial Commission.

(i) *Mount Rushmore National Memorial Commission.*— The Mount Rushmore National Memorial Commission and its functions are hereby transferred to the National Park Service in the Department of the Interior. The functions vested in the Commission by section 3 and 4 (a) of the Act of June 15, 1938, (c. 402, 52 Stat. 694) shall continue to be exercised by the Commission. All other functions of the Mount Rushmore National Memorial Commission shall be administered by the National Park Service under the direction and supervision of the Secretary of the Interior. (5 U.S.C. sec. 133t note, p. 90.)

An Act To amend the Mount Rushmore Memorial Act of 1938, approved May 22, 1940 (54 Stat. 218)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Mount Rushmore Memorial Act of 1938, approved June 15, 1938, is amended as follows:

Mount Rushmore National Memorial, S. Dak. 52 Stat. 694. Area enlarged. *Proviso.*

Strike out the words "fifteen hundred acres" and insert in lieu thereof the words "eighteen hundred acres: *Provided,* That while appropriations necessary to complete the Memorial as authorized by law may be made, no part of any funds appropriated to the Rushmore Memorial Commission may be used for the development of the three hundred acres herein proposed to be added to the Memorial Reserve and no part of any funds appropriated under any Act may be used to pay a royalty or percentage to the sculptor for any work other than that necessarily incident to the sculpturing project."

Restrictions on use of funds.

Excerpt from "An Act Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1942, and for other purposes," approved July 3, 1941 (55 Stat. 541, 553)

NATIONAL PARK SERVICE

Proviso. Mount Rushmore National Memorial Commission.

National historical parks and monuments: * * * *Provided,* That the Mount Rushmore National Memorial Commission shall cease to exist or function on June 30, 1942.[1]

[1] Amended by Act of July 12, 1943, p. 141.

An Act Authorizing the construction of a crypt for the remains of Gutzon and Mary Borglum, approved July 11, 1941 (55 Stat. 584)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Mount Rushmore National Memorial Commission, organized under the authority of Public, Numbered 629, Seventy-fifth Congress, is hereby authorized to construct a crypt which shall serve as the permanent resting place for the remains of Gutzon and Mary Borglum, of such a design and at such place in Mount Rushmore National Memorial as the Commission deems appropriate after consultation with the Secretary of the Interior: *Provided,* That such crypt shall not be located in the immediate vicinity of the central figures of such Memorial.

Gutzon and Mary Borglum.

Construction of Crypt for remains of.

52 Stat. 694.

Proviso.

SEC. 2. The cost of the tomb authorized by this Act shall be borne entirely from funds privately subscribed.

Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1944, and for other purposes," approved July 12, 1943 (57 Stat. 451, 486)

Mount Rushmore National Memorial Commission: Notwithstanding the proviso under this head in the Second Deficiency Appropriation Act, 1941, approved July 3, 1941, the Commission is hereby revived for performing, without any expense to the United States, the functions authorized by the Act of July 11, 1941 (Public Law 164), and when such functions are accomplished the Commission shall cease to exist or function.

Commission revived for certain purposes. 55 Stat. 553.

55 Stat. 584.

Termination of Commission.

2. Coronado International Memorial project

Establishment of memorial authorized.....Act of August 18, 1941 Page 142

An Act To provide for the establishment of the Coronado International Memorial, in the State of Arizona, approved August 18, 1941 (55 Stat. 630)

Coronado International Memorial, Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of permanently commemorating the explorations of Francisco Vásquez de Coronado, the President of the United States is authorized to declare, by proclamation, any lands within the following-described area, subject to all valid existing rights, to be established as the "Coronado International Memorial":

Description of area.

Gila and Salt River meridian: Township 24 south, range 20 east, section 10, south half southwest quarter, south half southeast quarter; section 11, south half southwest quarter; section 13, southwest quarter northwest quarter, south half; section 14, northwest quarter, south half, northwest quarter northeast quarter, south half northeast quarter; section 15, all; section 22, all; section 23, all; section 24, all; township 24 south, range 21 east, section 17, south half southwest quarter; section 18, southwest quarter, south half southeast quarter; section 19, all; section 20, lots 3 and 4; aggregating approximately two thousand eight hundred and eighty acres: *Provided,* That said proclamation shall not be issued until the President of the United States shall have been advised through official channels that the Government of Mexico has established, or provided for the establishment of, an area of similar type and size adjoining the area described herein. (16 U.S.C. sec. 450y.)

Proviso.

Establishment of adjoining area by Mexico.

Regulation, etc., by National Park Service.

SEC. 2. The National Park Service, under the direction of the Secretary of the Interior, shall promote and regulate the use of the Coronado International Memorial for the benefit and enjoyment of the people of the United States. Insofar as applicable and not in conflict with this Act, the Act of August 25, 1916 (39 Stat. 535), providing for the establishment of a National Park Service, as amended and supplemented, shall govern the promotion and regulation of the designated memorial area: *Provided,* That nothing in this Act shall be construed to authorize any recreational or other development by the National Park Service within the sixty-foot strip north of the international boundary between the United States and Mexico withdrawn by proclamation of the President dated May 27, 1907 (35 Stat., part II, p. 2136), unless such development has received the prior approval of the Secretary of State. (16 U.S.C. sec. 450y-1.)

16 U.S.C. secs. 1-4.

Proviso.

Development within strip north of international boundary.

SEC. 3. The Secretary of the Interior, under such regulations as shall be prescribed by him, which regulations shall be substantially similar to those now in effect, shall permit—

Grazing, mining, etc., within memorial area.

(a) Grazing of livestock within the memorial area to the extent now permitted within the said area when such grazing will not interfere with recreational development authorized by this Act; and

(b) Prospecting and mining within the memorial area, when not inconsistent with the public uses thereof. Rights to minerals in the area shall not extend to the lands containing such minerals, but the Secretary of the Interior shall grant rights to use so much of the surface of the lands as may be required for all purposes reasonably incident to the mining and removal of the minerals. (16 U.S.C. sec. 450y-2.)

Construction of fences, roads, etc.

SEC. 4. In the administration of the memorial area the Secretary shall not permit the construction of fences except (a) along the international boundary, (b) beside memorial roads or approach roads, and (c) around memorial areas within which improvements have been located by the National Park Service: *Provided,* That any roads constructed within the memorial area by the National Park Service shall include necessary cattle underpasses properly located for the passage of cattle across such roads: *And provided further,* That the right to the exclusive beneficial consumptive use for stock-watering purposes of any water heretofore developed or used for such purposes within the memorial area shall remain in the present holders thereof, their heirs, assigns, successors, and administrators, so long as such water continues to be used exclusively for such purposes: *And provided further,* That nothing in this Act shall be construed to alter or affect any water right in the State of Arizona or the jurisdiction of said State over its waters: *And provided further,* That neither roads nor public campgrounds shall be constructed by the National Park Service within the south half southwest quarter of said section 10. (16 U.S.C. sec. 450y-3.)

Provisos.

Cattle underpasses.

Stock-watering rights.

Water rights, Arizona.

Restriction.

Acceptance of non-Federal lands, etc.

SEC. 5. Upon submission of title satisfactory to him, the Secretary of the Interior, on behalf of the United States, may accept lands and interests in lands which are within the memorial area but are not in Federal ownership and which are offered to the United States without cost. (16 U.S.C. sec. 450y-4.)

X. LEGISLATION RELATING TO NATIONAL MONUMENTS

1. Ackia Battleground National Monument

		Page
Establishment of monument authorized	Act of August 27, 1935	145

An Act To provide for the commemoration of the two hundredth anniversary of the Battle of Ackia, Mississippi, and the establishment of the Ackia Battleground National Monument, and for other purposes, approved August 27, 1935 (49 Stat. 897)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a national commission to be known as the "Ackia Battle Memorial Commission" and which shall be composed of five commissioners to be appointed by the Secretary of the Interior, one member to represent the Chickasaw Indians and one the French-speaking people of the United States, be, and is hereby, authorized and established to prepare plans and programs for the commemoration in May 1936 of the two hundredth anniversary of the Battle of Ackia. That said commissioners shall receive no compensation for their services.

Ackia Battleground National Monument; establishment. Commission; appointment, composition.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized in his discretion to acquire, by purchase or by condemnation and/or accept by donation in behalf of the United States, such lands, easements, and buildings not to exceed fifty acres, and when title satisfactory to the Secretary of the Interior shall have been vested in the United States such area or areas shall be, upon proclamation of the President, established, dedicated, and set apart as a public monument for the benefit and enjoyment of the people and shall be known as the "Ackia Battleground National Monument": *Provided,* That such area shall include the site of the Battle of Ackia.[1] (16 U.S.C. sec. 450r.)

Acquisition of site.

Proviso. Area to include battleground.

SEC. 3. That there is hereby authorized to be appropriated, out of moneys in the Treasury not otherwise appropriated, the sum of $15,000 to carry out the provisions of this Act. (16 U.S.C. sec. 450s note.)

Sum authorized.

SEC. 4. The administration, protection, and development of the aforesaid national 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. (16 U.S.C. sec. 450t.)

Supervision, etc.

[1] See proclamation No. 2307 of Oct. 25, 1938 (3 CFR, CUM.SUPP., 56; 53 Stat. 2494), establishing the monument.

2. Andrew Johnson National Monument

	Page
Establishment of monument authorized.....Act of August 29, 1935	146

An Act To provide for the Andrew Johnson Homestead National Monument, approved August 29, 1935 (49 Stat. 958)

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

Andrew Johnson National Monument; establishment.

That when title to the site of the Andrew Johnson Homestead and the site of the tailor shop in which Andrew Johnson worked (now owned and administered by the State of Tennessee), located in Greeneville, Tennessee, together with such buildings and property located thereon as may be designated by the Secretary of the Interior as necessary or desirable for national-monument purposes shall have been vested in the United States, said area and improvements, if any, together with the burial place of Andrew Johnson, now administered as a national cemetery, shall be designated and set apart by proclamation of the President for preservation as a national monument for the benefit and inspiration of the people and shall be called the "Andrew Johnson National Monument."[1] (16 U.S.C. sec. 450*o*.)

Acquisition of land, etc.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to acquire on behalf of the United States out of any funds allotted and made available for this project by proper authority or out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888 (25 Stat. 357), or to accept by donation, such land, interest in land, and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and he is further authorized to accept donations of funds for the purchase and/or maintenance thereof. (16 U.S.C. sec. 450p.)

Administration.

SEC. 3. That the administration, protection, and development of the aforesaid national 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 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 450q.)

[1] See proclamation No. 2554 of April 27, 1942 (3 CFR, CUM.SUPP., 302), establishing the monument.

3. Appomattox Court House National Historical Monument

Establishment of monument authorized, Act of June 18, 1930 amended ..... Act of August 13, 1935 — Page 147

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, approved August 13, 1935 (49 Stat. 613)

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:

Appomattox Court House National Historical Monument.

46 Stat. 777.

"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.'[1]

Establishment.

"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.

Appropriation authorized.

"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." (16 U.S.C. sec. 450b, 450c note, 450d.)

Acquisition of land.

Purchases; condemnation proceedings.

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

[1] See Executive order No. 8057 of February 23, 1939 (3 CFR, CUM.SUPP., 460), transferring land from Department of Agriculture for monument purposes; also Order of the Secretary of the Interior of April 10, 1940 (5 Fed. Reg. 1520), designating area to comprise the monument.

Jurisdiction.

"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." (16 U.S.C. sec. 450e.)

4. Badlands National Monument [1]

Page
Extension of boundaries authorized..Excerpt from Act of June 26, 1936 149

Excerpt from "An Act To amend the Act entitled 'An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes', approved June 28, 1934 (48 Stat. 1269)," approved June 26, 1936 (49 Stat. 1979)

TITLE II — BADLANDS NATIONAL MONUMENT

Boundary extension authorized.

SECTION 1. The boundaries of the Badlands National Monument, as established by the Act of March 4, 1929 (45 Stat. 1553), shall be, and are hereby, extended to include such lands adjacent or contiguous thereto, in the State of South Dakota, including, but not being restricted to, lands designated as submarginal by the Resettlement Administration, as may be determined by the President, by proclamation, within five years following the approval of this Act, to be necessary for the proper rounding out of the boundaries of said Monument or the administration thereof, providing the entire area of such Monument shall not exceed 250,000 acres.

Supervision.

SEC. 2. That the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service and for other purposes", as amended, are hereby made applicable to and extended over such lands as may be added to the Monument under the authority of the foregoing section. (16 U.S.C. sec. 441a note.)

[1] See proclamation No. 2320 of Jan. 25, 1939 (3 CFR, CUM.SUPP., 74), establishing the national monument.

5. Castillo de San Marcos National Monument

		Page
Boundary adjustment authorized	Act of June 29, 1936	150
Name of area changed	Act of June 5, 1942	150

An Act To authorize the adjustment of the boundary of the Fort Marion National Monument, Florida, in the vicinity of Fort Marion Circle, and for other purposes, approved June 29, 1936 (49 Stat. 2029)

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 hereby authorized to adjust the boundary of the Fort Marion National Monument, Florida, in the vicinity of Fort Marion Circle, and for said purpose is authorized to convey to adjacent property owners, upon such terms and conditions as may be deemed satisfactory to him, title to such portions of monument land as he may determine to be no longer necessary for said monument, or he may accept in consideration therefor title to such portion of any adjacent property as he may deem desirable to satisfactorily adjust the boundary of said monument.

Fort Marion National Monument, Fla.

Adjustment of boundary.

Acceptance of donations.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land or buildings, structures, and other property adjacent to and within a distance of one thousand five hundred feet of the boundary of the Fort Marion National Monument in the vicinity of Fort Marion Circle and the Old City Gates, and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided,* That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land adjacent to the boundary of the Fort Marion National Monument in the vicinity of Fort Marion Circle and the Old City Gates as may be deemed desirable by him for addition to the monument.

Acquisition of lands.

Addition of acquired lands to monument.

SEC. 3. That any lands acquired on behalf of the United States under the provisions of this Act shall be, and the same are hereby, added to the Fort Marion National Monument and shall be subject to the laws, rules, and regulations applicable to said monument.

An Act To change the designation of the Fort Marion National Monument, in the State of Florida, and for other purposes, approved June 5, 1942 (56 Stat. 312)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the area now within the Fort Marion National Monu-

Castillo de San Marcos National Monument, Fla.

ment, in the State of Florida, shall hereafter be known as the "Castillo de San Marcos National Monument", under which name the aforesaid national monument shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Fort Marion National Monument.

6. Cedar Breaks National Monument

		Page
Boundary adjustment between the monument and the Dixie National Forest	Act of March 7, 1942	152

An Act To adjust the boundaries of the Cedar Breaks National Monument and the Dixie National Forest, in the State of Utah, and for other purposes, approved March 7, 1942 (56 Stat. 141)

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

Dixie National Forest, Utah.

That subject to valid existing rights the following-described lands in the State of Utah are hereby eliminated from the Dixie National Forest and included in and made a part of the Cedar Breaks National Monument, subject to all laws and regulations applicable thereto, to wit:

Salt Lake meridian: Township 36 south, range 9 west, west half southwest quarter section 22, west half west half section 27, west half west half section 34, west half of lot 8, section 36; township 37 south, range 9 west, west half of lot 3, section 1, lot 4, section 3, comprising four hundred and sixty-five and eighty-one one-hundredths acres.

Cedar Breaks National Monument, Utah.

SEC. 2. That subject to valid existing rights the following-described lands in the State of Utah are hereby eliminated from the Cedar Breaks National Monument and included in and made a part of the Dixie National Forest, subject to all laws and regulations applicable thereto, to wit:

Salt Lake meridian: Township 36 south, range 9 west, northwest quarter northeast quarter, north half northeast quarter northwest quarter, northeast quarter northwest quarter northwest quarter, east half northwest quarter northwest quarter northwest quarter section 24, northwest quarter northeast quarter section 36, comprising one hundred and fifteen acres.

7. Craters of the Moon National Monument

Lands eliminated from monument.....Act of June 5, 1936 Page 153

An Act To eliminate certain lands from the Craters of the Moon National Monument, Idaho, approved June 5, 1936 (49 Stat. 1484)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the north half and north half of the south half section 16, township 2 north, range 24 east, Boise meridian, Idaho, be, and the same are hereby, eliminated from the Craters of the Moon National Monument.

Craters of the Moon National Monument.

Lands eliminated from.

8. Death Valley National Monument

		Page
Patent of certain monument land to Johnson and Scott authorized.....	Act of August 22, 1935	154
Exchange of monument lands authorized.....	Act of October 17, 1940	155
Exchange of monument lands authorized.....	Act of July 8, 1943	155

An Act To grant a patent to Albert M. Johnson and Walter Scott, approved August 22, 1935 (49 Stat. 2159)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to prior valid existing rights the Secretary of the Interior is hereby authorized to issue a patent to Albert M. Johnson and/or Walter Scott (Death Valley Scotty) for the following-described land in the Death Valley National Monument upon payment therefor at the rate of $1.25 per acre or under any applicable public-land law subject, however, to the reservation of such rights-of-way as the said Secretary may determine to be necessary or advisable for use in connection with the administration of said monument, to wit:

Albert M. Johnson and Walter Scott. Land patent to.

Payment.

Description.

Those parts of sections 1, 2, 3, 4, 10, 11, and 12, township 11 south, range 42 east; and those parts of sections 5, 6, and 7, township 11 south, range 43 east, Mount Diablo meridian, California, occupied by Albert M. Johnson and/or Walter Scott in the form of Upper and Lower Grapevine Ranches and marked on the ground by concrete fence posts according to the Roger Wilson survey of 1931 and on file in the General Land Office; also the remainder of the southwest quarter northwest quarter section 10, township 11 south, range 42 east, and south half northwest quarter (lots 11 and 12) section 6, township 11 south, range 43 east; containing, in all, approximately one thousand five hundred acres: *Provided,* That such patent shall contain a reservation to the United States of all the minerals the land may contain, together with the right to prospect for, mine, and remove the same; such minerals to be subject to disposal by the United States only as may hereafter be expressly authorized by law: *And provided further,* That such land shall not be used for any purpose inconsistent with the rules and regulations governing national monuments: *And provided further,* That in the event of transfer of title to the whole of this property or any estate therein by either one or both patentees, by voluntary conveyance or by operation of law, the Secretary of the Interior shall be authorized to reacquire the land by purchase, condemnation, or otherwise out of such funds as may be made available by Congress for this purpose.

Minerals reserved.

Limitation on use.

Transfer provisions.

An Act To authorize the exchange of certain patented lands in the Death Valley National Monument for Government lands in the monument, approved October 17, 1940 (54 Stat. 1193) [1]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the owner of the east half of the northeast quarter, section 35, township 15 south, range 44 east, of the Mount Diablo meridian, Inyo County, California, within the Death Valley National Monument, is hereby permitted and authorized to convey the fee-simple title thereto to the United States, and select in lieu thereof the west half of the southeast quarter, section 36, township 15 south, range 44 east, of the Mount Diablo meridian; and the Secretary of the Interior is hereby authorized and empowered to accept such conveyance, and thereafter cause a patent for the lands so selected to be issued to such owner, reserving to the United States, however, such rights-of-way as may be needed for the construction and maintenance of roads in the national monument: *Provided,* That the lands so conveyed to the United States shall become and be a part of the said national monument, and also subject to all laws and regulations relating to other lands therein: *And provided further,* That the owner of such privately owned lands within said national monument shall, before any exchange is effective, furnish to the Secretary of the Interior evidence satisfactory to him of title to the patent lands offered in exchange.

Death Valley National Monument, Calif.

Lands in, Conveyed to United States.

Selection in lieu thereof.

Provisos.

Lands to become part of monument.

Evidence of title.

An Act To authorize the exhange of certain patented lands in the Death Valley National Monument for Government lands in the monument, approved July 8, 1943 (57 Stat. 389)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the exchange of certain patented lands in the Death Valley National Monument for Government lands in the monument", approved October 17, 1940, is hereby amended to read as follows:

Death Valley National Monument, Calif. 54 Stat. 1193.

"That the owner of the east half of the northeast quarter, section 35, township 15 south, range 44 east, of the Mount Diablo meridian, Inyo County, California, within the Death Valley National Monument, is hereby permitted and authorized to convey the title thereto to the United States, and select in lieu thereof the west half of the southeast quarter, section 36, township 15 south, range 44 east, of the Mount Diablo meridian; and the Secretary of the Interior is hereby authorized and empowered to accept such conveyance for said land, subject to the reservations contained in the patent issued by the State of California, to H. W. Eichbaum, dated March 8, 1928, recorded December 12, 1934, in book 32, page 308, of Official Records of Inyo County, California,

Exchange of lands.

[1] Amended by Act of July 8, 1943, immediately following.

and subject to an easement for State highway, as granted to the State of California by deed dated December 21, 1934, and recorded January 16, 1935, in book 32, page 396, of Official Records, and by deed dated December 19, 1934, recorded December 20, 1934, in book 32, page 338, of Official Records of Inyo County, and thereafter cause a patent for the land so selected in lieu thereof to be issued to such owner, reserving to the United States, however, such rights-of-way as may be needed for the construction and maintenance of roads in the national monument: *Provided,* That the land so conveyed to the United States shall become and be a part of the said national monument, and also subject to all laws and regulations relating to other land therein: *And provided further,* That the owner of such privately owned land within said national monument shall, before any exchange is effective, furnish to the Secretary of the Interior evidence satisfactory to him of title to the patented land offered in exchange."

9. Fort Frederica National Monument project

		Page
Establishment of monument authorized	Act of May 26, 1936	157

An Act To provide for the establishment of the Fort Frederica National Monument, at Saint Simon Island, Georgia, and for other purposes, approved May 26, 1936 (49 Stat. 1373)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to the site of Fort Frederica, on Saint Simon Island, Georgia, and such other related sites located thereon, as may 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, said area not to exceed eighty acres shall be, and is hereby, set apart as a national monument for the benefit and inspiration of the people, and shall be called the "Fort Frederica National Monument". (16 U.S.C. sec. 433g.)

Fort Frederica National Monument, Saint Simon Island, Ga.

Establishment.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of the said national monument as determined and fixed hereunder, and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided,* That he may acquire on behalf of the United States out of any donated funds, either by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national monument as may be necessary for the completion thereof. (16 U.S.C. sec. 433h.)

Acceptance of donations.

Purchase of land from donated funds.

25 Stat. 357.

SEC. 3. (a) The Secretary of the Interior is authorized, in his discretion, to maintain in some suitable structure within the national monument a museum for relics and records pertaining to Fort Frederica, and for other articles of national and patriotic interest, and in his discretion to accept, on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum.

Maintenance of museum.

(b) Any State or political subdivision thereof, organization, or individual may, with the approval of the Secretary of the Interior, erect monuments or place tablets commemorating historic events or persons connected with the history of the area, within the boundaries of the Fort Frederica National Monument. (16 U.S.C. sec. 433i.)

Erection of monuments or placing of tablets.

SEC. 4. The administration, protection, and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National

Administration.

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. (16 U.S.C. sec. 433j.)

10. Fort McHenry National Monument and Historic Shrine

		Page
Land description changed, amend Act of March 3, 1925	Act of June 5, 1936	159
Name of area changed	Act of August 11, 1939	159

An Act To amend the Act of March 3, 1925, relating to Fort McHenry, approved June 5, 1936 (49 Stat. 1484)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress entitled "An Act to repeal and reenact chapter 100 (1914, Public, Numbered 108), to provide for the restoration of Fort McHenry, in the State of Maryland, and its permanent preservation as a national park and perpetual national memorial shrine as the birthplace of the immortal 'Star-Spangled Banner', written by Francis Scott Key, for the appropriation of the necessary funds, and for other purposes", approved March 3, 1925 (43 Stat. 1109), be, and the same is hereby, amended by striking out from the third paragraph the words "six hundred and fifty feet" and inserting in lieu thereof the following words "six hundred and eighty feet". (16 U.S.C. sec. 439.)

Fort McHenry, Md.

43 Stat.1109.

Land description revised.

An Act To change the designations of the Abraham Lincoln National Park, in the State of Kentucky, and the Fort McHenry National Park, in the State of Maryland, approved August 11, 1939 (53 Stat. 1405)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Abraham Lincoln National Park, in the State of Kentucky, authorized by the Act of July 17, 1916 (39 Stat. 385), and the Fort McHenry National Park, in the State of Maryland, authorized by the Act of March 3, 1925 (43 Stat. 1109), shall hereafter be called and known as the "Abraham Lincoln National Historical Park", and the "Fort McHenry National Monument and Historic Shrine", respectively, and all moneys heretofore or hereafter appropriated for these areas under previous designations may be used in these areas as redesignated. (16 U.S.C. sec. 440a.)

16 U.S.C. secs. 437-440.

Designations changed.

11. Fort Pulaski National Monument

Page
Boundary extension, acceptance of donations, reservations for special uses.....Act of June 26, 1936 160

An Act To extend the boundaries of the Fort Pulaski National Monument, Georgia, and for other purposes, approved June 26, 1936 (49 Stat. 1979)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of the Fort Pulaski National Monument on Cockspur Island, Georgia, be, and they are hereby, extended to include all of the lands on said island now or formerly under the jurisdiction of the Secretary of War.

Fort Pulaski National Monument, Ga. Boundaries extended.

Acceptance of donations of land, etc.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to accept in behalf of the United States, lands, interest in lands, easements, and improvements located on McQueens and Tybee Islands, in Chatham County, Georgia, as may be donated for an addition to the Fort Pulaski National Monument, and upon acceptance thereof the same shall be a part of said monument, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior.

Bridge construction.

SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized to construct, or cause to be constructed, in connection with and as a part of the road system of Fort Pulaski National Monument, a bridge or causeway and approaches thereto across the South Channel of the Savannah River from Cockspur Island to McQueens Island in Chatham County, Georgia, at a point which he may designate as most suitable to the interests of the Federal Government.

Administration by National Park Service.

SEC. 4. That the administration, protection, and development of the aforesaid national monument as extended by this Act 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": *Provided,* That there is permanently reserved for the unlimited use of the Corps of Engineers, United States Army, for deposit of dredging materials and other purposes, a strip of land along the north shore of Cockspur Island extending shoreward two hundred feet from the present high water line: *And provided further,* That the portion of Cockspur Island bounded on the east by a north and south line across the island, and distant two thousand and nine hundred feet west from the northwesterly salient angle of Fort Pulaski, and extending from Savannah River on the north to the South Channel on the south; on the west by a north and south line, parallel with said east boundary, distant one thousand and seven hun-

Reservation for Corps of Engineers.

Reservation for Treasury quarantine station.

dred feet therefrom, and likewise extending from the Savannah River on the north to the South Channel on the south, is reserved to the Treasury Department for use for a quarantine station.

12. Fort Stanwix National Monument project

Page
Establishment of monument authorized.....Act of August 21, 1935 162

An Act To provide for the establishment of a national monument on the site of Fort Stanwix in the State of New York, approved August 21, 1935 (49 Stat. 665)

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

Fort Stanwix National Monument; establishment

That when title to the site or portion thereof at Fort Stanwix, in the State of New York, together with such buildings and other property located thereon as may be designated by the Secretary of the Interior as necessary or desirable for national monument purposes, shall have been vested in the United States, said area and improvements, if any,

Proclamation.

shall be designated and set apart by proclamation of the President for preservation as a national monument for the benefit and inspiration of the people and shall be called the "Fort Stanwix National Monument": *Provided,* That

Area to include State reservation.

such area shall include at least that part of Fort Stanwix now belonging to the State of New York. (16 U.S.C. sec. 450*l*.)

Acceptance of donations.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence

Acquisition of land.

of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided,* That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national monument as may be necessary for the completion thereof. (16 U.S.C. sec. 450m.)

Administration, etc.

SEC. 3. That the administration, protection, and development of the aforesaid national 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. (16 U.S.C. sec. 450n.)

13. George Washington Carver National Monument project

		Page
Establishment of monument authorized	Act of July 14, 1943	163

An Act To provide for the establishment of the George Washington Carver National Monument, approved July 14, 1943 (57 Stat. 563)

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 and directed to acquire, on behalf of the United States, by gift or purchase, the site of the birthplace of George Washington Carver, distinguished Negro scientist, located near Diamond, Missouri, together with such additional land or interests in land and any improvements thereon as the Secretary may deem necessary to carry out the purposes of this Act. In the event the Secretary is unable to acquire such property, or any part thereof, at a reasonable price, he is authorized and directed to condemn such property, or any part thereof, in the manner provided by law. (16 U.S.C. sec. 450aa.)

George Washington Carver National Monument. Acquisition of site.

SEC. 2. The property acquired under the provisions of section 1 of this Act shall constitute the George Washington Carver National Monument and shall be a public national memorial to George Washington Carver. The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of such national monument, and shall maintain and preserve it in a suitable and enduring manner which, in his judgment, will provide for the benefit and enjoyment of the people of the United States. (16 U.S.C. sec. 450aa-1.)

Establishment; maintenance.

SEC. 3. The Secretary of Interior is authorized to—

(1) Maintain, either in an existing structure acquired under the provisions of section 1 of this Act or in a building constructed by him for the purpose, a museum for relics and records pertaining to George Washington Carver, and for other articles of national and patriotic interest, and to accept, on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum; and

Museum.

(2) Construct roads and mark with monuments, tablets, or otherwise, points of interest within the boundaries of the George Washington Carver National Monument. (16 U.S.C. sec. 450aa-2.)

Roads, etc.

SEC. 4. There are authorized to be appropriated such sums not to exceed $30,000 as may be necessary to carry out the provisions of this Act. (16 U.S.C. sec. 450aa note.)

Appropriation authorized.

14. Glacier Bay National Monument

Page
Mining permitted within monument.....Act of June 22, 1936 164

An Act To permit mining within the Glacier Bay National Monument, approved June 22, 1936 (49 Stat. 1817)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the area within the Glacier Bay National Monument in Alaska, or as it may hereafter be extended, all mineral deposits of the classes and kinds now subject to location, entry, and patent under the mining laws of the United States shall be, exclusive of the land containing them, subject to disposal under such laws, with right of occupation and use of so much of the surface of the land as may be required for all purposes reasonably incident to the mining or removal of the minerals and under such general regulations as may be prescribed by the Secretary of the Interior.

Glacier Bay National Monument, Alaska.

Permission for mining within, granted.

Use of surface land.

15. The Homestead National Monument of America

	Page
Establishment of monument authorized.....Act of March 19, 1936	165

An Act To establish The Homestead National Monument of America in Gage County, Nebraska, approved March 19, 1936 (49 Stat. 1184)

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 hereby authorized and directed to acquire, on behalf of the United States, by gift, purchase, or condemnation, the south half of the northwest quarter, the northeast quarter of the northwest quarter, and the southwest quarter of the northeast quarter section 26, township 4 north, range 5 east, of the sixth principal meridian, Gage County, Nebraska, the same being the first homestead entered upon under the General Homestead Act of May 20, 1862, by Daniel Freeman, and that when so acquired, the said area be designated "The Homestead National Monument of America."[1] (16 U.S.C. sec. 450u.)

The Homestead National Monument of America, Nebr.

Establishment.

Description.

SEC. 2. That there is authorized to be appropriated a sum not to exceed $24,000, out of any money in the Treasury not otherwise appropriated, for the purpose of acquiring said tract. (16 U.S.C. sec. 450v note.)

Appropriation authorized.

SEC. 3. It shall be the duty of the Secretary of the Interior to lay out said land in a suitable and enduring manner so that the same may be maintained as an appropriate monument to retain for posterity a proper memorial emblematical of the hardships and the pioneer life through which the early settlers passed in the settlement, cultivation and civilization of the great West. It shall be his duty to erect suitable buildings to be used as a museum in which shall be preserved literature applying to such settlement and agricultural implements used in bringing the western plains to its present high state of civilization, and to use the said tract of land for such other objects and purposes as in his judgment may perpetuate the history of the country mainly developed by the homestead law. (16 U.S.C. sec. 450w.)

Design, purpose, etc.

Erection of buildings, etc.

SEC. 4. For the purpose of carrying out the suggestions and recommendations of the Secretary of the Interior, the necessary annual appropriations therefor are hereby authorized. (16 U.S.C. sec. 450x.)

Annual appropriations authorized.

[1] So designated by Order of Jan. 3, 1939 (4 Fed. Reg. 402)

16. Lewis and Clark Cavern National Monument

Page

Conveyance of monument lands to State of Montana for purposes of a State public park and recreational site.....Act of August 24, 1937 166

An Act Authorizing the Secretary of the Interior to convey certain land to the State of Montana to be used for the purposes of a public park and recreational site, approved August 24, 1937 (50 Stat. 746)

Montana. Conveyance of certain lands to, for public park, etc., purposes.

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 and directed to convey to the State of Montana, upon the conditions and limitations hereinafter expressed, the following-described land of the United States in the State of Montana, to be held and used by such State for the purposes of a State public park and recreational site:

MONTANA PRINCIPAL MERIDIAN

Description.

Township 1 north, range 2 west, section 7, west half; section 8, south half southwest quarter and southwest quarter southeast quarter; section 17, lots 1, 2, 10, 11, and 12, and north half northwest quarter; section 18, northeast quarter northeast quarter, northwest quarter, northeast quarter southwest quarter, lot 3 or northwest quarter southwest quarter, and north half southeast quarter; section 20, northwest quarter northeast quarter northeast quarter and northwest quarter northeast quarter.

Township 1 north, range 3 west, section 12, southeast quarter northeast quarter and east half southeast quarter (lots 7 and 12); section 13, east half northeast quarter (lots 1 and 4), and northwest quarter northeast quarter lot 2).

Reversionary provisions.

In the event the State shall fail to devote such lands to the purposes of a State public park and recreational site within five years after the date of enactment of this Act, or fail to maintain such land as a public park and recreational site for any period of five consecutive years subsequent to its devotion to such use, or devote such lands or any part thereof to another use, such land and all improvements thereon shall revert to the United States; and in such event the Secretary of the Interior is hereby authorized and empowered to declare such a forfeiture of the grant, and to assume jurisdiction of lot 12, section 17, township 1 north, range 2 west, for national-monument purposes under the Act of June 8, 1906 (34 Stat. 225). Any patent issued hereunder shall contain a reservation to the United States of all mineral deposits in the land patented: *Provided,* That such minerals so reserved shall be prospected for, mined, and removed only in accordance with regulations to be prescribed by the Secretary of the Interior.

16 U.S.C. sec. 431.

Mineral reservation.

17. Montezuma Castle National Monument

Page
Addition of "Montezuma Well property" to monument authorized.....
.....Act of October 19, 1943 167

An Act To provide for the addition of certain land in the State of Arizona to the Montezuma Castle National Monument, approved October 19, 1943 (57 Stat. 572)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior, on behalf of the United States, is authorized to acquire, in his discretion, certain lands located in the State of Arizona known as the Montezuma Well property, containing approximately one hundred and eighty acres and situated within section 36, township 15 north, range 5 east, and section 31, township 15 north, range 6 east, Gila and Salt River meridian. Such lands, when acquired, shall become a detached unit of Montezuma Castle National Monument.

Montezuma Castle National Monument. Addition of lands.

(b) Effective on the date of the acquisition of such property, the south half of the northwest quarter of section 31, township 15 north, range 6 east, Gila and Salt River meridian, containing eighty acres of land owned by the United States, shall also become a part of such national monument.

SEC. 2. All laws, rules, and regulations applicable to such national monument shall be applicable with respect to the lands described in the first section of this Act upon the addition of such lands to such national monument. The title to real property acquired pursuant to this Act shall be satisfactory to the Secretary of the Interior.

Administration.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary but not to exceed $25,000 to carry out the provisions of this Act.

Appropriation authorized.

18. Muir Woods National Monument

Page

Federal cooperation in acquisition of "Muir Wood Toll Road" authorized.....Act of June 28, 1938 168

An Act To authorize Federal cooperation in the acquisition of the "Muir Wood Toll Road", located in Marin County, State of California, and for other purposes, approved June 28, 1938 (52 Stat. 1214)

Muir Wood Toll Road, Marin County, Calif.

Expenditure authorized for Federal cooperation in acquiring, as part of free-road system.

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 expend, out of any roads and trails funds available to the National Park Service, Department of the Interior, the sum of not to exceed $25,000 to match, dollar for dollar, such sum as may be required to be expended by the Department of Public Works, State of California, for the purpose of acquiring, as a part of the State or county free-road system, the road known as the "Muir Wood Toll Road", extending from the Marin County Panorama Highway to the Muir Woods National Monument and from there down the Frank Valley to its junction with the State highway near Muir Beach, Marin County, California: *Provided,* That no such funds shall be expended until the State or county shall have taken action necessary to insure that title to the road will be acquired and until the State or county shall have agreed to assume full responsibility for the future maintenance and operation of the road in proper condition to accommodate the traffic thereon.

Conditions.

19. Ocmulgee National Monument

		Page
Establishment of monument authorized	Act of June 14, 1934	169

An Act To authorize the establishment of the Ocmulgee National Monument in Bibb County, Georgia, approved June 14, 1934 (48 Stat. 958)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to lands commonly known as the "Old Ocmulgee Field", upon which certain Indian mounds of great historical importance are located, comprising approximately two thousand acres, in and around the city of Macon, County of Bibb, State of Georgia, as shall be designated by the Secretary of the Interior, in the exercise of his judgment and discretion as necessary for national-monument purposes, shall have been vested in the United States, said area shall be set aside as a national monument, by proclamation of the President, and shall be known as the "Ocmulgee National Monument": *Provided,* That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid area, but such lands shall be secured by the United States only by public or private donation.[1] (16 U.S.C. sec. 447a.)

Ocmulgee National Monument, Bibb County, Ga., set apart when lands therefor vest in United States.

Lands to be acquired by donation only.

SEC. 2. The Secretary of the Interior is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property, within the boundaries of said national monument as determined and fixed hereunder and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided,* That he may acquire on behalf of the United States under any donated funds 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 national monument as may be necessary for the completion thereof. (16 U.S.C. sec. 447b.)

Acceptance of lands, funds, etc.

Purchases from donated funds.

SEC. 3. The administration, protection, and development of the Ocmulgee National Monument shall be under the supervision of the Secretary of the Interior subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended. (16 U.S.C. sec. 447c.)

Administration.

[1] See proclamation No. 2212 of December 23, 1936 (50 Stat. 1798, 1 Fed. Reg. 2228) establishing monument.

20. Organ Pipe Cactus National Monument

		Page
Mining permitted within monument	Act of October 27, 1941	170

An Act To permit mining within the Organ Pipe Cactus National Monument in Arizona, approved October 27, 1941 (55 Stat. 745)

Organ Pipe Cactus National Monument, Ariz.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That within the Organ Pipe Cactus National Monument in Arizona all mineral deposits of the classes and kinds now subject to location, entry, and patent under the mining laws of the United States shall be, exclusive of the land containing them, subject to disposal under such laws, with right of occupation and use of so much of the surface of the land as may be required for all purposes reasonably incident to the mining or removal of the minerals and under such general regulations as may be prescribed by the Secretary of the Interior. (16 U.S.C. sec. 450z.)

21. Patrick Henry National Monument project

		Page
Establishment of monument on site of Red Hill, estate of Patrick Henry, authorized	Act of August 15, 1935	171
Providing for acquisition of Red Hill estate	Act of January 29, 1940	172

An Act To provide for the establishment of a national monument on the site of Red Hill, estate of Patrick Henry, approved August 15, 1935 (49 Stat. 652)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to the estate known as Red Hill, the estate of Patrick Henry, located in Charlotte County, Virginia, together with such buildings and other property located thereon as may be designated by the Secretary of the Interior as necessary or desirable for national monument purposes shall have been vested in the United States, said area and improvements shall be designated and set apart by proclamation of the President for the preservation as a national monument for the benefit and inspiration of the people, and shall be called the "Patrick Henry National Monument." (16 U.S.C. sec. 450f.)

Patrick Henry National Monument, Va.; establishment.

Location.

Proclamation.

SEC. 2. That the Secretary of the Interior be and he is hereby, authorized to accept donations of land, interests in land and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided,* That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within said national monument as may be necessary for the completion thereof. (16 U.S.C. sec. 450g.)

Acceptance of donations of land and other property.

Acquisition by condemnation.

SEC. 3. That the administration, protection, and development of the aforesaid national 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. (16 U.S.C. sec. 450h.)

Administration, etc.

SEC. 4. The Secretary of the Interior is authorized and directed to make such alterations and repairs to the cottage used as a law office by Patrick Henry and to install therein such furniture and furnishings as may be necessary to (1) restore such cottage to the approximate condition and appearance possessed by it at the time of Patrick Henry's death, and (2) permit the use of such cottage as a museum for relics and records pertaining to Patrick Henry, and for other articles of national and patriotic in-

Rehabilitation of Patrick Henry's law office.

Use of, as a museum permitted.

terest. The Secretary of the Interior is authorized, in his discretion, to accept on behalf of the United States, for installation in such cottage, articles which may be offered as additions to the museum. (16 U.S.C. sec. 450i.)

Acceptance of articles for.

Marking historic points.

SEC. 5. The Secretary of the Interior is authorized, in his discretion, to mark with monuments, tablets, or otherwise, historical points of interest within the boundaries of the Patrick Henry National Monument. (16 U.S.C. sec. 450j.)

Appropriation authorized.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. (16 U.S.C. sec. 450k.)

An Act To provide for the acquisition by the United States of the estate of Patrick Henry in Charlotte County, Virginia, known as Red Hill, approved January 29, 1940 (54 Stat. 18)

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 hereby authorized and directed to acquire by purchase, or otherwise, on behalf of the United States, at a cost not to exceed $100,000, the estate of Patrick Henry in Charlotte County, Virginia, known as Red Hill. (16 U.S.C. sec. 450f-1.)

Estate of Patrick Henry, acquisition of; cost.

SEC. 2. The property acquired under the provisions of this Act shall be a permanent public memorial to Patrick Henry, and shall be administered as the Patrick Henry National Monument, as provided in the Act entitled "An Act to provide for the establishment of a national monument on the site of Red Hill, estate of Patrick Henry", approved August 15, 1935. (16 U.S.C. sec. 450f-2.)

Use; administration.
49 Stat. 652.
16 U.S.C. secs. 450f-450k.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act. (16 U.S.C. sec. 450f-1 note.)

Appropriation authorized.

22. Perry's Victory and International Peace Memorial National Monument

Establishment of monument authorized.....Act of June 2, 1936 — Page 173

An Act To provide for the creation of the Perry's Victory and International Peace Memorial National Monument, on Put-in-Bay, South Bass Island, in the State of Ohio, and for other purposes, approved June 2, 1936 (49 Stat. 1393)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby authorized to establish by proclamation the following-described Government lands, together with the Perry's Victory Memorial proper, its approaches, retaining walls, and all buildings, structures, and other property thereon situated in Put-in-Bay Township, South Bass Island, Ottawa County, Lake Erie, State of Ohio, as the "Perry's Victory and International Peace Memorial National Monument", for the preservation of the historical associations connected therewith, to inculcate the lessons of international peace by arbitration and disarmament, and for the benefit and enjoyment of the people: Commencing at the intersection of the middle line of Delaware Avenue and Chapman Avenue, in the village of Put-in-Bay, and running thence south eighty-eight degrees fifty-nine minutes east in the middle line of said Delaware Avenue, and the same extended four hundred and ninety-five feet to Lake Erie; thence north forty-nine degrees fifty-nine minutes east along said lake shore three hundred and forty-six feet; thence north forty-three degrees fourteen minutes east along said lake shore two hundred and twelve feet; thence north fifty-three degrees thirteen minutes east four hundred feet along said lake shore; thence north forty-six degrees six minutes west about seven hundred and thirty feet to Lake Erie; thence southwesterly and westerly along said lake shore to the middle line, extended, of said Chapman Avenue; thence south one degree thirty minutes west along said middle line, and the same extended, about five hundred and twenty feet to the place of beginning, and containing fourteen and twenty-five one-hundredths acres of land and known as a part of lots numbered 1 and 2, range south of county road, and a part of lot numbered 12, East Point, in South Bass Island, in the township of Put-in-Bay, county of Ottawa, State of Ohio.[1] (16 U.S.C. sec. 433a.)

Perry's Victory and International Peace Memorial National Monument, Put-in-Bay, Ohio.

Purposes declared.

Description.

SEC. 2. That the administration, protection and development of the aforesaid national monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the

Supervision.

[1] See proclamation No. 2182 of July 6, 1936 (50 Stat. 1734; 1 Fed. Reg. 748) establishing monument.

Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. sec. 433b.)

SEC. 3. After the said national monument has been established as provided in section 1 hereof, the Secretary of the Interior is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property as may be donated for the extension and improvement of the said national monument, and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided,* That he may acquire on behalf of the United States out of any donated funds 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 national monument as may be necessary for the completion thereof. (16 U.S.C. sec. 433c.)

Purchase, etc., of tracts from donated funds.

Commission members to act as board of advisers.

SEC. 4. The members of the Perry's Victory Memorial Commission created by Act of Congress March 3, 1919, having by their patriotic and active interest faithfully conserved for posterity this important historical area and objects, shall hereafter act as a board of advisers, and with such other powers as the Secretary of the Interior may direct, in the maintenance of such national monument and shall consist of the present surviving and active members of the Commission provided for in said Act, namely on the part of the United States, John A. Johnston and Hugh Rodman, and on the part of the several States: Ohio, Webster P. Huntington, Carl B. Johannsen, and A. V. Donahey; Pennsylvania, Milton W. Shreve, Thomas C. Jones, and George M. Mason; Michigan, James E. Degan; Illinois, Chesley R. Perry, William Hale Thompson, and Richard S. Folsom; Wisconsin, Charles B. Perry, A. W. Sanborn, and S. W. Randolph; New York, Charles H. Wiltsie, and Jacob Schifferdecker; Rhode Island, Harry E. Davis; Kentucky, Samuel M. Wilson, W. J. Moore, and Robert H. Winn: *Provided,* That as vacancies occur in the Commission on the part of the United States, they shall remain unfilled until only one Commissioner of the United States remains; thereafter there shall be only one Commissioner of the United States: *Provided further,* That as vacancies occur in the Commission on the part of the several States, they shall remain unfilled until only one Commissioner from each State remains; thereafter there shall be only one Commissioner from each State. After the membership of the Commission has been reduced in accordance with the provisions of this Act, vacancies shall be filled in the manner set forth in the Act of March 3, 1919. The members of the Commission shall receive no compensation or expenses, except actual traveling expenses incurred in attending meetings of the Commission upon call of the Secretary of the Interior. (16 U.S.C. sec. 433d.)

Personnel.

Vacancies on part of United States.

Vacancies on part of States.

Traveling expenses.

Employees.

SEC. 5. Employees of the Perry's Victory Memorial Commission at the time of the enactment of this legislation, may, in the discretion of the Secretary of the Interior, be employed by the National Park Service, in the administration, protection, and development of said national monument. (16 U.S.C. sec. 433e.)

Inconsistent provisions repealed.

SEC. 6. That the provisions of the Act of March 3, 1919 (40 Stat. 1322-1324), and Acts supplemental thereof and amendatory thereto and all other Acts inconsistent with the provisions of this Act are repealed to the extent of such inconsistency. (16 U.S.C. sec. 433f.)

23. Pioneer National Monument project

	Page
Establishment of monument authorized.....Act of June 18, 1934	176

An Act To provide for the creation of the Pioneer National Monument in the State of Kentucky, and for other purposes, approved June 18, 1934 (48 Stat. 982)

Pioneer National Monument, Ky.

Preamble.

Whereas no provision has been made to preserve some of the great shrines of pioneer history that played their part in the drama of the American Revolution, both in resistance to the efforts of the British and their Indian allies to wipe out the American colonists west of the Alleghenies and thus close in on the colonists along the Atlantic seaboard and in waging a counteroffensive that resulted in the conquest and acquisition of the Old Northwest; and

Whereas four of these shrines in Kentucky represent in continuity a counterpart of the American Revolution east of the Alleghenies, to wit: (1) Boonesborough, where the first fort "in the West" was erected, the first highway to "the West, the Wilderness Road", terminated, the first colonization was effected, and the first legislature met; (2) Boones Station, whence Daniel Boone, as lieutenant colonel of the Fayette County Militia, rushed troops to the assistance of various other besieged stations as well as joined in the retaliatory campaigns under General George Rogers Clark into the Old Northwest, and where he buried his son and nephew who fell at the Battle of Blue Licks; (3) Bryans Station, where the women of the fort sallied forth under the rifles of some six hundred Indians to procure water for the besieged pioneers on August 18, 1782, contributing in large measure to the successful defense of the fort; and (4) Blue Licks Battlefield, scene of the accredited "Last Battle of the Revolution", August 19, 1782, which aroused all of the western colonists to unitedly launch a devastating campaign into the Ohio country under the leadership of General George Rogers Clark, that effectually stopped further invasion of Kentucky by the British and Indians and was the forerunner of the final conquest of the entire Northwest Territory for the United States: Therefore

Designated lands to be set apart as, when title vested in United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to the sites of Fort Boonesborough, Boones Station, Bryans Station, and Blue Licks Battlefield, in the State of Kentucky, comprising noncontiguous tracts to be united by a Memorial Highway, together with such historical structures and remains thereon, as may be designated by the Secretary of the Interior as necessary or desirable for national monument purposes and for the proper commemoration of the valor and sacrifices of the pioneers of "the West", shall have been vested in the United States,

said areas and improvements shall be designated and set apart by proclamation of the President for preservation as a national monument for the benefit and inspiration of the people, and shall be called the "Pioneer National Monument". (16 U.S.C. sec. 448.)

Acceptance of donations, etc.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to accept donations of land, interests in land and/or buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and donations of funds for the purchase and/or maintanence thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided,* That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national monument as may be necessary for the completion thereof. (16 U.S.C. sec. 449.)

Purchase of tracts from funds donated.

Administration.

SEC. 3. That the administration, protection, and development of the aforesaid national 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. (16 U.S.C. sec. 450.)

24. Pipestone National Monument

		Page
Monument established	Act of August 25, 1937	178

An Act To establish the Pipestone National Monument in the State of Minnesota, approved August 25, 1937 (50 Stat. 804)

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

Pipestone National Monument, Minn.

Establishment.

That the lands lying in Pipestone County, Minnesota, within the area hereinafter described are hereby dedicated and set apart as a national monument for the benefit and enjoyment of the people of the United States, under the name of the "Pipestone National Monument": Beginning at a point twenty-two and four-tenths feet north and forty-five and eight one-hundredths feet west of the southwest corner of section 1, township 106 north, range 46 west, fifth principal meridian; thence north one thousand six hundred and fifty-five feet; thence north eighty-nine degrees fifteen minutes east seven hundred and eight feet; thence north no degrees forty-five minutes west, six hundred and seven and three-tenths feet; thence north sixty-two degrees five minutes east, nine hundred and eighty-seven and one-tenth feet; thence south twenty-seven degrees fifty-five minutes east, two hundred and sixty-four and five-tenths feet; thence south eighty-eight degrees nineteen minutes east, nine hundred and sixty-seven and five-tenths feet; thence south no degrees twenty-four minutes east, one hundred and forty-four and three-tenths feet; thence south eighty-three degrees forty-three minutes west, four hundred and seventy-two and four-tenths feet; thence south two degrees seventeen minutes east, two thousand two hundred and forty-nine feet; thence south eighty-nine degrees twenty minutes west, four hundred and fifty-eight and two-tenths feet; thence south no degrees no minutes east, one hundred and one and one-tenth feet; thence south ninety degrees no minutes west, one hundred and thirty-seven and two-tenths feet; thence north no degrees no minutes west, one hundred feet; thence south eighty-nine degrees twenty minutes west, one thousand six hundred and eighty-three and eight-tenths feet to the point of beginning; containing approximately one hundred and fifteen and eighty-six one-hundredths acres, including concourse, excluding from the area described herein forty-seven one-hundredths acres, constituting a right-of-way of the Chicago, Rock Island and Pacific Railway. (16 U.S.C. sec. 445c.)

Description.

Administration.

SEC. 2. The administration, protection, and development of such 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 entitled "An Act to establish a National Park Service, and for other pur-

39 Stat. 535.
16 U.S.C. sec. 1.

poses", approved August 25, 1916, as amended. (16 U.S.C. sec. 445c.)

SEC. 3. The quarrying of the red pipestone in the lands described in section 1 is hereby expressly reserved to Indians of all tribes, under regulations to be prescribed by the Secretary of the Interior. (16 U.S.C. sec. 445c.)

25. White Sands National Monument

White Sands Recreational Demonstration Project, addition to monument.....Excerpt from Act of June 6, 1942 Page 180

Excerpt from "An Act To authorize the disposition of recreational demonstration projects, and for other purposes," approved June 6, 1942 (56 Stat. 327)

Addition of designated projects to other areas.

SEC. 2. From and after the date of this Act, the lands acquired for the Acadia, French Creek, Shenandoah, and White Sands recreational demonstration projects shall be added to and become a part of Acadia National Park, Hopewell Village National Historic Site, Shenandoah National Park, and White Sands National Monument, in the order named above, subject to all laws, rules, and regulations applicable to the respective areas to which such recreational demonstration projects are added: *Provided,* That within six months after the date of this Act the Secretary of the Interior shall file with The National Archives a map of each recreational demonstration project enumerated in this section. (16 U.S.C. sec. 459s.)

Proviso.

26. Whitman National Monument

		Page
Establishment of monument authorized	Act of June 29, 1936	181

An Act To provide for the establishment of the Whitman National Monument, approved June 29, 1936 (49 Stat. 2028)

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 and directed to acquire, on behalf of the United States, by gift, the site of the Indian mission established in 1836 by Marcus Whitman on the Walla Walla River in what is now Walla Walla County, Washington, together with such additional land, including a right-of-way to the nearest highway, as the Secretary may deem necessary to carry out the purposes of this Act. (16 U.S.C. sec. 433k.)

Whitman National Monument, Wash. Acquisition of site of Indian Mission, etc.

SEC. 2. The property acquired under the provisions of section 1 of this Act shall constitute the Whitman National Monument and shall be a public national memorial to Marcus Whitman and his wife, Narcissa Prentiss Whitman, who here established their Indian mission and school, and ministered to the physical and spiritual needs of the Indians until massacred with twelve other[1] persons in 1847. The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of such national monument, and shall maintain and preserve it for the benefit and enjoyment of the people of the United States. (16 U.S.C. sec. 433k.)

Establishment.

Administration, etc.

SEC. 3. Any State, or political subdivision thereof, organization, or individual may, with the approval of the Secretary of the Interior, erect monuments or place tablets within the boundaries of the Whitman National Monument. (16 U.S.C. sec. 433*l*.)

Erection of monuments or placing of tablets.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. (16 U.S.C. sec. 433m.)

Appropriation authorized.

[1] So in original.

XI. LEGISLATION RELATING TO NATIONAL PARKWAYS[1]

1. Blue Ridge Parkway[2]

	Page
Administration and maintenance of the parkway by the National Park Service.....Act of June 30, 1936	183
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Cherokee Indian Reservation lands, authorizing conveyance thereof to North Carolina for parkway right-of-way purposes; authorizing grant of Great Smoky Mountains National Park lands to the Indians .....Act of June 11, 1940	186

An Act To provide for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes, approved June 30, 1936 (49 Stat. 2041)[3]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter all lands and easements conveyed or to be conveyed to the United States by the States of Virginia and North Carolina for the right-of-way for the projected parkway between the Shenandoah and Great Smoky Mountains National Parks, together with sites acquired or to be acquired for recreational areas in connection therewith, and a right-of-way for said parkway of a width sufficient to include the highway and all bridges, ditches, cuts, and fills appurtenant thereto, but not exceeding a maximum of two hundred feet through Government-owned lands as designated on maps heretofore or hereafter approved by the Secretary of the Interior, shall be known as the Blue Ridge Parkway and shall be administered and maintained by the Secretary of the Interior through the National Park Service, subject to the provisions of the Act of Congress approved August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", the provisions of which Act, as amended and supplemented, are hereby extended over and made applicable to said parkway: *Provided,* That the Secretary of Agriculture is hereby authorized, with the concurrence of the Secretary of the Interior, to connect with the parkway such roads and trails as may be necessary for the protection, administration, or utilization of adjacent and nearby national

Blue Ridge Parkway, Va., and N. C. Projected parkway between the Shenandoah and Great Smoky Mountains National Parks, etc., to be known as.

Administration, etc., by National Park Service.

Roads and trails.

[1] For general statutory provisions relating to national parkways, see page 15.
[2] Construction was commenced under authority of Title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 195). See Attorney General's Opinion of June 20, 1935, to the Secretary of the Interior.
[3] Amended by Act of June 8, 1940 (54 Stat. 249), p. 185.

Coordination of recreational development by Forest Service and National Park Service.

forests and the resources thereof: *And provided further,* That the Forest Service and the National Park Service shall, insofar as practicable, coordinate and correlate such recreational development as each may plan, construct, or permit to be constructed, on lands within their respective jurisdictions which, by mutual agreement, should be given special treatment for recreational purposes. (16 U.S.C. sec. 460a-2.)

An Act To authorize the exchange of certain lands within the Great Smoky Mountains National Park for lands within the Cherokee Indian Reservation, North Carolina, and for other purposes, approved August 19, 1937 (50 Stat. 699)

Great Smoky Mountains National Park, N. C.

Exchange of certain lands within, for lands within the Cherokee Indian Reservation authorized.

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 hereby authorized, under such terms and conditions as he may deem proper, to exchange a tract of land of approximately one thousand two hundred and two acres, near Smokemont, North Carolina, known as the Towstring tract and forming a part of the Cherokee Indian Reservation, for three tracts of land, totaling approximately one thousand five hundred and forty-seven acres, in the vicinity of Ravensford, North Carolina, known as the Boundary Tree, Ravensford, and Tight Run tracts and forming a part of the Great Smoky Mountains National Park, conditioned upon the consent of the Eastern Band of Cherokee Indians to this exchange and to the acquisition by the State of North Carolina of a right-of-way, which shall vary in width between two hundred feet and eight hundred feet, for the Blue Ridge Parkway across the said reservation, and further conditioned upon payment to the said Cherokee Indians by the said State of North Carolina of such compensation as shall have been determined by the said Secretary as just and reasonable for the said right-of-way. When the foregoing conditions have been complied with, the Secretary of the Interior is hereby further authorized to grant to the State of North Carolina a right-of-way as hereinbefore provided for.

Conditions.

Right-of-way grant to State.

Consent of Indians to be determined by ballot.

SEC. 2. The consent of the said Cherokee Indians to any proposed exchange and the acquisition of a right-of-way by the State of North Carolina as provided for herein shall be expressed by secret ballot in a general election, in which a majority vote in favor thereof. Such election to be arranged and supervised by the tribal council within sixty days after the passage of this Act, and the results of such election shall be final.

Consent by State.

SEC. 3. No exchange shall be consummated pursuant to the provisions of this Act unless and until the consent of the State of North Carolina is first had and obtained thereto as indicated by an Act of its legislature.

Lands transferred to Indians to be held in trust; nontaxable, etc.

SEC. 4. Upon the consummation of the exchange made pursuant to the provisions of this Act, the lands transferred to the Indians shall be held in trust by the United States

for the said Eastern Band of Cherokee Indians and shall be nontaxable and nonalienable the same as the balance of the Indian land of the aforesaid reservation, and the lands transferred to the United States for park purposes shall become and be a part of the Great Smoky Mountains National Park and shall be subject to the provisions of the Act of Congress approved August 25, 1916 (39 Stat. 535), as amended: *Provided,* That should any of the exchanged area or parkway right-of-way herein dealt with cease to be used for park or parkway purposes, the title thereto shall revert to its status prior to the exchange.

Acquisition by United States for park purposes.

16 U.S.C. sec. 1.

Reversionary provision.

An Act To amend the Act of June 30, 1936 (49 Stat. 2041), providing for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes, approved June 8, 1940 (54 Stat. 249)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes", approved June 30, 1936 (49 Stat. 2041), be amended to read as follows:

Blue Ridge Parkway, Va. and N. C.

"That all lands and easements heretofore or hereafter conveyed to the United States by the States of Virginia and North Carolina for the right-of-way for the projected parkway between the Shenandoah and Great Smoky Mountains National Parks, together with sites acquired or to be acquired for recreational areas in connection therewith, and a right-of-way for said parkway of a width sufficient to include the highway and all bridges, ditches, cuts, and fills appurtenant thereto, but not exceeding a maximum of two hundred feet through Government-owned lands (except that where small parcels of Government-owned lands would otherwise be isolated, or where topographic conditions or scenic requirements are such that bridges, ditches, cuts, fills, parking overlooks, landscape development, recreational and other facilities requisite to public use of said parkway could not reasonably be confined to a width of two hundred feet, the said maximum may be increased to such width as may be necessary, with the written approval of the department or agency having jurisdiction over such lands) as designated on maps heretofore or hereafter approved by the Secretary of the Interior, shall be known as the Blue Ridge Parkway and shall be administered and maintained by the Secretary of the Interior through the National Park Service, subject to the provisions of the Act of Congress approved August 25, 1916 (39 Stat. 535), entitled 'An Act to establish a National Park Service, and for other purposes', the provisions of which Act, as amended and supplemented, are hereby extended over and made applicable to said parkway: *Provided,* That the Secretary of

Projected parkway between Shenandoah and Great Smoky Mountains National Parks to be known as.

Administration, etc.

16 U.S.C. secs. 1-4.

Provisos.

Roads and trails.

Agriculture is hereby authorized, with the concurrence of the Secretary of the Interior, to connect with the parkway such roads and trails as may be necessary for the protection, administration, or utilization of adjacent and nearby national forests and the resources thereof: *And Provided further,* That the Forest Service and the National Park Service shall, insofar as practicable, coordinate and correlate such recreational development as each may plan, construct, or permit to be constructed, on lands within their respective jurisdictions which, by mutual agreement, should be given special treatment for recreational purposes. (16 U.S.C. sec. 460a-2.)

Coordination of recreational development.

Issuance of revocable licenses for rights-of-way.

"SEC. 2. In the administration of the Blue Ridge Parkway, the Secretary of the Interior may issue revocable licenses or permits for rights-of-way over, across, and upon parkway lands, or for the use of parkway lands by the owners or lessees of adjacent lands, for such purposes and under such nondiscriminatory terms, regulations, and conditions as he may determine to be not inconsistent with the use of such lands for parkway purposes. (16 U.S.C. sec. 460a-3.)

Acceptance by U. S. of lands, etc., for Blue Ridge or Natchez Trace Parkways.

"SEC. 3. The Secretary of the Interior is hereby authorized, in his discretion, to approve and accept, on behalf of the United States, title to any lands and interests in land heretofore or hereafter conveyed to the United States for the purposes of the Blue Ridge or the Natchez Trace Parkways, or for recreational areas in connection therewith." (16 U.S.C. sec. 460a-1.)

An Act To authorize the Secretary of the Interior to convey to the State of North Carolina for use in connection with the Blue Ridge Parkway certain land within the Cherokee Indian Reservation in the State of North Carolina, approved June 11, 1940 (54 Stat. 299)

Blue Ridge Parkway, N. C.

Conveyance of land to State of N. C., authorized.

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 and directed to convey to the State of North Carolina for use as a right-of-way in connection with the Blue Ridge Parkway in the State of North Carolina all right, title, and interest of the United States and the Eastern Band of Cherokee Indians in such land and the timber thereon, to be determined as hereinafter provided, within the Cherokee Indian Reservation in the State of North Carolina as may be necessary for the construction and maintenance of such parkway over the following course: Beginning at a point in State Highway Numbered 293 near Soco Gap and extending to a junction with State Highway Numbered 107, near the mouth of the Ravens Fork of the Oconoluftee River by way of the following approximate controls: Leaving Soco Gap and following the east and northerly slopes of Soco and Bunches Bald ridge and crossing through Docks Gap to the south and west side of Soco and Bunches Bald; thence crossing Lickstone Ridge and entering Bunches Gap from the south;

Description.

thence from Bunches Gap, following the south slopes of the main ridge, crossing Jenkins Divide ridge and entering Big Witch Gap from the southeast; thence leaving Big Witch Gap in a northwesterly direction and keeping on the northerly and westerly slopes of the main ridge, but crossing the various spur ridges circling around the heads of Mingo Creek and Sherrills Cove, and around the north end of the ridge lying immediately northeast of the Ravensford Mill site, crossing the Oconoluftee River to the junction with State Highway Numbered 107, previously referred to, and in addition, starting in a northeasterly direction from Bunches Gap passing about one-half mile north of Soco Bald; thence turning north and intersecting the boundary between the Qualla Indian Reservation and the Great Smoky Mountains National Park at a point approximately one mile northeast of Bunches Gap.

Survey before conveyance.

SEC. 2. Before making such conveyance, the Secretary of the Interior shall have the lands along such course surveyed and shall determine the exact location and boundaries of the land to be conveyed for use as such right-of-way, which shall not exceed one hundred and twenty-five acres per mile. The deed of conveyance for such land shall contain an accurate description of the location and boundaries of such land in order that the interests of the United States and the Eastern Band of Cherokee Indians may be properly protected.

Deed of conveyance.

Payment by State to U. S.

SEC. 3. In consideration of conveyance, the State of North Carolina shall pay to the United States the sum of $40,000 or $30 per acre for the lands embraced in the right-of-way described in section 1, whichever sum is the largest, which shall be deposited in the Treasury to the credit of the Eastern Band of Cherokee Indians and held in trust by the United States for the Eastern Band of Cherokee Indians. It is understood and agreed that the State of North Carolina shall build without further payment for right-of-way, and without expense to the United States or the Cherokee Indians, a suitable State highway between Soco Gap and Cherokee Village, subject to the same laws, rules and regulations applicable to all State highways of North Carolina.

Deposit.

Construction of State highway; location.

Eastern Band of Cherokee Indians.

Granting to, of interest in designated lands, authorized.

SEC. 4. The Secretary of the Interior is hereby authorized, in his discretion, to grant to the Eastern Band of Cherokee Indians the beneficial interest in any lands selected by the council of said band within the Boundary Tree tract, containing approximately eight hundred and eighty-four acres; and the said Secretary is hereby directed to exclude from the Great Smoky Mountains National Park any lands so selected and granted. Prior to the consummation of any such grant, payment shall be made for all lands included therein by the transfer of a sum equal to the fair market value of such lands, as determined by the Secretary of the Interior, from any funds in the United States Treasury to the credit of said band, including funds made avail-

Payment by transfer of funds.

able under section 3 hereof, to the credit of the fund "National Park Service, donations", which transfer the Secretary of the Treasury is hereby authorized to make upon request by the council of said band approved by the Secretary of the Interior. Funds so transferred shall be available for national park and monument uses, including the acquisition of lands for inclusion in the Great Smoky Mountains National Park. All lands purchased or otherwise acquired for the Eastern Band of Cherokee Indians under authority contained in this Act shall constitute a part of the Cherokee Indian Reservation in North Carolina, shall be held by the United States in trust for said band and shall be nontaxable, nonalienable to the same extent as other lands within said reservation.

Availablilty of transferred funds.

Inclusion of acquired lands in reservation.

2. Natchez Trace Parkway

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Survey authorized with a view of constructing the "Natchez Trace Parkway"	Act of May 21, 1934	189
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Authorizing acceptance of title to lands conveyed to United States for parkway	Excerpt from Act of June 8, 1940	191
Modification of restrictions upon use of parkway lands in French Camp, Miss	Act of January 7, 1941	191

An Act To provide for an appropriation of $50,000 with which to make a survey of the Old Indian Trail known as the "Natchez Trace", with a view of constructing a national road on this route to be known as the "Natchez Trace Parkway", approved May 21, 1934 (48 Stat. 791)

Natchez Trace Parkway.

Preamble.

Whereas the Natchez Trace was one of the most ancient and important Indian roads leading from the territory in the section of Tennessee about Nashville in a southwest course, crossing the Tennessee River at Colbert Shoals a few miles below Muscle Shoals, thence passing in a southwest course through the Chickasaw and Choctaw Indian lands in what is now Mississippi, in an almost direct course by Jackson, Mississippi, to Natchez; and

Whereas the Natchez Trace is located throughout almost its entire length on highlands between watersheds on the most suitable route over which to establish the national parkway through a section of the country greatly in need of such road facilities from a national standpoint to connect the North and East directly with the Natchez, New Orleans, and southwest section of the country; and

Whereas the Natchez Trace was made famous for the service it rendered in affording General Jackson a route over which much of his forces moved to take part in Jackson's famous victory over the British at New Orleans, and also by reason of the fact that General Jackson returned with his army over this Trace to Nashville after the Battle of New Orleans; and

Whereas the Natchez Trace is known as one of the Nation's most famous old roads, and has been marked by handsome boulders with suitable inscriptions by the Daughters of the American Revolution at great expense, these boulders being placed every few miles from one end of the Trace to the other; and

Whereas unusual interest is being manifested in the building of a national parkway by the Government, Natchez Trace organizations having been perfected in almost every county through which the Trace passes; and

Whereas the Government has recently adopted a policy and set up a division in the Department of the Interior, known as the "National Park Service" to engage in a national way in laying out parks, reservations, and building parkways: Therefore

Appropriation authorized for surveying.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That there is hereby authorized to be appropriated out of the Treasury of the United States, a sum not exceeding $50,000 to be used by the Department of the Interior through the National Park Service with which to make a survey of the Old Natchez Trace throughout its entire length leading from the section of Tennessee about Nashville to Natchez, Mississippi, the same to be known as the "Natchez Trace Parkway." The said survey shall locate the Natchez Trace as near as practicable in its original route. An estimate of cost of construction of an appropriate national parkway over this route, and such other data as will be valuable shall be obtained by said survey with the objective of determining matters concerning the construction of the Natchez Trace Parkway.

Cost of construction to be estimated.

An Act To provide for the administration and maintenance of the Natchez Trace Parkway, in the States of Mississippi, Alabama, and Tennessee, by the Secretary of the Interior, and for other purposes, approved May 18, 1938 (52 Stat. 407)

Natchez Trace Parkway, Miss., Ala., and Tenn.

Administration and maintenance of right-of-way, etc.

Sites for recreational areas.

Right-of-way width.

Name.

16 U.S.C. sec. 1-4.

Provisos.

Connection of roads and trails with parkway.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all lands and easements heretofore and hereafter conveyed to the United States by the States of Mississippi, Alabama, and Tennessee for the right-of-way for the projected parkway between Natchez, Mississippi, and Nashville, Tennessee, together with sites acquired or to be acquired for recreational areas in connection therewith, and a right-of-way for said parkway of a width sufficient to include the highway and all bridges, ditches, cuts, and fills appurtenant thereto, but not exceeding a maximum of two hundred feet through Government-owned lands (except that where small parcels of Government-owned lands would otherwise be isolated, or where topographic conditions or scenic requirements are such that bridges, ditches, cuts, fills, parking overlooks, and landscape development could not reasonably be confined to a width of two hundred feet, the said maximum may be increased to such width as may be necessary, with the written approval of the department or agency having jurisdiction over such lands) as designated on maps heretofore or hereafter approved by the Secretary of the Interior, shall be known as the Natchez Trace Parkway and shall be administered and maintained by the Secretary of the Interior through the National Park Service, subject to the provisions of the Act of Congress approved August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", the provisions of which Act, as amended and supplemented, are hereby extended over and made applicable to said parkway: *Provided,* That the Secretary of Agriculture is hereby authorized, with the concurrence of the Secretary of the Interior, to connect with said parkway such

roads and trails as may be necessary for the protection, administration, or utilization of adjacent and nearby national forests and the resources thereof: *And provided further,* That the Forest Service and the National Park Service shall, insofar as practicable, coordinate and correlate such recreational developments as each may plan, construct, or permit to be constructed, on lands within their respective jurisdictions, which, by mutual agreement, should be given special treatment for recreational purposes. (16 U.S.C. sec. 460.)

Coordination of recreational developments with Forest Service.

SEC. 2. In the administration of the Natchez Trace Parkway, the Secretary of the Interior may issue revocable licenses or permits for rights-of-way over, across, and upon parkway lands, or for the use of parkway lands by the owners or lessees of adjacent lands, for such purposes and under such nondiscriminatory terms, regulations, and conditions as he may determine to be not inconsistent with the use of such lands for parkway purposes. (16 U.S.C. sec. 460a.)

Revocable licenses of permits for rights-of-way, etc.

Excerpt from "An Act To amend the Act of June 30, 1936 (49 Stat. 2041), providing for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes," approved June 8, 1940 (54 Stat. 250)

SEC. 3. The Secretary of the Interior is hereby authorized, in his discretion, to approve and accept, on behalf of the United States, title to any lands and interests in land heretofore or hereafter conveyed to the United States for the purposes of the Blue Ridge or the Natchez Trace Parkways, or for recreational areas in connection therewith. (16 U.S.C. sec. 460a-1.)

Acceptance by U. S. of lands, etc., for Blue Ridge or Natchez Trace Parkways.

An Act To permit the relinquishment or modification of certain restrictions upon the use of lands along the Natchez Trace Parkway in the village of French Camp, Mississippi, approved January 7, 1941 (54 Stat. 1227)

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, in his discretion, is hereby authorized to relinquish or modify certain restrictions upon the use of privately owned lands in the village of French Camp along the Natchez Trace Parkway, which restrictions have been imposed thereon by the scenic easement deed dated May 19, 1938, which is recorded in book 24, pages 333-336, of the Record of Deeds in the office of the clerk of the chancery court of Choctaw County, Mississippi, said lands being situated in section 31, township 17 north, range 9 east, Choctaw County, Mississippi.

Natchez Trace Parkway.

Use of privately owned lands in village of French Camp.

SEC. 2. The Secretary of the Interior is authorized to execute such instruments of conveyance as may be necessary for the purposes of this Act. The cost of recording such instrument shall be paid out of any funds available for the Natchez Trace Parkway. (16 U.S.C. sec. 460 note.)

Execution of instruments of conveyance. Cost of recording.

3. The Oglethorpe National Trail and Parkway project

Page
Survey authorized with a view of constructing "The Oglethorpe National Trail and Parkway".....Act of June 16, 1938 192

An Act To authorize a survey of the old Indian trail and the highway known as "Oglethorpe Trail" with a view of constructing a national roadway on this route to be known as "The Oglethorpe National Trail and Parkway", approved June 16, 1938 (52 Stat. 752)

Oglethorpe National Trail and Parkway.

Preamble.

Whereas the ancient Indian trail, extending from Savannah, the scene of the English colonization of Georgia, northwestwardly along the route of the Savannah River in the direction of the city of Augusta, and thence in a northwesterly direction, furnished a trail along which passed the great Indian migrations and also furnished a means of communication between the Indian tribes traveling from the Middle West and North to the Southeast; and

Whereas General Oglethorpe, in establishing a thoroughfare from Savannah to Augusta (upon returning, in September 1739, from his famous treaty conference with the Creek Nation, which was held at Coweta), followed this ancient Indian trail—this thoroughfare having been used thereafter by the colonists of Georgia in establishing their trading posts and outposts along the banks of the Savannah River into the great heart of the southeastern territory of the United States; and

Whereas this thoroughfare from Savannah to Augusta was designated in 1780 as a British military road; and

Whereas for nearly three-quarters of a century this thoroughfare was used as a stage road, President George Washington having traveled this road during his southern tour in 1791 in going from Savannah to Augusta; and

Whereas many important and historic sites are located on or near this road, including (ascending from Savannah) Old Yamacraw; the Hermitage Plantation; New Yamacraw; the Indian Mound Irene (site of John Wesley's Mission); Mrs. Musgroves Cowpen; Joseph's Town; Mulberry Grove (Nathanael Greene's plantation and site of invention of the cotton gin by Eli Whitney); the town of Abercorn; Dacre's Tavern; New Ebenezer; Old Ebenezer (site of the Salzburger settlement in 1734); the Palachocolas river crossing; Mount Pleasant (site of the trading post and fort); Hudson's Ferry; Uchee Town; Brier Creek Battlefield (site of important Revolutionary War battle); Burton's Ferry; Telfare's Saw Mill; Telfare's Plantation; Stony Bluff (site of prehistoric Indian stone implement factory); Gorham's Ferry; Shell Bluff (site of deposits of gigantic fossilized oysters five inches wide by twenty-four inches long); and

Whereas not only is the area traversed rich in historic and prehistoric sites but it contains tremendous scenic value, passing through deep, junglelike river swamps which abound in game; over small blackwater creeks well stocked with bass, perch, and bream; across flat pine barren lands and rolling hills, and along commanding bluffs on the banks of the Savannah River; and in the springtime when dogwood, laurel, and magnolias are in bloom the area becomes a veritable garden; and

Whereas the entire Indian trail and the original thoroughfare from Savannah to Augusta lends itself particularly well to treatment as a national historic parkway (aside from its own significance it appears entirely feasible and desirable to link this proposed parkway to other national parkways, now under construction, by developing the Cherokee Indian trail from Augusta over the mountains to Tennessee); and

Whereas the cities and counties located in the area through which this roadway passes are interested in the building of this national parkway—numerous organizations, associations, and private citizens having already sponsored many projects to mark various of the historic sites along the roadway; and

Whereas the Government has recently adopted a policy and set up a division in the Department of the Interior known as the "National Park Service" to engage in a national way in laying out parks, reservations, and building parkways: Therefore

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 hereby authorized to use a sum not in excess of $10,000 of the regular roads and trails or parkway appropriations available to the National Park Service, with which to make a survey of the old Indian and Oglethorpe Trail throughout its entire length leading from the city of Savannah to the city of Augusta, Georgia, the same to be known as "The Oglethorpe National Trail and Parkway." The said survey shall locate the parkway as nearly as practicable in its original route. An estimate of cost of construction of an appropriate national parkway on this route, and such other data as would be valuable, shall be obtained by said survey, with the objective of determining matters concerning the construction of the parkway.

Use of funds authorized for survey of old Indian and Oglethorpe Trail.

Location of parkway.

XII. LEGISLATION RELATING TO NATIONAL RECREATIONAL AREA

1. Cape Hatteras National Seashore Recreational Area project

		Page
Establishment of "Cape Hatteras National Seashore" authorized	Act of August 17, 1937	195
Amend Act of August 17, 1937, so as to redesignate area as the Cape Hatteras National Seashore Recreational Area, hunting to be permitted within a portion of the area	Act of June 29, 1940	197

An Act To provide for the establishment of the Cape Hatteras National Seashore in the State of North Carolina, and for other purposes, approved August 17, 1937 (50 Stat. 669) [1]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to all the lands except those within the limits of established villages, within boundaries to be designated by the Secretary of the Interior within the area of approximately one hundred square miles on the islands of Chicamacomico, Ocracoke, Bodie, Roanoke, and Collington, and the waters and the lands beneath the waters adjacent thereto shall have been vested in the United States, said area shall be, and is hereby, established, dedicated, and set apart as a national seashore for the benefit and enjoyment of the people and shall be known as the Cape Hatteras National Seashore: *Provided,* That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid area, but such lands shall be secured by the United States only by public or private donation. (16 U.S.C. sec. 459.)

Cape Hatteras National Seashore, N. C.

Establishment; area, location, etc.

Proviso.

Donations of lands.

SEC. 2. The Secretary of the Interior is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property, within the boundaries of said national seashore as determined and fixed hereunder and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided,* That he may acquire on behalf of the United States under any donated funds 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 national seashore as may be necessary for the completion thereof. (16 U.S.C. sec. 459a.)

Acceptance of donations, etc.

Proviso.

Acquisition of land.

25 Stat. 357. 40 U.S.C. sec. 257.

SEC. 3. The administration, protection, and development of the aforesaid national seashore shall be exercised under the direction of the Secretary of the Interior by the National

Administration, etc., by National Park Service.

[1] Amended by Act of June 29, 1940 (54 Stat. 702), p. 197.

16 U.S.C. sec. 1.

Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended: *Provided,* That except as hereinafter provided nothing herein shall be construed to divest the jurisdiction of other agencies of the Government now exercised over Federal-owned lands within the area of the said Cape Hatteras National Seashore: *Provided further,* That the provisions of the Act of June 10, 1920, known as the "Federal Water Power Act", shall not apply to this national seashore: *And provided further,* That the legal residents of villages referred to in section 1 of this Act shall have the right to earn a livelihood by fishing within the boundaries to be designated by the Secretary of the Interior, subject to such rules and regulations as the said Secretary may deem necessary in order to protect the area for recreational use as provided for in this Act. (16 U.S.C. sec. 459a-1.)

Provisos.

Jurisdiction of other agencies not divested.

Federal Water Power Act not applicable.

41 Stat. 1063. 16 U.S.C. sec. 791.

Rights of village residents.

Permanent reservation as a wilderness.

SEC. 4. Except for certain portions of the area, deemed to be especially adaptable for recreational uses, particularly swimming, boating, sailing, fishing, and other recreational activities of similar nature, which shall be developed for such uses as needed, the said area shall be permanently reserved as a primitive wilderness and no development of the project or plan for the convenience of visitors shall be undertaken which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing in this area: *Provided,* That the Secretary of the Interior may, in his discretion, accept for administration, protection, and development by the National Park Service a minimum of ten thousand acres within the area described in section 1 of this Act, including the existing Cape Hatteras State Park, and, in addition, any other portions of the area described in section 1 hereof if the State of North Carolina shall agree that if all the lands described in section 1 of this Act shall not have been conveyed to the United States within ten years from the passage of this Act, the establishment of the aforesaid national seashore may, in the discretion of the said Secretary, be abandoned, and that, in the event of such abandonment, the said State will accept a reconveyance of title to all lands conveyed by it to the United States for said national seashore. The lands donated to the United States for the purposes of this Act by parties other than said State shall revert in the event of the aforesaid abandonment to the donors, or their heirs, or other persons entitled thereto by law.

Proviso.

Minimum area.

Reversionary provision.

In the event of said abandonment, the Secretary of the Interior shall execute any suitable quitclaim deeds, or other writings entitled to record in the proper counties of North Carolina stating the fact of abandonment, whereupon title shall revert to those entitled thereto by law and no further conveyance or proof of reversion of title shall be required. (16 U.S.C. sec. 459a-2.)

Migratory bird refuge continued.

SEC. 5. Notwithstanding any other provisions of this Act, lands and waters now or hereafter included in any migratory bird refuge under the jurisdiction of the Secretary of Agriculture, within the boundaries of the national seashore as designated by the Secretary of the Interior under section 1 hereof, shall continue as such refuge under the jurisdiction of the Secretary of Agriculture for the protection of migratory birds, but such lands and waters shall be a part of the aforesaid national seashore and shall be administered by the National Park Service for recreational uses not inconsistent with the purposes of such refuge under such rules and regulations as the Secretaries of the Interior and Agriculture may jointly approve. The proviso to section 1 of this Act shall not limit the power of the Secretary of Agriculture to acquire lands for any migratory bird refuge by purchase with any funds made available therefor by applicable law. (16 U.S.C. sec. 459a-3.)

Additions to refuges.

An Act To amend the Act entitled "An Act to provide for the establishment of the Cape Hatteras National Seashore in the State of North Carolina and for other purposes," approved August 17, 1937 (50 Stat. 669), approved June 29, 1940 (54 Stat. 702)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the words "national seashore recreational area" are hereby substituted in lieu of the words "national seashore" wherever such words occur in the Act of August 17, 1937 (50 Stat. 669). (16 U.S.C. sec. 459, 459a, 459a-1, 459a-2, 459a-3.)

Cape Hatteras National Seashore, N. C.

Redesignation of area.

SEC. 2. That section 3 of the aforesaid Act is hereby amended by striking out the period at the end thereof and the addition of the following: ": *And provided further,* That hunting shall be permitted, under such rules and regulations as may be prescribed by the Secretary of the Interior in conformity with the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as follows: (a) Upon the waters of the sounds included within the national seashore recreational area, (b) in the area north of the Currituck County line, (c) on Ocracoke Island, and (d) within not more than two thousand acres of land in the remaining portion of said national seashore recreational area, as shall be designated by the Secretary of the Interior; except on lands and waters included in any existing or future wildlife or migratory bird refuge and adjacent closed waters." (16 U.S.C. sec. 459a-1.)

Provisos.

Hunting permitted in designated areas.

16 U.S.C. secs. 703-711.

XIII. LEGISLATION RELATING TO NATIONAL CEMETERY

1. Custer Battlefield National Cemetery [1]

Page
Museum authorized to be erected.....Act of August 10, 1939 199

An Act To provide for the erection of a public historical museum in the Custer Battlefield National Cemetery, Montana, approved August 10, 1939 (53 Stat. 1337)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed (1) to select a site within the Custer Battlefield National Cemetery, Montana; (2) to erect and maintain thereon, as a memorial to Lieutenant Colonel George A. Custer and the officers and soldiers under his command at the Battle of Little Big Horn River, June 25, 1876, a public museum suitable for housing a collection of historical relics; (3) to accept on behalf of the United States for exhibit in such museum the collection of relics now a part of the estate of Mrs. George A. Custer, deceased, the wife of such Lieutenant Colonel George A. Custer; and (4), in his discretion, to accept such other historical relics as he may deem appropriate for exhibit therein.

Custer Battlefield National Cemetery, Mont. Erection, etc., of public museum within, authorized.

Acceptance for exhibit of historical relics.

SEC. 2. The Secretary of War is authorized and directed, notwithstanding any provision of law to the contrary, to do all things necessary to carry out the provisions of this Act, by contract or otherwise, with or without advertising, under such conditions as he may prescribe, including the engagement by contract of services of such architects, sculptors, artists, or firms, and such other technical and professional personnel as he may deem necessary, without regard to civil-service requirements and restrictions of law governing the employment and compensation of employees of the United States.

Administrative duties.

Engagement of technical services.

SEC. 3. There is hereby authorized to be appropriated the sum of $25,000, or so much thereof as may be necessary to carry out the provisions of this Act.

Appropriation authorized.

[1] Transferred from War Department to National Park Service by Executive Order No. 8428 of June 3, 1940 (5 Fed. Reg. 2131; 3 CFR, CUM.SUPP., 664; 5 U.S.C. secs. 124-132).

XIV. LEGISLATION RELATING TO MISCELLANEOUS AREAS

1. Belvoir Military Reservation

	Page
Portion of Lord Fairfax estate within the military reservation authorized to be transferred to the Department of the Interior.....Act of August 29, 1935	201

An Act To authorize the transfer of a certain military reservation to the Department of the Interior, approved August 29, 1935 (49 Stat. 967)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to transfer to the Department of the Interior the mansion site and such portions of the grounds of Belvoir, part of the estate of Lord Fairfax, located within the Belvoir Military Reservation, Virginia, as may be necessary for the restoration and operation of the historic home and grounds for the benefit and inspiration of the people: *Provided,* That upon cessation of such use the premises so transferred shall revert to the jurisdiction of the War Department: *Provided, however,* That nothing in this Act shall be construed as authorizing the transfer of any part of the said reservation which, in the judgment of the Secretary of War, is needed for the proper development, control, or use of the reservation for military purposes: *Provided further,* That upon cessation of such use the premises so transferred shall revert to the jurisdiction of the War Department: *And provided further,* That the transfer authorized by this Act shall not require discontinuance of the operation of the Fort Belvoir Fish Cultural Station, however, its removal and establishment elsewhere on the Belvoir Military Reservation, Virginia, as may be agreed upon by the Secretary of Commerce and the Secretary of War, is hereby authorized.

Belvoir Military Reservation, Va. Transfer of part of Lord Fairfax estate authorized.

Provisos.

Reverter provision.

Restriction.

Reverter provision.

Fish cultural station.

2. Chopawamsic Recreational Demonstration Project

Page
Administration as part of the park system of the National Capital and its environs.....Act of August 13, 1940 202

An Act To provide for the operation of the recreational facilities within the Chopawamsic recreational demonstration project, near Dumfries, Virginia, by the Secretary of the Interior through the National Park Service, and for other purposes, approved August 13, 1940 (54 Stat. 785)

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

Chopawamsic recreational demonstration project.

That hereafter the lands comprising the Chopawamsic recreational demonstration project transferred to the Secretary of the Interior by Executive Order Numbered 7496, dated November 14, 1936, shall be administered by the Secretary of the Interior through the National Park Service as part of the park system of the National Capital and its environs.

Administration through National Park Service.

SEC. 2. The Director of the National Park Service, under the direction of the Secretary of the Interior, is authorized—

Fees.

(a) To prescribe and collect fees and charges for such recreational and other facilities, conveniences, and services as may be furnished by the National Park Service for the accommodation of the public within the said area.

Contracts for operation of facilities, etc.

(b) To enter into a contract or contracts with any reliable person, organization, or corporation, without advertising and without securing competitive bids for the operation or performance of any such recreational or other facilities, conveniences, and services within the said area.

Revenues.

All revenues collected by the National Park Service, pursuant to the authority of this section, shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

Powers and duties of Director, National Park Service.

SEC. 3. The director of the National Park Service, under the direction of the Secretary of the Interior, is authorized to exercise and perform with respect to the said area all the powers and duties that are conferred and imposed upon him by law in relation to the construction, maintenance, care, custody, policing, upkeep, and repair of the public buildings and parks in the District of Columbia.

APPENDIX

1. Reorganization of Government, excerpts from Executive Order No. 6166 of June 10, 1933 (5 U.S.C. secs. 124-132).

Executive Order

ORGANIZATION OF EXECUTIVE AGENCIES

WHEREAS section 16 of the act of March 3, 1933 (Public, No. 428, 47 Stat. 1517), provides for reorganizations within the executive branch of the Government; requires the President to investigate and determine what reorganizations are necessary to effectuate the purposes of the statute; and authorizes the President to make such reorganizations by Executive order; and

WHEREAS I have investigated the organization of all executive and administrative agencies of the Government and have determined that certain regroupings, consolidations, transfers, and abolitions of executive agencies and functions thereof are necessary to accomplish the purposes of section 16;

NOW, THEREFORE, by virtue of the aforesaid authority, I do hereby order that:

* * * * * *

SECTION 2.—*National Parks, Buildings, and Reservations*

All functions of administration of public buildings, reservations, national parks, national monuments, and national cemeteries are consolidated in an Office of National Parks, Buildings, and Reservations[1] in the Department of the Interior, at the head of which shall be a Director of National Parks, Buildings, and Reservations; except that where deemed desirable there may be excluded from this provision any public building or reservation which is chiefly employed as a facility in the work of a particular agency. This transfer and consolidation of functions shall include, among others, those of the National Park Service of the Department of the Interior and the National Cemeteries and Parks of the War Department which are located within the continental limits of the United States. National cemeteries located in foreign countries shall be transferred to the Department of State, and those located in insular possessions under the jurisdiction of the War Department shall be administered by the Bureau of Insular Affairs of the War Department.

The functions of the following agencies are transferred to the Office of National Parks, Buildings, and Reservations of the Department of the Interior, and the agencies are abolished:

Arlington Memorial Bridge Commission
Public Buildings Commission
Public Buildings and Public Parks of the National Capital
National Memorial Commission
Rock Creek and Potomac Parkway Commission

[1] "National Park Service" was substituted for "Office of National Parks, Buildings, and Reservations" by Act of March 2, 1934 (48 Stat. 389), see excerpt, page 13.

Expenditures by the Federal Government for the purposes of the Commission of Fine Arts, the George Rogers Clark Sesquicentennial Commission, and the Rushmore National Commission shall be administered by the Department of the Interior.

* * * * * *

SECTION 19.—*General Provisions*

Each agency, all the functions of which are transferred to or consolidated with another agency, is abolished.

The records pertaining to an abolished agency or a function disposed of, disposition of which is not elsewhere herein provided for, shall be transferred to the successor. If there be no successor agency, and such abolished agency be within a department, said records shall be disposed of as the head of such department may direct.

The property, facilities, equipment, and supplies employed in the work of an abolished agency or the exercise of a function disposed of, disposition of which is not elsewhere herein provided for, shall, to the extent required, be transferred to the successor agency. Other such property, facilities, equipment, and supplies shall be transferred to the Procurement Division.

All personnel employed in connection with the work of an abolished agency or function disposed of shall be separated from the service of the United States, except that the head of any successor agency, subject to my approval, may, within a period of four months after transfer or consolidation, reappoint any of such personnel required for the work of the successor agency without reexamination or loss of civil-service status.

SECTION 20.—*Appropriations*

Such portions of the unexpended balances of appropriations for any abolished agency or function disposed of shall be transferred to the successor agency as the Director of the Budget shall deem necessary.

Unexpended balances of appropriations for an abolished agency or function disposed of, not so transferred by the Director of the Budget, shall, in accordance with law, be impounded and returned to the Treasury.

SECTION 21.—*Definitions*

As used in this order—

"Agency" means any commission, independent establishment, board, bureau, division, service, or office in the executive branch of the Government.

"Abolished agency" means any agency which is abolished, transferred, or consolidated.

"Successor agency" means any agency to which is transferred some other agency or function, or which results from the consolidation of other agencies or functions.

"Function disposed of" means any function eliminated or transferred.

SECTION 22.—*Effective Date*

In accordance with law, this order shall become effective 61 days from its date; *Provided,* That in case it shall appear to the President that the interests of economy require that any transfer, consolidation, or elimination be delayed beyond the date this order becomes effective, he may, in

his discretion, fix a later date therefor, and he may for like cause further defer such date from time to time.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,
June 10, 1933.

[No. 6166]

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2. Reorganization of Government, Executive Order No. 6228 of July 28, 1933, to make more explicit and to interpret Section 2 of Executive Order No. 6166 of June 10, 1933 (5 U.S.C. secs. 124-132)

Executive Order

ORGANIZATION OF EXECUTIVE AGENCIES

WHEREAS executive order No. 6166 dated June 10, 1933, issued pursuant to the authority of Section 16 of the Act of March 3, 1933 (Public No. 428—47 Stat. 1517) provides in Section 2 as follows:

"All functions of administration of public buildings, reservations, national parks, national monuments, and national cemeteries are consolidated in an office of National Parks, Buildings, and Reservations in the Department of the Interior, at the head of which shall be a Director of National Parks, Buildings, and Reservations; except that where deemed desirable there may be excluded from this provision any public building or reservation which is chiefly employed as a facility in the work of a particular agency. This transfer and consolidation of functions shall include, among others, those of the National Park Service of the Department of the Interior and the National Cemeteries and Parks of the War Department which are located within the continental limits of the United States. National Cemeteries located in foreign countries shall be transferred to the Department of State, and those located in insular possessions under the jurisdiction of the War Department shall be administered by the Bureau of Insular Affairs of the War Department."

and;

WHEREAS to facilitate and expedite the transfer and consolidation of certain units and agencies contemplated thereby, it is desirable to make more explicit said Section 2 of the aforesaid executive order of June 10, 1933, insofar as the same relates to the transfer of agencies now administered by the War Department:

NOW, THEREFORE, said executive order No. 6166, dated June 10, 1933, is hereby interpreted as follows:

1. The cemeteries and parks of the War Department transferred to the Interior Department are as follows:

National Military Parks

Chickamauga and Chattanooga National Military Park, Georgia and Tennessee.
Fort Donelson National Military Park, Tennessee.
Fredericksburg and Spotsylvania County Battle Fields Memorial, Virginia.
Gettysburg National Military Park, Pennsylvania.
Guilford Courthouse National Military Park, North Carolina.
Kings Mountain National Military Park, South Carolina.
Moores Creek National Military Park, North Carolina.
Petersburg National Military Park, Virginia.
Shiloh National Military Park, Tennessee.
Stones River National Military Park, Tennessee.
Vicksburg National Military Park, Mississippi.

National Parks

Abraham Lincoln National Park, Kentucky.
Fort McHenry National Park, Maryland.

Battlefield Sites

Antietam Battlefield, Maryland.
Appomattox, Virginia.
Brices Cross Roads, Mississippi.
Chalmette Monument and Grounds, Louisiana.
Cowpens, South Carolina.
Fort Necessity, Wharton County,[2] Pennsylvania.
Kenesaw Mountain, Georgia.
Monocacy, Maryland.
Tupelo, Mississippi.
White Plains, New York.

National Monuments

Big Hole Battlefield, Beaverhead County, Montana.
Cabrillo Monument, Ft. Rosecrans, California.
Castle Pinckney, Charleston, South Carolina.
Father Millet Cross, Fort Niagara, New York.
Fort Marion, St. Augustine, Florida.
Fort Matanzas, Florida.
Fort Pulaski, Georgia.
Meriwether Lewis, Hardin County, Tennessee.
Mound City Group, Chillicothe, Ohio.
Statue of Liberty, Fort Wood, New York.

Miscellaneous Memorials

Camp Blount Tablets, Lincoln County, Tennessee.
Kill Devil Hill Monument, Kitty Hawk, North Carolina.
New Echota Marker, Georgia.
Lee Mansion, Arlington National Cemetery, Virginia.

[2] Wharton Township, Fayette County.

NATIONAL CEMETERIES

Battleground, District of Columbia.
Antietam, (Sharpsburg) Maryland.
Vicksburg, Mississippi.
Gettysburg, Pennsylvania.
Chattanooga, Tennessee.
Fort Donelson, (Dover) Tennessee.
Shiloh, (Pittsburg Landing) Tennessee.
Stones River, (Murfreesboro) Tennessee.
Fredericksburg, Virginia.
Poplar Grove, (Petersburg) Virginia.
Yorktown, Virginia.

2. Pursuant to Section 22 of said executive order it is hereby ordered that the transfer from the War Department of national cemeteries other than those named above be, and the same is hereby postponed until further order.

3. Also pursuant to Section 22 of said executive order it is hereby ordered that the transfer of national cemeteries located in foreign countries from the War Department to the Department of State and the transfer of those located in insular possessions under the jurisdiction of the War Department to the Bureau of Insular Affairs of said Department be, and the same are hereby postponed until further order.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,
July 28, 1933.

[No. 6228]

☆ 590563—44

UNITED STATES DEPARTMENT OF THE INTERIOR
STEWART L. UDALL, *Secretary*
NATIONAL PARK SERVICE
CONRAD L. WIRTH, *Director*

LAWS RELATING TO THE NATIONAL PARK SERVICE

SUPPLEMENT II

May 1944 to January 1963

COMPILED BY
HILLORY A. TOLSON
Assistant Director
National Park Service

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1963

FOREWORD

This is the second printed supplement to the publication, *Laws Relating to the National Park Service*, which I compiled and which was printed by the Government Printing Office in 1933. The first printed supplement to that volume was compiled in 1944 by Attorney Thomas Alan Sullivan of the National Park Service.

This supplement contains the laws relating to the Service enacted by the Congress between May, 1944, and January 1, 1963. It includes the laws relating to the national monuments, military parks, battlefield sites, and other areas transferred in 1933 from War Department to National Park Service administration. It does not include the laws relating to the park areas administered by the National Capital Region of the National Park Service. Those laws are being compiled by the Office of the Solicitor, Department of the Interior, for publication in a separate volume.

Miss Louise Murray, my secretary, assisted me in compiling this supplement. She also prepared the general index which covers the 1933 volume and its two supplements.

H. A. T.

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[2] Except the laws relating to the park areas administered by the National Capital Region of the National Park Service which are to be published in a separate volume.

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I. GENERAL LEGISLATION

An Act To facilitate the acquisition of non-Federal land within the existing boundaries of any National Park, and for other purposes, approved August 31, 1954 (68 Stat. 1037)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to consolidate Federal land ownership within the existing boundaries of any National Park and to encourage the donation of funds for that purpose, the Secretary of the Interior is authorized to accept and to use in his discretion funds which may be donated subject to the condition that such donated funds are to be expended for purposes of this Act by the Secretary only if Federal funds in an amount equal to the amount of such donated funds are appropriated for the purposes of this Act. There are authorized to be appropriated such funds as may be necessary to match funds that may be donated for such purposes: *Provided*, That the amount which may be appropriated annually for purposes of this Act shall be limited to $500,000. (16 U.S.C. § 452 a.)

National parks. Donated funds for land acquisition.

Appropriation.

An Act To amend the Act of August 31, 1954 (68 Stat. 1037), relating to the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes, approved August 6, 1956 (70 Stat. 1066)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 31, 1954 (68 Stat. 1037), is hereby amended to extend the authority of the Secretary of the Interior, contained therein, to the Cape Hatteras National Seashore Recreational Area. (16 U.S.C. § 459a–6.)

Cape Hatteras National Seashore Recreational Area. 16 U.S.C. 452a. Funds.

SEC. 2. Any funds appropriated to the Department of the Interior for the acquisition of non-Federal lands within areas of the National Park System shall hereafter be available for the acquisition of non-Federal lands within the Cape Hatteras National Seashore Recreational Area, and the appropriation of funds for the acquisition of such lands is hereby authorized. (16 U.S.C. § 459a–7.)

SEC. 3. The total amount which may be expended for the land acquisition program at Cape Hatteras National Seashore Recreational Area, pursuant to the authorizations contained in this Act, is hereby expressly limited to $250,000. (16 U.S.C. § 459a–8.)

Limitation.

An Act To authorize certain administrative expenses in the Government service, and for other purposes, approved August 2, 1946 (60 Stat. 806)

Transfer of civilian employees. Travel expenses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) under such regulations as the President may prescribe, any civilian officer or employee of the Government who, in the interest of the Government, is transferred from one official station to another, including transfer from one department to another, for permanent duty, shall, except as otherwise provided herein, when authorized, in the order directing the travel, by such subordinate official or officials of the department concerned as the head thereof may designate for the purpose, be allowed and paid from Government funds the expenses of travel of himself and the expenses of transportation of his immediate family (or a commutation thereof in accordance with the Act of February 14, 1931) and the expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of his household goods and personal effects (not to exceed seven thousand pounds if uncrated or eight thousand seven hundred and fifty pounds if crated or the equivalent thereof when transportation charges are based on cubic measurement): *Provided*, That advances of funds may be made to the officer or employee in accordance with said regulations under the same safeguards as are required under the Subsistence Expense Act of 1926 (5 U.S.C. 828): *Provided further*, That the allowances herein authorized shall not be applicable to civilian employees of the War Department and their dependents when transferred under the provisions of section 3 of the Act of June 5, 1942 (50 U.S.C. 763), nor to officers and employees of the Foreign Service, Department of State: *Provided further*, That no part of such expenses (including those of officers and employees of the Foreign Service, Department of State) shall be allowed or paid from Government funds where the transfer is made primarily for the convenience or benefit of the officer or employee or at his request: *Provided further*, That in case of transfer from one department to another such expenses shall be payable from the funds of the department to which the officer or employee is transferred.

Post p. 807.

Advances of funds.

44 Stat. 688; 5 U.S.C. §§ 821-823, 824-833; Supp. V, § 823.

Restrictions.

56 Stat. 314. 50 U.S.C., Supp. V, app. § 763.

Transfer from one department to another.

Reimbursement on commuted basis.

(b) In lieu of the payment of actual expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of household goods and personal effects, in the case of such transfers between points in continental United States, reimbursement shall be made to the officer or employee on a commuted basis (not to exceed the amount which would be allowable for the authorized weight allowance) at such rates per

one hundred pounds as may be fixed by zones in regulations prescribed by the President.

Funds available for transportation of families, etc.

(c) Funds available for travel expenses of civilian officers and employees shall also be available for the expenses of the transportation of their immediate families, and funds available for the transportation of things shall also be available for the transportation of household goods and effects, as authorized by this Act. (5 U.S.C. § 73b–1 as amended.)

Repeals. 54 Stat. 1105. 5 U.S.C., Supp. V, § 73c–1 note. 42 Stat. 1454.

SEC. 2. The Act of October 10, 1940 (5 U.S.C. 73c–1), relating to allowances for the transportation of household goods, section 5 of the Act of March 4, 1923, as amended (19 U.S.C. 48), relating to traveling and subsistence expenses of customs officers and employees, the first sentence of section 645(a) of the Tariff Act of 1930 (19 U.S.C. 1645(a)), relating to traveling and subsistence expenses of the families of such officers and employees, and other Acts relating to allowances to civilian officers and employees in the executive branch of the Government (except those mentioned in the second proviso clause of section 1(a) of this Act) on transfer from one official station to another for permanent duty, are hereby repealed. (19 U.S.C. § 1645 note.)

46 Stat. 761.

46 Stat. 1103. 5 U.S.C., Supp. V, § 73a. Travel by privately owned vehicles.

SEC. 3. The Act of February 14, 1931 (5 U.S.C. 73a), as amended, is further amended to read as follows:

"Civilian officers or employees or others rendering service to the Government shall, under regulations prescribed by the President, and unless otherwise provided in the appropriation concerned or other law, and whenever such mode of transportation is authorized or approved as more advantageous to the Government, be paid in lieu of actual expenses of transportation not to exceed 2 cents per mile for the use of privately owned motorcycles or 5 cents per mile for the use of privately owned automobiles or airplanes when engaged in necessary travel on official trips from their designated posts of duty or places of service, or 2 cents per mile for the use of privately owned motorcycles or 4 cents per mile for the use of privately owned automobiles when used on official business wholly within the limits of their official stations or places of service. In addition to the mileage allowances provided for in this section, there may be allowed reimbursement for the actual cost of ferry fares and bridge, road, and tunnel tolls." (Repealed. 5 U.S.C. § 73a. Now covered by 5 U.S.C. § 837.)

Ferry fares, etc.

Per diem allowances.

SEC. 4. Until June 30, 1948, when authorized in an appropriation or other Act, appropriations available for travel expenses shall be available for the payment, without regard to the rates authorized by the Subsistence Expense Act of 1926, as amended (5 U.S.C. 821–833), of per diem allowances in lieu of subsistence expenses to civilian officers and employees of departments while

44 Stat. 688. 5 U.S.C., Supp. V, § 823.

traveling on official business outside continental United States and away from their designated posts of duty: *Provided*, That the amount of such allowances shall be determined by the head of the department concerned or by such subordinates as he may designate for the purpose, but shall in no case exceed the maximum established by regulations prescribed by the President for the locality in which the travel is performed.

Determination of amount.

Travel expenses of consultants and experts.

SEC. 5. Persons in the Government service employed intermittently as consultants or experts and receiving compensation on a per diem when actually employed basis may be allowed travel expenses while away from their homes or regular places of business, including per diem in lieu of subsistence while at place of such employment, in accordance with the Standardized Government Travel Regulations, Subsistence Expense Act of 1926, as amended (5 U.S.C. 821–833), and the Act of February 14, 1931, as amended by this Act, and persons serving without compensation or at $1 per annum may be allowed, while away from their homes or regular places of business, transportation in accordance with said regulations and said Act of February 14, 1931, as so amended, and not to exceed $10 per diem in lieu of subsistence en route and at place of such service or employment unless a higher rate is specifically provided in an appropriation or other Act. (5 U.S.C. § 73b–2, as amended.)

Supra.
Ante, p. 807.
Persons serving without compensation, etc.

47 Stat. 1516.

SEC. 6. Section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), is hereby amended to read as follows:

Lowest first-class accommodations.

"SEC. 10. Whenever by or under authority of law actual expenses for transportation may be allowed, such allowances shall not exceed the lowest first-class rate by the transportation facility used in such transportation unless it is certified, in accordance with regulations prescribed by the President, that lowest first-class accommodations are not available or that use of a compartment or such other accommodations as may be authorized or approved by the head of the agency concerned or such subordinates as he may designate, is required for purposes of security." (5 U.S.C. § 73b.)

Travel of new appointees outside U.S.

SEC. 7. Appropriations for the departments shall be available, in accordance with regulations prescribed by the President, for expenses of travel of new appointees, expenses of transportation of their immediate families and expenses of transportation of their household goods and personal effects from places of actual residence at time of appointment to places of employment outside continental United States, and for such expenses on return of employees from their posts of duty outside continental United States to the places of their actual residence at time of assignment to duty outside the United States:

Provided, That such expenses shall not be allowed new appointees unless and until the person selected for appointment shall agree in writing to remain in the Government service for the twelve months following his appointment, unless separated for reasons beyond his control. In case of a violation of such agreement any moneys expended by the United States on account of such travel and transportation shall be considered as a debt due by the individual concerned to the United States. This section shall not apply to appropriations for the Foreign Service, State Department. (5 U.S.C. § 73b–3 as amended.)

Restriction.

Nonapplicability to Foreign Service, State Department.

SEC. 8. In purchasing motor-propelled or animal-drawn vehicles, or tractors, or road, agricultural, manufacturing, or laboratory equipment, or boats, or parts, accessories, tires, or equipment thereof, or any other article or item the exchange of which is authorized by law, the head of any department or his duly authorized representative may exchange or sell similar items and apply the exchange allowances or proceeds of sales in such cases in whole or in part payment therefor: *Provided*, That any transaction carried out under the authority of this section shall be evidenced in writing.

Exchange allowances, etc.

Evidence of transaction.

SEC. 9. (a) Section 3709 of the Revised Statutes of the United States is hereby amended to read as follows:

41 U.S.C. § 5.

"Unless otherwise provided in the appropriation concerned or other law, purchases and contracts for supplies or services for the Government may be made or entered into only after advertising a sufficient time previously for proposals, except (1) when the amount involved in any one case does not exceed $100, (2) when the public exigencies require the immediate delivery of the articles or performance of the service, (3) when only one source of supply is available and the Government purchasing or contracting officer shall so certify, or (4) when the services are required to be performed by the contractor in person and are (A) of a technical and professional nature or (B) under Government supervision and paid for on a time basis. Except (1) as authorized by section 29 of the Surplus Property Act of 1944 (50 U.S.C. App. 1638), (2) when otherwise authorized by law, or (3) when the reasonable value involved in any one case does not exceed $100, sales and contracts of sale by the Government shall be governed by the requirements of this section for advertising."

Advertising.

Purchases, etc., excepted.

58 Stat. 781.

(b) Exemptions from section 3709, Revised Statutes, in other law in amounts of $100 or less are hereby repealed.

Repeal. *Supra.*

(c) In the case of wholly owned Government corporations, this section shall apply to their administrative transactions only. (41 U.S.C. § 5, as amended. See note thereto.)

Wholly owned Government corporations.

Fees and mileage for witnesses.

SEC. 10. Whenever a department is authorized by law to hold hearings and to subpena witnesses for appearance at said hearings, witnesses summoned to and attending such hearings shall be entitled to the same fees and mileage, or expenses in the case of Government officers and employees, as provided by law for witnesses attending in the United States courts. (5 U.S.C. § 95a.)

31 U.S.C., Supp. V, § 529 note.

SEC. 11. The first sentence of section 3648 of the Revised Statutes (31 U.S.C. 529) is hereby amended to read as follows:

Advances.

"No advance of public money shall be made in any case unless authorized by the appropriation concerned or other law."

Delegation of authority.

SEC. 12. The head of any department may delegate to subordinate officials (1) the power vested in him by law to take final action on matters pertaining to the employment, direction, and general administration of personnel under his department; (2) the authority vested in him by section 3683 of the Revised Statutes (31 U.S.C. 675) to direct the purchase of articles from contingent funds; and (3) the authority vested in him by section 3828, Revised Statutes (44 U.S.C. 324), to authorize the publication of advertisements, notices or proposals. (5 U.S.C. § 22a.)

Special clothing and equipment.

SEC. 13. Appropriations available for the procurement of supplies and material or equipment shall be available for the purchase and maintenance of special clothing and equipment for the protection of personnel in the performance of their assigned tasks. (5 U.S.C. § 118g.)

Awards for suggestions.

SEC. 14. The head of each department is authorized, under such rules and regulations as the President may prescribe, to pay cash awards to civilian officers and employees (or to their estates) who make meritorious suggestions which will result in improvement or economy in the operations of his department and which have been adopted for use and to incur necessary expenses for the honorary recognition of exceptional or meritorious service: *Provided*, That no award shall be paid to any officer or employee for any suggestion which represents a part of the normal requirements of the duties of his position. With the exception of the War and Navy Departments, the amount of any one award shall not exceed $1,000 and the total of cash awards paid during any fiscal year in any department shall not exceed $25,000. Payments may be made from the appropriation for the activity primarily benefiting or may be distributed among appropriations for activities benefiting as the head of the department determines. A cash award shall be in addition to the regular compensation of the recipient and the acceptance of such cash award shall constitute an agreement that the use by the United States of the suggestion for which the award is made shall not

Restrictions.

Payments.

form the basis of a further claim of any nature upon the United States by him, his heirs or assigns.

All other Acts or parts of Acts in conflict with the provisions of this section are hereby repealed. (Repealed, 5 U.S.C. § 116a note. Now covered by 5 U.S.C. § 2121 *et. seq.*) Repeal.

SEC. 15. The head of any department, when authorized in an appropriation or other Act, may procure the temporary (not in excess of one year) or intermittent services of experts or consultants or organizations thereof, including stenographic reporting services, by contract, and in such cases such service shall be without regard to the civil-service and classification laws (but as to agencies subject to the Classification Act at rates not in excess of the per diem equivalent of the highest rate payable under the Classification Act, unless other rates are specifically provided in the appropriation or other law) and, except in the case of stenographic reporting services by organizations, without regard to section 3709, Revised Statutes, as amended by this Act. (5 U.S.C. § 55a as amended.) Temporary services of experts, etc. 42 Stat. 1488. 5 U.S.C. §§ 661–674; Supp. V, § 661 *et seq.* *Ante*, pp. 216, 219. *Ante*, p. 809.

SEC. 16. (a) Section 5 of the Act of July 16, 1914 (5 U.S.C. 78), is amended to read as follows: 38 Stat. 508.

"SEC. 5. (a) Unless specifically authorized by the appropriation concerned or other law, no appropriation shall be expended to purchase or hire passenger motor vehicles for any branch of the Government other than those for the use of the President of the United States, the secretaries to the President, or the heads of the executive departments enumerated in 5 U.S.C. 1. Purchase, etc., of passenger vehicles.

"(b) Excepting appropriations for the Military and Naval Establishments, no appropriation shall be available for the purchase, maintenance, or operation of any aircraft unless specific authority for the purchase, maintenance, or operation thereof has been or is provided in such appropriation. Aircraft.

"(c) Unless otherwise specifically provided, no appropriation available for any department shall be expended— Restrictions.

"(1) to purchase any passenger motor vehicle (exclusive of busses, ambulances, and station wagons), at a cost, completely equipped for operation, and including the value of any vehicle exchanged, in excess of the maximum price therefor, if any, established pursuant to law by a Government agency and in no event more than such amount as may be specified in an appropriation or other Act, which shall be in addition to the amount required for transportation; Purchase price of passenger vehicle.

"(2) for the maintenance, operation, and repair of any Government-owned passenger motor vehicle or aircraft not used exclusively for official purposes; and 'official purposes' shall not include the transportation of officers and employees between their domi- Maintenance, etc. "Official purposes."

ciles and places of employment, except in cases of medical officers on out-patient medical service and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the department concerned. Any officer or employee of the Government who willfully uses or authorizes the use of any Government-owned passenger motor vehicle or aircraft, or of any passenger motor vehicle or aircraft leased by the Government, for other than official purposes or otherwise violates the provisions of this paragraph shall be suspended from duty by the head of the department concerned, without compensation, for not less than one month, and shall be suspended for a longer period or summarily removed from office if circumstances warrant. The limitations of this paragraph shall not apply to any motor vehicles or aircraft for official use of the President, the heads of the executive departments enumerated in 5 U.S.C. 1, ambassadors, ministers, chargés d'affaires, and other principal diplomatic and consular officials.

Violations.

Nonapplicability.

Budget estimates.

"(d) In the budgets for the fiscal year 1948 and subsequent fiscal years there shall be submitted in detail estimates for such necessary appropriations as are intended to be used for purchase or hire of passenger motor vehicles or for purchase, maintenance, or operation of aircraft, specifying the sums required, the public purposes for which said conveyances are intended, the number of currently owned conveyances to be continued in use, and the officials or employees by whom all of such conveyances are to be used.

Acquisition by transfer.

"(e) The acquisition of aircraft or passenger motor vehicles by any agency by transfer from another department of the Government shall be considered as a purchase within the meaning hereof." (5 U.S.C. § 78.)

Repeal.

(b) The second paragraph of section 3 of the Act of March 18, 1904 (33 Stat. 142; 5 U.S.C. 77), is hereby repealed.

Section 4 of the Act of February 3, 1905 (33 Stat. 687; 5 U.S.C. 77), is hereby amended to read as follows:

Imprint of department name on vehicle.

"All motor vehicles acquired and used for official purposes of the departmental service in the District of Columbia shall have conspicuously imprinted thereon at all times the full name of the executive department or other branch of the public service to which the same belong and in the service of which the same are used."

Repeals.

SEC. 17. (a) The following statutes or parts of statutes are hereby repealed:

Sections 1779 and 192, as amended, of the Revised Statutes (5 U.S.C. 102);

The Act of January 21, 1881 (44 U.S.C. 323); 21 Stat. 317.
Section 3 of the Act of March 15, 1898 (31 U.S.C. 678). 30 Stat. 316.

(b) That portion of the Act of July 31, 1876, (44 U.S.C. 321; 19 Stat. 105), reading as follows: "and in no case of advertisement for contracts for the public service shall the same be published in any newspaper published and printed in the District of Columbia unless the supplies or labor covered by such advertisement are to be furnished or performed in said District of Columbia" is hereby amended by adding at the end thereof "or in the adjoining counties of Maryland or Virginia". (44 U.S.C. § 321.)

Advertisement for contracts.

(c) That portion of the Act of June 23, 1906 (3 U.S.C. 43) reading as follows: "not exceeding $25,000 per annum" is hereby amended to read, "not exceeding $40,000 per annum".

President's traveling expenses. 34 Stat. 454.

SEC. 18. The word "department" as used in this Act shall be construed to include independent establishments, other agencies, wholly owned Government corporations (the transactions of which corporations shall be subject to the authorizations and limitations of this Act, except that section 9 shall apply to their administrative transactions only), and the government of the District of Columbia, but shall not include the Senate, House of Representatives, or office of the Architect of the Capitol, or the officers or employees thereof. The words "continental United States" as used herein shall be construed to mean the forty-eight States and the District of Columbia. The word "Government" shall be construed to include the government of the District of Columbia. The word "appropriation" shall be construed as including funds made available by legislation under section 104 of the Government Corporation Control Act, approved December 6, 1945. (5 U.S.C. § 73b–4.)

"Department."

Ante, p. 809.

"Continental United States."

"Government."

"Appropriation."

59 Stat. 598. 31 U.S.C., Supp. V, § 849.

SEC. 19. Sections 1, 3, 4, 5, 7, 14, and 15 of this Act shall not apply to persons whose pay and allowances are established by the Pay Readjustment Act of 1942. (Repealed, 5 U.S.C. § 73a note. Now covered by 5 U.S.C. § 837.)

Nonapplicability. 56 Stat. 359. 37 U.S.C., Supp. V, §§ 101–120. *Ante*, pp. 20, 343 *et seq.*; *post*, pp. 858 *et seq.*, 868.

SEC. 20. Sections 1 and 2 of this Act shall become effective on the first day of the third calendar month following the enactment hereof. (5 U.S.C. § 73b–1 note.)

Effective date.

An Act To authorize the Secretary of the Interior to acquire, construct, operate, and maintain public airports in, or in close proximity to, national parks, monuments, and recreation areas, and for other purposes, approved March 18, 1950 (64 Stat. 27)

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 (hereinafter called the "Secretary") is hereby authorized to plan, acquire, establish, construct, enlarge, improve,

Airports in or near national parks, etc.

maintain, equip, operate, regulate, and protect airports in the continental United States in, or in close proximity to, national parks, national monuments, and national recreation areas, when such airports are determined by him to be necessary to the proper performance of the functions of the Department of the Interior: *Provided*,

Restriction.

That no such airport shall be acquired, established, or constructed by the Secretary unless such airport is included in the then current revision of the national airport plan formulated by the Administrator of Civil Aeronautics pursuant to the provisions of the Federal Airport Act: *Provided further*, That the operation and maintenance of such airports shall be in accordance with the standards, rules, or regulations prescribed by the Administrator of Civil Aeronautics. (16 U.S.C. § 7a as amended.)

60 Stat. 170. 49 U.S.C. §§ 1101–1119; Sup. III, § 1101 *et seq.* *Ante*, p. 4; *infra*; *post*, pp. 1071, 1237.

Acquisition of lands, etc.

SEC. 2. In order to carry out the purposes of this Act, the Secretary is authorized to acquire necessary lands and interests in or over lands; to contract for the construction, improvement, operation, and maintenance of airports and incidental facilities; to enter into agreements with other public agencies providing for the construction, operation, or maintenance of airports by such other public agencies or jointly by the Secretary and such other public agencies upon mutually satisfactory terms; and to enter into such other agreements and take such other action with respect to such airports as may be necessary to carry out the purposes of this Act: *Pro-*

Restriction.

vided, That nothing in this Act shall be held to authorize the Secretary to acquire any land, or interest in or over land, by purchase, condemnation, grant, or lease, without first obtaining the consent of the Governor of the State, and the consent of the State political subdivision in which such land is located: *And provided further*,

Limitation.

That the authorization herein granted shall not exceed $2,000,000. (16 U.S.C. § 7b.)

Sponsorship.

SEC. 3. In order to carry out the purposes of this Act the Secretary is hereby authorized to sponsor projects under the Federal Airport Act either independently

Supra.

or jointly with other public agencies, and to use, for payment of the sponsor's share of the project costs of such projects, any funds that may be contributed or otherwise made available to him for such purpose (receipt of which funds and their use for such purposes is hereby authorized) or may be appropriated or otherwise specifically authorized therefor. (16 U.S.C. § 7c.)

Public use.

SEC. 4. All airports under the jurisdiction of the Secretary, unless otherwise specifically provided by law, shall be operated as public airports, available for public use on fair and reasonable terms and without unjust discrimination. (16 U.S.C. § 7d.)

SEC. 5. The terms "airport", "project", "project costs", "public agency", and "sponsor", as used in this Act, shall have the respective meanings prescribed in the Federal Airport Act. (16 U.S.C. § 7e.) Definitions. *Supra.*

SEC. 6. Section 9(c) of the Federal Airport Act, as amended, is hereby amended to read as follows: 60 Stat. 174.

"(c) Nothing in this Act shall authorize the submission of a project application by the United States or any agency thereof, except in the case of a project in the Territory of Alaska, the Territory of Hawaii, Puerto Rico, the Virgin Islands, or in, or in close proximity to, a national park, national recreation area, or national monument, or in a national forest." (49 U.S.C. § 1108 (c).) Project applications.

SEC. 7. Section 3 of the Federal Airport Act, as amended, is hereby amended by adding a new subsection (c) to read as follows: 60 Stat. 171.

"(c) In making annual revisions of the national airport plan pursuant to the provisions of this Act, the Administrator of Civil Aeronautics shall consult with and consider the views and recommendations of the Secretary of the Interior with respect to the need for development of airports in, or in close proximity to, national parks, national monuments, and national recreation areas." (49 U.S.C. § 1102(c).) National airport plan.

An Act relating to the establishment of public recreation facilities in Alaska, and for other purposes, approved May 4, 1956 (70 Stat. 130)

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, as an aid in the settlement and development of the Territory of Alaska, for a period of five years after the approval of this Act, is authorized to construct campgrounds and parking areas, including necessary access roads thereto, and other public recreation-area facilities in Alaska and to maintain them pending their transfer to appropriate Territorial agencies and communities: *Provided*, That no lodges, hotels, or other structures providing overnight accommodations for the public shall be constructed pursuant to this Act. Such public recreation facilities may be constructed upon lands under the Secretary's administrative jurisdiction that are not needed for other public purposes. The Secretary is authorized to transfer, upon such terms and conditions as he may consider to be in the public interest, to appropriate Territorial agencies and communities for operation and maintenance such of the aforesaid public facilities and land relating thereto as he shall deem in the public interest. Alaska. Recreation facilities.

SEC. 2. There is hereby authorized to be appropriated the sum of $100,000 per year for each of the fiscal years Appropriations.

ending June 30, 1957, June 30, 1958, June 30, 1959, June 30, 1960, and June 30, 1961.

An Act To authorize the conveyance to States, or political subdivisions, of roads leading to certain historical areas administered by the Department of the Interior, and for other purposes, approved June 3, 1948 (62 Stat. 334)

Roads leading to national parks, etc.

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 in his discretion, subject to such conditions as may seem to him proper, to convey by proper quitclaim deed to any State, county, municipality, or proper agency thereof, in which the same is located, all the right, title, and interest of the United States in and to any Government owned or controlled road leading to any national cemetery, national military park, national historical park, national battlefield park, or national historic site administered by the National Park Service. Prior to the delivery of any conveyance under this Act, the State, county, or municipality to which the conveyance herein authorized is to be made shall notify the Secretary of the Interior in writing of its willingness to accept and maintain the road or roads included in such conveyance. Upon the execution and delivery of any conveyance herein authorized, any jurisdiction heretofore ceded to the United States by a State over the roads conveyed shall thereby cease and determine and shall thereafter vest and be in the particular State in which such roads are located. (16 U.S.C. § 8e.)

"State."

SEC. 2. The word "State" as used in this Act includes Hawaii, Alaska, Puerto Rico, and the Virgin Islands. (16 U.S.C. § 8f as amended.)

An Act To provide basic authority for the performance of certain functions and activities of the National Park Service, approved August 7, 1946 (60 Stat. 885)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That appropriations for the National Park Service are authorized for—

National Park Service. Appropriations authorized.

(a) Necessary protection of the area of federally owned land in the custody of the National Park Service known as the Ocean Strip and Queets Corridor, adjacent to Olympic National Park, Washington; necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of Glacier National Park, Montana, and the international boundary; repair and maintenance of approximately two and seventy-seven one-hundredths miles of road leading from United States Highway 187 to the north entrance of Grand Teton National Park,

Roads.

Wyoming; maintenance of approach roads through the Lassen National Forest leading to Lassen Volcanic National Park, California; maintenance and repair of the Generals Highway between the boundaries of Sequoia National Park, California, and the Grant Grove section of Kings Canyon National Park, California; maintenance of approximately two and one-fourth miles of roads comprising those portions of the Fresno-Kings Canyon approach road, Park Ridge Lookout Road, and Ash Mountain-Advance truck trail, necessary to the administration and protection of the Sequoia and Kings Canyon National Parks; maintenance of the roads in the national forests leading out of Yellowstone National Park, Wyoming, Idaho, and Montana; maintenance of the road in the Stanislaus National Forest connecting the Tioga Road with the Hetch Hetchy Road near Mather Station, Yosemite National Park, California; and maintenance and repair of the approach road to the Custer Battlefield National Monument and the road connecting the said monument with the Reno Monument site, Montana.

Recreational areas.

(b) Administration, protection, improvement, and maintenance of areas, under the jurisdiction of other agencies of the Government, devoted to recreational use pursuant to cooperative agreements.

Transportation for cooperators, etc.

(c) Necessary local transportation and subsistence in kind of persons selected for employment or as cooperators, serving without other compensation, while attending fire-protection training camps.

Chesapeake and Ohio Canal.

(d) Administration, protection, maintenance, and improvement of the Chesapeake and Ohio Canal.

Educational lectures, etc.

(e) Educational lectures in or in the vicinity of and with respect to the national parks, national monuments, and other reservations under the jurisdiction of the National Park Service; and services of field employees in cooperation with such nonprofit scientific and historical societies engaged in educational work in the various parks and monuments as the Secretary of the Interior may designate.

Travel expenses of employees in training schools, etc.

(f) Travel expenses of employees attending Government camps for training in forest-fire prevention and suppression and the Federal Bureau of Investigation National Police Academy, and attending Federal, State, or municipal schools for training in building fire prevention and suppression.

Investigation, etc., of water rights.

(g) Investigation and establishment of water rights in accordance with local custom, laws, and decisions of courts, including the acquisition of water rights or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in the administration and public use of the national parks and monuments.

Water supply line.

(h) Acquisition of rights-of-way and construction and maintenance of a water supply line partly outside the boundaries of Mesa Verde National Park.

Telephone service.

(i) Official telephone service in the field in the case of official telephones installed in private houses when authorized under regulations established by the Secretary. (16 U.S.C. § 17j–2.)

Excerpts from "An Act To amend the Atomic Energy Act of 1946, as amended, and for other purposes," approved August 30, 1954 (68 Stat. 919, 934)

"SEC. 67. OPERATIONS ON LANDS BELONGING TO THE UNITED STATES.—The Commission is authorized, to the extent it deems necessary to effectuate the provisions of this Act, to issue leases or permits for prospecting for, exploration for, mining of, or removal of deposits of source material in lands belonging to the United States: *Provided, however*, That notwithstanding any other provisions of law, such leases or permits may be issued for lands administered for national park, monument, and wildlife purposes only when the President by Executive Order declares that the requirements of the common defense and security make such action necessary. (42 U.S.C. § 2097.)

"SEC. 68. PUBLIC LANDS.—

"a. No individual, corporation, partnership, or association, which had any part, directly or indirectly, in the development of the atomic energy program, may benefit by any location, entry, or settlement upon the public domain made after such individual, corporation, partnership, or association took part in such project, if such individual, corporation, partnership, or association, by reason of having had such part in the development of the atomic energy program, acquired confidential official information as to the existence of deposits of such uranium, thorium, or other materials in the specific lands upon which such location, entry, or settlement is made, and subsequent to the date of the enactment of this Act made such location, entry, or settlement or caused the same to be made for his, or its, or their benefit.

"b. In cases where any patent, conveyance, lease, permit, or other authorization has been issued, which reserved to the United States source materials and the right to enter upon the land and prospect for, mine, and remove the same, the head of the Government agency which issued the patent, conveyance, lease, permit, or other authorization shall, on application of the holder thereof, issue a new or supplemental patent, conveyance, lease, permit, or other authorization without such reservation. If any rights have been granted by the United States pursuant to any such reservation then such patent shall be made subject to those rights, but the patentee

shall be subrogated to the rights of the United States. (42 U.S.C. § 2098 as amended.)

Excerpts from "An Act To amend the Atomic Energy Act of 1954, as amended," approved August 19, 1958 (72 Stat. 632)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection a. of section 53 of the Atomic Energy Act of 1954, as amended, is amended by deleting "or" at the end of paragraph "(2)"; by changing the period at the end of paragraph "(3)" to a semicolon; and by adding the following at the end of the subsection:

Atomic Energy Act of 1954, amendment. 68 Stat. 930. 42 U.S.C. 2073. Licenses.

* * * * * * *

SEC. 3. That section 68 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

42 U.S.C. 2098.

"SEC. 68. PUBLIC AND ACQUIRED LANDS.—

"b. Any reservation of radioactive mineral substances, fissionable materials, or source material, together with the right to enter upon the land and prospect for, mine, and remove the same, inserted pursuant to Executive Order 9613 of September 13, 1945, Executive Order 9701 of March 4, 1946, the Atomic Energy Act of 1946, or Executive Order 9908 of December 5, 1947, in any patent, conveyance, lease, permit, or other authorization or instrument disposing of any interest in public or acquired lands of the United States, is hereby released, remised, and quitclaimed to the person or persons entitled upon the date of this Act under the grant from the United States or successive grants to the ownership, occupancy, or use of the land under applicable Federal or State laws: *Provided, however*, That in cases where any such reservation on acquired lands of the United States has been heretofore released, remised, or quitclaimed subsequent to August 12, 1954, in reliance upon authority deemed to have been contained in the Atomic Energy Act of 1946, as amended, or the Atomic Energy Act of 1954, as heretofore amended, the same shall be valid and effective in all respects to the same extent as if public lands and not acquired lands had been involved. The foregoing release shall be subject to any rights which may have been granted by the United States pursuant to any such reservation, but the releasees shall be subrogated to the rights of the United States." (42 U.S.C. § 2098.)

Release of reservation.

3 CFR Cum. Supp., p. 425.

60 Stat. 755. 42 U.S.C. 1801 note. 3 CFR Cum. Supp., p. 510, 674.

Joint Resolution To establish a Commission to develop and execute plans for the celebration of the one hundred and fiftieth anniversary of the Battle of Lake Erie, and for other purposes, approved October 24, 1962 (76 Stat. 1244)

Whereas the one hundred and fiftieth anniversary of the renowned naval Battle of Lake Erie near Put-in-Bay, Ohio, will occur in September 1963;

Whereas the decisive victory of Commodore Oliver Hazard Perry on September 10, 1813, over the British naval forces in Lake Erie had profound results on the conclusion of the War of 1812 and the future of the United States as a nation;

Whereas this victory of the small squadron commanded by Commodore Perry marked the only time in the history of the world that an entire British squadron surrendered to an enemy;

Whereas Commodore Perry's report following this engagement, "We have met the enemy, and they are ours . . . two ships, two brigs, one schooner and one sloop", electrified the young Nation at that time and will ever be remembered in the annals of American history;

Whereas the War of 1812 on the land and sea areas of the United States and Canada introduced these two great English-speaking nations to a period of one hundred and fifty years of permanent peace and mutual respect along an unfortified three-thousand-mile common boundary;

Whereas this struggle resulted in memorializing the principle of international peace by arbitration and disarmament and lasting peace among nations;

Whereas the enduring results of this conflict have cemented more strongly the cultural and economic ties which exist between Canada and the United States as a demonstration of peace and good will in a world today fraught with unrest and fear: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a commission to be known as the "Battle of Lake Erie Sesquicentennial Celebration Commission" (hereinafter referred to as the "Commission") which shall be composed of thirteen members as follows:

Battle of Lake Erie Sesquicentennial Celebration Commission. Establishment.

Membership.

(1) Four members who shall be Members of the Senate, to be appointed by the President of the Senate (two of whom shall be from the State of Ohio);

(2) Four members who shall be Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives (two of whom shall be from the State of Ohio);

(3) One representative of the Department of the Interior who shall be designated by the Secretary of the Interior and who shall serve as executive officer of the Commission; and

(4) Four members to be appointed by the President of the United States.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve

as Chairman. The members of the Commission shall receive no salary.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

Functions.

SEC. 2. The functions of the Commission shall be to develop and to execute suitable plans for the celebration, in 1963, of the one hundred and fiftieth anniversary of the Battle of Lake Erie.

Compensation. 5 U.S.C. 1113; *Ante*, p. 843.

SEC. 3. The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions: *Provided, however*, That no employee whose position would be subject to the Classification Act of 1949, as amended, if said Act were applicable to such position, shall be paid a salary at a rate in excess of the rate payable under said Act for positions of equivalent difficulty or responsibility. Such rates of compensation may be adopted by the Commission as may be authorized by the Classification Act of 1949, as amended, as of the same date such rates are authorized for positions subject to said Act. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee.

Acceptance of donations, etc.

SEC. 4. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with agencies of State and local governments, with patriotic and historical societies and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this joint resolution. The Commission, to such extent as it finds to be necessary, may procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this joint resolution: *Provided, however*, That all expenditures of the Commission shall be made from donated funds only.

Expenditures.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress within one year following the termination of the celebration as prescribed by this joint resolution. The Commission shall terminate upon submission of its report to the Congress.

Report to Congress.

Property or revenues, disposal.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as surplus prop-

erty. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

Franked mail.

(d) Mail matter sent by the Commission as penalty mail or franked mail shall be accepted for mail subject to section 4156 of title 39, United States Code, as amended.

74 Stat. 661.

Joint Resolution To provide for investigating the feasibility of establishing a coordinated local, State, and Federal program in the city of Boston, Massachusetts, and general vicinity thereof, for the purpose of preserving the historic properties, objects, and buildings in that area, approved June 16, 1955 (69 Stat. 136)

Whereas there are located within the city of Boston and vicinity a number of historic properties, buildings, sites, and objects of the Colonial and Revolutionary period of American history which, because of their historical significance or their architectural merit, are of great importance to the Nation; and

Whereas at this critical period, as well as at all periods in our national life, the inspiration afforded by such prime examples of the American historical heritage and their interpretation is in the public interest; and

Whereas it is proper and desirable that the United States of America should cooperate in a program looking to the preservation and public use of these historic properties that are intimately associated with American Colonial solidarity and the establishment of American independence; Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a Commission is hereby created for the purpose of investigating the feasibility of establishing a coordinated program in which the Federal Government may cooperate with local and State governments and historical and patriotic societies for the preservation and appreciation by the public of the most important of the Colonial and Revolutionary properties in Boston and the general vicinity thereof which form outstanding examples of America's historical heritage.

Boston National Historic Sites Commission. Purpose.

Members.

SEC. 2. The Commission shall be known as the Boston National Historic Sites Commission, and shall be composed of seven individuals, who shall serve without compensation, to be appointed as follows: One Member of the United States Senate, to be appointed by the President of the Senate; one Member of the United States House of Representatives, to be appointed by the Speaker of the House; one member to be appointed by the Secretary of the Interior, and four persons, at least one of whom shall be a resident of the city of Boston, to be appointed by the President of the United States. Any

vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

Meeting.

SEC. 3. The Commission shall meet for the purpose of organizing within ninety days after the enactment of this Act. The Commission shall elect a chairman and executive secretary from among its members.

Duties.

SEC. 4. The Commission shall (a) make an inventory and study of the historic objects, sites, buildings, and other historic properties of Boston and the general vicinity thereof, including comparative real estate costs; (b) prepare an analysis of the existing condition and state of care of such properties; (c) recommend such programs by the local, State, or Federal governments and cooperating societies for the future preservation, public use, and appreciation of such properties as the Commission shall consider to be in the public interest; and (d) prepare a report containing basic factual information relating to the foregoing and the recommendations of the Commission thereon. Such report shall be transmitted to the Congress by the Secretary of the Interior within two years following the approval of this Act and the securing of appropriations for purposes hereof. Upon submission of the report to the Congress, the Commission shall cease to exist.

Report to Congress.

Termination.

Employees.

63 Stat. 954. 5 U.S.C. 1071 note.

SEC. 5. (a) The Secretary of the Interior may appoint and fix the compensation, in accordance with the provisions of the civil-service laws and the Classification Act of 1949, as amended, of such experts, advisers, and other employees, and may make such expenditures, including expenditures for actual travel and subsistence expense of members, employees, and witnesses (not exceeding $15 for subsistence expense for any one person for any one calendar day), for personal services at the seat of government and elsewhere, and for printing and binding, as are necessary for the efficient execution of the functions, powers, and duties of the Commission under this Act. The Commission is authorized to utilize voluntary and uncompensated services for the purposes of this Act. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $40,000, to carry out the provisions of this Act, including printing and binding.

Appropriation.

Mailing privilege.

(b) The Commission shall have the same privilege of free transmission of official mail matters as is granted by law to officers of the United States Government.

An Act Extending the time in which the Boston National Historic Sites Commission shall complete its work, approved February 19, 1957 (71 Stat. 4)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-

Boston National Historic Sites Commission.

sembled, That section 4 of the joint resolution entitled "Joint resolution to provide for investigating the feasibility of establishing a coordinated local, State, and Federal program in the city of Boston, Massachusetts, and general vicinity thereof, for the purpose of preserving the historic properties, objects, and buildings in that area", approved June 16, 1955 (69 Stat. 136), is amended by striking out "two years" and inserting in lieu thereof "three years".

An Act Extending the time in which the Boston National Historic Sites Commission shall complete its work, approved July 3, 1958 (72 Stat. 296)

Boston National Historic Sites Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the joint resolution entitled "Joint resolution to provide for investigating the feasibility of establishing a coordinated local, State, and Federal program in the city of Boston, Massachusetts, and general vicinity thereof, for the purpose of preserving the historic properties, objects, and buildings in that area", approved June 16, 1955 (69 Stat. 136), as amended by the Act of February 19, 1957 (71 Stat. 4), is further amended by striking out "three years" and inserting in lieu thereof "four years." Section 5 of the aforesaid joint resolution, as amended, is further amended by striking out "$40,000" and by inserting in lieu thereof "$60,000."

An Act Extending the time in which the Boston National Historic Sites Commission shall complete its work, approved August 4, 1959 (73 Stat. 279)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the joint resolution entitled "Joint resolution to provide for investigating the feasibility of establishing a coordinated local, State, and Federal program in the city of Boston, Massachusetts, and general vicinity thereof, for the purpose of preserving the historic properties, objects, and buildings in that area", approved June 16, 1955 (69 Stat. 136), as amended by the Act of February 19, 1957 (71 Stat. 4), as amended by the Act of July 3, 1958 (72 Stat. 296), is further amended by striking out "four years" and inserting in lieu thereof "five years". Section 5 of the aforesaid joint resolution, as amended, is further amended by striking out "$60,000" and inserting in lieu thereof "$80,000."

Joint Resolution To establish a commission to commemorate the one hundredth anniversary of the Civil War, and for other purposes, approved September 7, 1957 (71 Stat. 626)

Whereas the years 1961–1965 will mark the centennial of the American Civil War, the supreme experience in our history as a nation; and

Whereas the sacrifice of our people in that great ordeal was severe in all sections of the land; and

Whereas the far-reaching events of the Civil War established that the United States would remain permanently one nation; and

Whereas the Civil War, the greatest internal crisis through which this Nation passed, forged the unity of this country and the sons of both North and South have subsequently fought side by side for human freedom, justice, and the dignity of the individual among people everywhere; and

Whereas the development and preservation of the national military and battlefield parks contemplates acquisition of the necessary lands to assure perpetual preservation of these great battlefields and the furnishing of improvements to assure proper and adequate visitor understanding and use of these American fields of valor and sacrifice; and

Whereas it is incumbent upon us as a nation to provide for the proper observances of the centennial years of this great and continuing force in our history: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to provide for appropriate and nationwide observances and the coordination of ceremonies, there is hereby established a commission to be known as the Civil War Centennial Commission, hereafter in this Act referred to as the "Commission", which shall be composed of twenty-five members, as follows:

Civil War Centennial Commission.

(1) The President of the United States, President of the Senate, and Speaker of the House of Representatives, who shall be ex officio members of the Commission;

(2) Four Members of the Senate to be appointed by the President of the Senate;

(3) Four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives;

(4) Twelve members to be appointed by the President of the United States, two of whom shall be from the Department of Defense; and

(5) One member from the Department of the Interior who shall be the Director of the National Park Service or his representative.

(6) One member from the Library of Congress who shall be the Librarian or his representative.

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(b) The Director of the National Park Service shall call the first meeting for the purpose of electing a Chairman. The Commission, at its discretion, may appoint honorary members, and may establish an Advisory Council to assist it in its work.

(c) Appointments provided for in this section, with the exception of honorary members, shall be made within ninety days from the date of enactment of this resolution. Vacancies shall be filled in the same manner as the original appointments were made. (36 U.S.C. § 741.)

Program.

SEC. 2. It shall be the duty of the Commission to prepare an overall program to include specific plans for commemorating the one hundredth anniversary of the Civil War. In preparing its plans and programs, the Commission shall give due consideration to any similar and related plans advanced by State, civic, patriotic, hereditary, and historical bodies, and may designate special committees with representation from the abovementioned bodies to plan and conduct specific ceremonies. The Commission may give suitable recognition such as the award of medals and certificates or by other appropriate means to persons and organizations for outstanding accomplishments in preserving and writing the history of the Civil War. (36 U.S.C. § 742.)

Awards.

Preservation of historic sites.

SEC. 3. In order to conduct effectively centennial observances on the Civil War battlefields and related historic sites included within the National Park System, the Secretary of the Interior, acting through the National Park Service, is authorized to undertake as a part of the Mission 66 program, the further preservation and development of such battlefields and sites, at such time and in such manner as will insure that a fitting observance may be held at each such battlefield or site as its centennial occurs during the period 1961–1965. (36 U.S.C. § 743.)

Proclamations.

SEC. 4. The President of the United States is authorized and requested to issue proclamations inviting the people of the United States to participate in and observe the centennial anniversaries of the nationally significant historic events, the commemorations of which are provided for herein. (36 U.S.C. § 744.)

Donations.

SEC. 5 (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with States, civic, patriotic, hereditary, and historical groups and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this resolution.

All books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other materials relating to the Civil War and donated to the Commission may be deposited for permanent preservation in a national, State,

or local library or museum or be otherwise disposed of by the Commission in consultation with the Librarian of Congress or the Secretary of the Smithsonian Institution.

(b) The Commission, to such extent as it finds to be necessary, may, without regard to the laws and procedures applicable to Federal agencies, procure supplies, services, and property and make contracts, expend in furtherance of this resolution funds donated or funds received in pursuance of contracts hereunder, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this resolution.

(c) The National Park Service is designated to provide all general administrative services. (36 U.S.C. § 745.) Administrative services.

SEC. 6 (a) The Commission may employ, without regard to civil service laws or the Classification Act of 1949, an executive director and such employees as may be necessary to carry out its functions. Employees. 63 Stat. 954. 5 U.S.C. 1071 note.

(b) (1) Expenditures of the Commission shall be paid by the National Park Service as general administrative agent, which shall keep complete records of such expenditures and shall account also for all funds received by the Commission. (2) The Commission shall call, at a place of meeting generally convenient, and not later than January 15, 1958, a national assembly of representatives of civic, patriotic, and historical groups whose duty it shall be to consider and make recommendations to the Commission for the most fitting and appropriate way to commemorate the observances of the centennial of the Civil War. The Governors of each of the several States and noncontiguous Territories of the United States shall be invited to appoint representatives to the assembly. When this assembly shall have made its recommendations, it shall be adjourned subject to the call of the Commission.

(c) A report shall be submitted to the Congress, presenting the preliminary plans of the Commission not later than March 1, 1958. Thereafter, an annual report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress. A final report shall be made to the Congress no later than May 1, 1966, upon which date the Commission shall terminate. Report to Congress.

(d) Any property acquired by the Commission remaining upon its termination may be used by the Secretary of the Interior for purposes of the National Park System or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States. (36 U.S.C. § 746.)

SEC. 7. (a) The members of the Commission shall serve without compensation, but shall be furnished transporta- Compensation; transportation.

tion and be reimbursed at not to exceed $20 per diem, in lieu of subsistence, while engaged in the discharge of their duties provided for in this resolution.

(b) Service of an individual as a member of the Commission shall not be considered as service or employment bringing such individual within the provisions of sections 216, 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99); nor shall any member of the Commission by reason of his status as such be deemed to be an "officer of the Government" within the meaning of the Act of April 27, 1916 (5 U.S.C. 101). (36 U.S.C. § 747.)

62 Stat. 694 *et seq.*

39 Stat. 54.

Employment of retired officers.

SEC. 8. Notwithstanding section 2, of the Act of July 31, 1894 (28 Stat. 205), as amended (5 U.S.C. 62), or section 6 of the Act of May 10, 1916 (39 Stat. 120), as amended (5 U.S.C. 58, 59), the Chairman of the Commission may appoint to, and employ in, any civilian office or position in the Commission, and pay, any retired commissioned officer, or retired warrant officer, of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, or Public Health Service. The retired status, office, rank, and grade of retired commissioned officers or retired warrant officers, so appointed or employed and, except as provided in section 212 of the Act of June 30, 1932 (47 Stat. 406), as amended (5 U.S.C. 59a), any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade, shall be in no way affected by reason of such appointment to or employment in, or by reason of service in, or acceptance or holding of, any civilian office or position in the Commission or the receipt of the pay thereof. (36 U.S.C. § 748.)

Appropriation.

SEC. 9. There are hereby authorized to be appropriated such funds as may be necessary to carry out the provisions of this resolution, not to exceed $100,000. (36 U.S.C. § 749 as amended.)

Joint Resolution To amend the Act of September 7, 1957 (71 Stat. 626), providing for the establishment of a Civil War Centennial Commission, approved September 2, 1958 (72 Stat. 1769)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the joint resolution of September 7, 1957 (71 Stat. 626), entitled "Joint resolution to establish a commission to commemorate the one hundredth anniversary of the Civil War, and for other purposes", is hereby amended to read as follows:

36 U.S.C. 749.

"SEC. 9. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution, not to exceed $100,000 in any one fiscal year." (36 U.S.C. § 749.)

An Act To amend section 20 of the Act of May 28, 1896 (29 Stat. 184; 28 U.S.C. 527), so as to provide that nothing therein contained shall preclude a referee in bankruptcy or a national park commissioner from appointment also as a United States commissioner, approved December 28, 1945 (59 Stat. 659)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 20, chapter 252, of the Act of May 28, 1896 (29 Stat. 184; 28 U.S.C. 527), be amended, to read as follows:

United States commissioner.

"SEC. 20. Except as provided in section 24 (ch. 252, 29 Stat. 186), as amended (28 U.S.C. 591), no marshal or deputy marshal, attorney or assistant attorney of any district, jury commissioner, clerk of marshal, no bailiff, crier, juror, janitor of any Government building, nor any civil or military authority of the Government except as provided in section 19 (ch. 252, 29 Stat. 184; 28 U.S.C. 526), and no clerk or employee of any United States justice or judge shall have, hold, or exercise the duties of the United States commissioner. However, nothing herein shall preclude a referee in bankruptcy or a national park commissioner from appointment also as a United States commissioner: *Provided, however*, That a national park commissioner for his services as a United States commissioner shall receive no fees or other compensation in addition to his salary as a national park commissioner. And it shall not be lawful to appoint any of the officers named in this section receiver or receivers in any case or cases brought in the courts of the United States." (Repealed, June 25, 1948, 62 Stat. 992.)

Appointment restrictions.

Exception.

An Act To provide that appointments of United States commissioners for the Isle Royale, Hawaii, Mammoth Cave, and Olympic National Parks shall be made by the United States district courts without the recommendation and approval of the Secretary of the Interior, approved April 21, 1948 (62 Stat. 196)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 5 of the Act entitled "An Act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes", approved March 6, 1942 (U.S.C., 1940 edition, Supp. V, title 16, sec. 408m), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate".

U.S. commissioners. Appointments to certain national parks.

56 Stat. 184. 16 U.S.C. § 408m.

SEC. 2. The first paragraph of section 6 of the Act entitled "An Act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes", approved April 19, 1930, as amended (U.S.C., 1940 edition, title 16, sec. 395e), is amended by striking out "upon the recommendation and

46 Stat. 228. 16 U.S.C. § 395e.

approval of the Secretary of the Interior of a qualified candidate". (Repealed.)

SEC. 3. The first sentence of section 5 of the Act entitled "An Act to accept the cession by the Commonwealth of Kentucky of exclusive jurisdiction over the lands embraced within the Mammoth Cave National Park; to authorize the acquisition of additional lands for the park in accordance with the Act of May 25, 1926 (44 Stat. 635); to authorize the acceptance of donations of land for the development of a proper entrance road to the park; and for other purposes", approved June 5, 1942 (U.S.C., 1940 edition, Supp. V, title 16, sec. 404c–5), is amended by striking out "Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the" and inserting in lieu thereof "The".

56 Stat. 318.
16 U.S.C. § 404c–5.

SEC. 4. The first sentence of section 5 of the Act entitled "An Act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes", approved March 6, 1942 (U.S.C., 1940 edition, Supp. V, title 16, sec. 256d), is amended by striking out "Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the" and inserting in lieu thereof "The". (See 28 U.S.C. § 631 note.)

56 Stat. 137.
16 U.S.C. § 256d.

Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1954, and for other purposes," approved July 31, 1953 (67 Stat. 261, 271)

NATIONAL PARK SERVICE

MANAGEMENT AND PROTECTION

* * * * * * *

Report.

The Secretary of the Interior shall hereafter report in detail all proposed awards of concession leases and contracts, including renewals thereof, sixty days before such awards are made, to the President of the Senate and Speaker of the House of Representatives for transmission to the appropriate committees. (16 U.S.C. § 17b–1 as amended.)

An Act to relieve the Secretary of the Interior of certain reporting requirements in connection with proposed National Park Service awards of concession leases and contracts, including renewals thereof, approved July 14, 1956 (70 Stat. 543)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph under the heading "National Park Service" in the Act of July 31, 1953 (67 Stat. 261, 271) is amended to read as follows: "The Secretary of the Interior shall hereafter report in detail all proposed awards of concession leases and contracts

National Park Service. Report to Congress. 16 U.S.C. 17b–1.

involving a gross annual business of $100,000 or more, or of more than five years in duration, including renewals thereof, sixty days before such awards are made, to the President of the Senate and Speaker of the House of Representatives for transmission to the appropriate committees." (16 U.S.C. § 17b–1.)

An Act To amend the Act of August 25, 1916, to increase the period for which concessionaire leases may be granted under that Act from twenty years to thirty years, approved May 29, 1958 (72 Stat. 152)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended (16 U.S.C. 3), is amended by striking out "twenty years" and inserting in lieu thereof "thirty years". (16 U.S.C. § 3.) 39 Stat. 535.

Excerpt from "An Act To authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes," approved April 11, 1956 (70 Stat. 105, 107)

SEC. 3. * * * It is the intention of Congress that no dam or reservoir constructed under the authorization of this Act shall be within any national park or monument.

An Act To authorize Federal assistance to States and local governments in major disasters, and for other purposes, approved September 30, 1950 (64 Stat. 1109)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the intent of Congress to provide an orderly and continuing means of assistance by the Federal Government to States and local governments in carrying out their responsibilities to alleviate suffering and damage resulting from major disasters, to repair essential public facilities in major disasters, and to foster the development of such State and local organizations and plans to cope with major disasters as may be necessary. (42 U.S.C. § 1855.) Disasters. Federal aid.

SEC. 2. As used in this Act, the following terms shall be construed as follows unless a contrary intent appears from the context: Definitions.

(a) "Major disaster" means any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe in any part of the United States which, in the determination of the President, is or threatens to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government to supplement the efforts and available resources of States and local governments in alleviating the damage, hardship, or suffering caused thereby, and

respecting which the governor of any State (or the Board of Commissioners of the District of Columbia) in which such catastrophe may occur or threaten certifies the need for disaster assistance under this Act, and shall give assurance of expenditure of a reasonable amount of the funds of the government of such State, local governments therein, or other agencies, for the same or similar purposes with respect to such catastrophe;

(b) "United States" includes the District of Columbia, Alaska, Hawaii, Puerto Rico, and the Virgin Islands;

(c) "State" means any State in the United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands;

(d) "Governor" means the chief executive of any State;

(e) "Local government" means any county, city, village, town, district, or other political subdivision of any State, or the District of Columbia;

(f) "Federal agency" means any department, independent establishment, Government corporation, or other agency of the executive branch of the Federal Government, excepting, however, the American National Red Cross. (42 U.S.C. § 1855a.)

Assistance authorized.

SEC. 3. In any major disaster, Federal agencies are hereby authorized when directed by the President to provide assistance (a) by utilizing or lending, with or without compensation therefor, to States and local governments their equipment, supplies, facilities, personnel, and other resources, other than the extension of credit under the authority of any Act; (b) by distributing, through the American National Red Cross or otherwise, medicine, food, and other consumable supplies; (c) by donating to States and local governments equipment and supplies determined under then existing law to be surplus to the needs and responsibilities of the Federal Government; and (d) by performing on public or private lands protective and other work essential for the preservation of life and property, clearing debris and wreckage, making emergency repairs to and temporary replacements of public facilities of local governments damaged or destroyed in such major disaster, and making contributions to States and local governments for purposes stated in subsection (d). The authority conferred by this Act, and any funds provided hereunder shall be supplementary to, and not in substitution for, nor in limitation of, any other authority conferred or funds provided under any other law. Any funds received by Federal agencies as reimbursement for services or supplies furnished under the authority of this section shall be deposited to the credit of the appropriation or appropriations currently available for such services or supplies. The Federal Government shall not be liable for any claim based upon the exercise or performance or the

Nonliability for claims.

failure to exercise or perform a discretionary function or duty on the part of a Federal agency or an employee of the Government in carrying out the provisions of this section. (42 U.S.C. § 1855b as amended.)

Cooperation of Federal agencies.

SEC. 4. In providing such assistance hereunder, Federal agencies shall cooperate to the fullest extent possible with each other and with States and local governments, relief agencies, and the American National Red Cross, but nothing contained in this Act shall be construed to limit or in any way affect the responsibilities of the American National Red Cross under the Act approved January 5, 1905 (33 Stat. 599), as amended. (42 U.S.C. § 1855c.)

36 U.S.C. §§ 1–6, 8, 9; Sup. III, § 1 *et seq.*

SEC. 5. (a) In the interest of providing maximum mobilization of Federal assistance under this Act, the President is authorized to coordinate in such manner as he may determine the activities of Federal agencies in providing disaster assistance. The President may direct any Federal agency to utilize its available personnel, equipment, supplies, facilities, and other resources, in accordance with the authority herein contained.

Rules and regulations.

(b) The President may, from time to time, prescribe such rules and regulations as may be necessary and proper to carry out any of the provisions of this Act, and he may exercise any power or authority conferred on him by any section of this Act either directly or through such Federal agency as he may designate. (42 U.S.C. § 1855d.)

Repair, etc., of U.S. facilities.

SEC. 6. If facilities owned by the United States are damaged or destroyed in any major disaster and the Federal agency having jurisdiction thereof lacks the authority or an appropriation to repair, reconstruct, or restore such facilities, such Federal agency is hereby authorized to repair, reconstruct, or restore such facilities to the extent necessary to place them in a reasonably usable condition and to use therefor any available funds not otherwise immediately required: *Provided however*, That the President shall first determine that the repair, reconstruction, or restoration is of such importance and urgency that it cannot reasonably be deferred pending the enactment of specific authorizing legislation or the making of an appropriation therefor. If sufficient funds are not available to such Federal agency for use in repairing, reconstructing, or restoring such facilities as above provided, the President is authorized to transfer to such Federal agency funds made available under this Act in such amount as he may determine to be warranted in the circumstances. If said funds are insufficient for this purpose, there is hereby authorized to be appropriated to any Federal agency repairing, reconstructing, or restoring facilities under authority of this section such sum or sums as may be necessary to reim-

Transfer of funds, etc.

burse appropriated funds to the amount expended therefrom. (42 U.S.C. § 1855e.)

Local services and facilities.

SEC. 7. In carrying out the purposes of this Act, any Federal agency is authorized to accept and utilize with the consent of any State or local government, the services and facilities of such State or local government, or of any agencies, officers, or employees thereof. Any Federal agency, in performing any activities under section 3 of this Act, is authorized to employ temporarily additional personnel without regard to the civil-service laws and the Classification Act of 1923, as amended, and to incur obligations on behalf of the United States by contract or otherwise for the acquisition, rental, or hire of equipment, services, materials, and supplies for shipping, drayage, travel and communication, and for the supervision and administration of such activities. Such obligations, including obligations arising out of the temporary employment of additional personnel, may be incurred by any agency in such amount as may be made available to it by the President out of the funds specified in section 8. The President may, also, out of such funds, reimburse any Federal agency for any of its expenditures under section 3 in connection with a major disaster, such reimbursement to be in such amounts as the President may deem appropriate. (42 U.S.C. § 1855f.)

Additional personnel.

63 Stat. 972, 954; 5 U.S.C., Sup. III, §§ 1071–1153.

Ante, pp. 232, 262; *post*, p. 1100.

Appropriation authorized.

SEC. 8. There is hereby authorized to be appropriated to the President a sum or sums, not exceeding $5,000,000 in the aggregate, to carry out the purposes of this Act. The President shall transmit to the Congress at the beginning of each regular session a full report covering the expenditure of the amounts so appropriated with the amounts of the allocations to each State under this Act. The President may from time to time transmit to the Congress supplemental reports in his discretion, all of which reports shall be referred to the Committees on Appropriations and the Committees on Public Works of the Senate and the House of Representatives. (42 U.S.C. § 1855g.)

Report to Congress.

Repeal.

SEC. 9. The Act of July 25, 1947 (Public Law 233, Eightieth Congress), entitled "An Act to make surplus property available for the alleviation of damage caused by flood or other catastrophe", is hereby repealed.

61 Stat. 422. 42 U.S.C. Sup. III, §§ 1852–1854

An Act To authorize executive agencies to grant easements in, over, or upon real property of the United States under the control of such agencies, and for other purposes, approved October 23, 1962 (76 Stat. 1129)

Real property of U.S.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever a State or political subdivision or agency thereof or any person makes application for

the grant of an easement in, over, or upon real property of the United States for a right-of-way or other purpose, the executive agency having control of such real property may grant to the applicant, on behalf of the United States, such easement as the head of such agency determines will not be adverse to the interests of the United States, subject to such reservations, exceptions, limitations, benefits, burdens, terms, or conditions, including those provided in section 2 hereof, as the head of the agency deems necessary to protect the interests of the United States. Such grant may be made without consideration, or with monetary or other consideration, including any interest in real property. In connection with the grant of such an easement, the executive agency concerned may relinquish to the State in which the affected real property is located such legislative jurisdiction as the executive agency deems necessary or desirable. Relinquishment of legislative jurisdiction under the authority of this Act may be accomplished by filing with the Governor of the State concerned a notice of relinquishment to take effect upon acceptance thereof or by proceeding in such manner as the laws applicable to such State may provide.

Authority to grant easements.

SEC. 2. The instrument granting any such easement may provide for termination of the easement in whole or in part if there has been—

Conditions.

(a) a failure to comply with any term or condition of the grant, or

(b) a nonuse of the easement for a consecutive two-year period for the purpose for which granted, or

(c) an abandonment of the easement.

If such a provision is included, it shall require that written notice of such termination shall be given to the grantee, or its successors or assigns. The termination shall be effective as of the date of such notice.

SEC. 3. The authority conferred by this Act shall be in addition to, and shall not affect or be subject to, any other law under which an executive agency may grant easements.

SEC. 4. As used in this Act—

Definitions.

(a) The term "State" means the States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States.

(b) The term "executive agency" means any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation.

(c) The term "person" includes any corporation, partnership, firm, association, trust, estate, or other entity.

(d) The term "real property of the United States" excludes the public lands (including minerals, vegetative,

and other resources) in the United States, including lands reserved or dedicated for national forest purposes, lands administered or supervised by the Secretary of the Interior in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, Indian-owned trust and restricted lands, and lands acquired by the United States primarily for fish and wildlife conservation purposes and administered by the Secretary of the Interior, lands withdrawn from the public domain primarily under the jurisdiction of the Secretary of the Interior, and lands acquired for national forest purposes.

16 U.S.C. 1 *et. seq.*

An Act To facilitate the management of the National Park System and miscellaneous areas administered in connection with that system, and for other purposes, approved August 8, 1953 (67 Stat. 495)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to facilitate the administration of the National Park System and miscellaneous areas administered in connection therewith, the Secretary of the Interior is hereby authorized to carry out the following activities, and he may use applicable appropriations for the aforesaid system and miscellaneous areas for the following purposes:

National Park System.

Administration.

Emergency assistance.

1. Rendering of emergency rescue, fire fighting, and cooperative assistance to nearby law enforcement and fire prevention agencies and for related purposes outside of the National Park System and miscellaneous areas.

Utility facilities.

2. The erection and maintenance of fire protection facilities, water lines, telephone lines, electric lines, and other utility facilities adjacent to any area of the said National Park System and miscellaneous areas, where necessary, to provide service in such area.

Carlsbad Caverns National Park. Transportation of employees.

3. Transportation to and from work, outside of regular working hours, of employees of Carlsbad Caverns National Park, residing in or near the city of Carlsbad, New Mexico, such transportation to be between the park and the city, or intervening points, at reasonable rates to be determined by the Secretary of the Interior taking into consideration, among other factors, comparable rates charged by transportation companies in the locality for similar services, the amounts collected for such transportation to be credited to the appropriation current at the time payment is received: *Provided*, That if adequate transportation facilities are available, or shall be available by any common carrier, at reasonable rates, then and in that event the facilities contemplated by this paragraph shall not be offered.

Utility services for concessioners, etc.

4. Furnishing, on a reimbursement of appropriation basis, all types of utility services to concessioners, contractors, permittees, or other users of such services, within

the National Park System and miscellaneous areas: *Provided*, That reimbursements for cost of such utility services may be credited to the appropriation current at the time reimbursements are received.

Supplies and rental of equipment.

5. Furnishing, on a reimbursement of appropriation basis, supplies, and the rental of equipment to persons and agencies that in cooperation with, and subject to the approval of, the Secretary of the Interior, render services or perform functions that facilitate or supplement the activities of the Department of the Interior in the administration of the National Park System and miscellaneous areas: *Provided*, That reimbursements hereunder may be credited to the appropriation current at the time reimbursements are received.

Contracts for utility facilities.

6. Contracting, under such terms and conditions as the said Secretary considers to be in the interest of the Federal Government, for the sale, operation, maintenance, repair, or relocation of Government-owned electric and telephone lines and other utility facilities used for the administration and protection of the National Park System and miscellaneous areas, regardless of whether such lines and facilities are located within or outside said system and areas.

Rights-of-way.

7. Acquiring such rights-of-way as may be necessary to construct, improve, and maintain roads within the authorized boundaries of any area of the said National Park System and miscellaneous areas, and the acquisition also of land and interests in land adjacent to such rights-of-way, when deemed necessary by the Secretary, to provide adequate protection of natural features or to avoid traffic and other hazards resulting from private road access connections, or when the acquisition of adjacent residual tracts, which otherwise would remain after acquiring such rights-of-way, would be in the public interest.

Motor equipment, etc.

8. The operation, repair, maintenance, and replacement of motor and other equipment on a reimbursable basis when such equipment is used on Federal projects of the said National Park System and miscellaneous areas, chargeable to other appropriations, or on work of other Federal agencies, when requested by such agencies. Reimbursement shall be made from appropriations applicable to the work on which the equipment is used at rental rates established by the Secretary, based on actual or estimated cost of operation, repair, maintenance, depreciation, and equipment management control, and credited to appropriations currently available at the time adjustment is effected, and the Secretary may also rent equipment for fire control purposes to State, county, private, or other non-Federal agencies that cooperate with the Secretary in the administration of the said National Park System and other areas in fire control, such rental to be

Rental of fire-control equipment.

under the terms of written cooperative agreements, the amount collected for such rentals to be credited to appropriations currently available at the time payment is received. (16 U.S.C. § 1b.)

Definitions.

SEC. 2. (a) The term "National Park System" means all federally owned or controlled lands which are administered under the direction of the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended, and which are grouped into the following descriptive categories: (1) National parks, (2) national monuments, (3) national historical parks, (4) national memorials, (5) national parkways, and (6) national capital parks.

16 U.S.C. 1–4.

(b) The term "miscellaneous areas" includes lands under the administrative jurisdiction of another Federal agency, or lands in private ownership, and over which the National Park Service, under the direction of the Secretary of the Interior, pursuant to cooperative agreement, exercises supervision for recreational, historical, or other related purposes, and also any lands under the care and custody of the National Park Service other than those heretofore described in this section. (16 U.S.C. § 1c.)

Appropriations.

SEC. 3. Hereafter applicable appropriations of the National Park Service shall be available for the objects and purposes specified in the Act of August 7, 1946 (60 Stat. 885). (16 U.S.C. § 1d.)

16 U.S.C. 17j–2.

An Act To amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes, approved June 13, 1957 (71 Stat. 69)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Property and Administrative Services Act of 1949, as amended, is hereby further amended as follows:

Federal records. Transfer to National Archives.

By designating paragraphs (2) and (3) of subsection (a) of section 507 as paragraphs (3) and (4) and adding a new paragraph (2) to read as follows:

64 Stat. 587. 44 U.S.C. 397.

"(2) to direct and effect the transfer to the National Archives of the United States of any records of any Federal agency that have been in existence for more than fifty years and that are determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the United States Government, unless the head of the agency which has custody of them shall certify in writing to the Administrator that they must be retained in his custody for use in the conduct of the regular current business of the said agency." (44 U.S.C. § 397).

An Act To amend the Act of August 26, 1935, to permit certain real property of the United States to be conveyed to States, municipalities, and other political subdivisions for highway purposes, approved July 7, 1960 (74 Stat. 363)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the sale of Federal buildings", approved August 26, 1935, as amended (40 U.S.C. 345b) is amended by striking out the colon at the end of the second proviso and all that follows down through and including the period at the end of such Act and inserting in lieu thereof a period and the following:

Federal property. Conveyance for highway purposes. 49 Stat. 800.

"SEC. 2. (a) Whenever a State or political subdivision of a State makes application therefor in connection with an authorized widening of a public highway, street, or alley, the head of the executive agency having control over the affected real property of the United States may convey or otherwise transfer, with or without consideration, to such State or political subdivision for such highway, street, or alley widening purposes, such interest in such real property as he determines will not be adverse to the interests of the United States, subject to such terms and conditions as he deems necessary to protect the interests of the United States.

"(b) As used in this section the term 'executive agency' means any executive department or independent establishment in the executive branch of the Government of the United States, including any wholly owned Government corporation.

"(c) Nothing in this section shall be deemed to authorize the conveyance or other transference of any interest in real property which can be transferred to a State or political subdivision of a State for highway purposes under title 23 of the United States Code."

72 Stat. 885.

(40 U.S.C. § 345c[Supp. II].)

Excerpts from "An Act To provide for increased efficiency in the legislative branch of the Government," approved August 2, 1946 (60 Stat. 812, 813, 842)

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

SHORT TITLE

That (a) this Act, divided into titles and sections according to the following table of contents, may be cited as the "Legislative Reorganization Act of 1946":

Legislative Reorganization Act of 1946. *Post*, pp. 911, 912.

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TITLE IV—FEDERAL TORT CLAIMS ACT

PART 1—SHORT TITLE AND DEFINITIONS

SHORT TITLE

SEC. 401. This title may be cited as the "Federal Tort Claims Act".

DEFINITIONS

SEC. 402. As used in this title, the term—

(a) "Federal agency" includes the executive departments and independent establishments of the United States, and corporations whose primary function is to act as, and while acting as, instrumentalities or agencies of the United States, whether or not authorized to sue and be sued in their own names: *Provided*, That this shall not be construed to include any contractor with the United States.

Contractor.

(b) "Employee of the Government" includes officers or employees of any Federal agency, members of the military or naval forces of the United States, and persons acting on behalf of a Federal agency in an official capacity, temporarily or permanently in the service of the United States, whether with or without compensation.

(c) "Acting within the scope of his office or employment", in the case of a member of the military or naval forces of the United States, means acting in line of duty.

PART 2—ADMINISTRATIVE ADJUSTMENT OF TORT CLAIMS AGAINST THE UNITED STATES

CLAIMS OF $1,000 OR LESS

SEC. 403. (a) Subject to the limitations of this title, authority is hereby conferred upon the head of each Federal agency, or his designee for the purpose, acting

on behalf of the United States, to consider, ascertain, adjust, determine, and settle any claim against the United States for money only, accruing on and after January 1, 1945, on account of damage to or loss of property or on account of personal injury or death, where the total amount of the claim does not exceed $1,000, caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant for such damage, loss, injury, or death, in accordance with the law of the place where the act or omission occurred.

Finality of award.

(b) Subject to the provisions of part 3 of this title, any such award or determination shall be final and conclusive on all officers of the Government, except when procured by means of fraud, notwithstanding any other provision of law to the contrary.

Payments.

(c) Any award made to any claimant pursuant to this section, and any award, compromise, or settlement of any claim cognizable under this title made by the Attorney General pursuant to section 413, shall be paid by the head of the Federal agency concerned out of appropriations that may be made therefor, which appropriations are hereby authorized.

Appropriations authorized.

Release of claim.

(d) The acceptance by the claimant of any such award, compromise, or settlement shall be final and conclusive on the claimant, and shall constitute a complete release by the claimant of any claim against the United States and against the employee of the Government whose act or omission gave rise to the claim, by reason of the same subject matter.

REPORT

SEC. 404. The head of each Federal agency shall annually make a report to the Congress of all claims paid by such Federal agency under this part. Such report shall include the name of each claimant, a statement of the amount claimed and the amount awarded, and a brief description of the claim.

PART 3—SUITS ON TORT CLAIMS AGAINST THE UNITED STATES

JURISDICTION

SEC. 410. (a) Subject to the provisions of this title, the United States district court for the district wherein the plaintiff is resident or wherein the act or omission complained of occurred, including the United States district courts for the Territories and possessions of the United States, sitting without a jury, shall have exclusive jurisdiction to hear, determine, and render judgment

on any claim against the United States, for money only, accruing on and after January 1, 1945, on account of damage to or loss of property or on account of personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant for such damage, loss, injury, or death in accordance with the law of the place where the act or omission occurred.

Liability of U.S.

Subject to the provisions of this title, the United States shall be liable in respect of such claims to the same claimants, in the same manner, and to the same extent as a private individual under like circumstances, except that the United States shall not be liable for interest prior to judgment, or for punitive damages.

Costs.

Costs shall be allowed in all courts to the successful claimant to the same extent as if the United States were a private litigant, except that such costs shall not include attorneys' fees.

Judgment as bar to action against employee of Government.

(b) The judgment in such an action shall constitute a complete bar to any action by the claimant, by reason of the same subject matter, against the employee of the Government whose act or omission gave rise to the claim. No suit shall be instituted pursuant to this section upon a claim presented to any Federal agency pursuant to part 2 of this title unless such Federal agency has made final disposition of the claim: *Provided*, That the claimant may, upon fifteen days' notice given in writing, withdraw the claim from consideration of the Federal agency and commence suit thereon pursuant to this section: *Provided further*, That as to any claim so disposed of or so withdrawn, no suit shall be instituted pursuant to this section for any sum in excess of the amount of the claim presented to the Federal agency, except where the increased amount of the claim is shown to be based upon newly discovered evidence not reasonably discoverable at the time of presentation of the claim to the Federal agency or upon evidence of intervening facts, relating to the amount of the claim. Disposition of any claim made pursuant to part 2 of this title shall not be competent evidence of liability or amount of damages in proceedings on such claim pursuant to this section.

Withdrawal of claim.

PROCEDURE

SEC. 411. In actions under this part, the forms of process, writs, pleadings, and motions, and the practice and procedure, shall be in accordance with the rules promulgated by the Supreme Court pursuant to the Act of June 19, 1934 (48 Stat. 1064); and the same provisions for counterclaim and set-off, for interest upon judgments, and for payment of judgments, shall be appli-

28 U.S.C. §§ 723b, 723c; Supp. V, § 723c.

cable as in cases brought in the United States district courts under the Act of March 3, 1887 (24 Stat. 505). 28 U.S.C. §§ 250 note, 258 note, 761–765.

REVIEW

SEC. 412. (a) Final judgments in the district courts in cases under this part shall be subject to review by appeal—

(1) in the circuit courts of appeals in the same manner and to the same extent as other judgments of the district courts; or Circuit courts of appeal.

(2) in the Court of Claims of the United States: *Provided*, That the notice of appeal filed in the district court under rule 73 of the Rules of Civil Procedure shall have affixed thereto the written consent on behalf of all the appellees that the appeal be taken to the Court of Claims of the United States. Such appeals to the Court of Claims of the United States shall be taken within three months after the entry of the judgment of the district court, and shall be governed by the rules relating to appeals from a district court to a circuit court of appeals adopted by the Supreme Court pursuant to the Act of June 19, 1934 (48 Stat. 1064). In such appeals the Court of Claims of the United States shall have the same powers and duties as those conferred on a circuit court of appeals in respect to appeals under section 4 of the Act of February 13, 1925, (43 Stat. 939). Court of Claims. 28 U.S.C. foll. § 723c. 28 U.S.C. §§ 723b, 723c; Supp. V, § 723c. 28 U.S.C. § 226.

(b) Sections 239 and 240 of the Judicial Code, as amended, shall apply to cases under this part in the circuit courts of appeals and in the Court of Claims of the United States to the same extent as to cases in a circuit court of appeals therein referred to. 36 Stat. 1157. 28 U.S.C. §§ 346, 347.

COMPROMISE

SEC. 413. With a view to doing substantial justice, the Attorney General is authorized to arbitrate, compromise, or settle any claim cognizable under this part, after the institution of any suit thereon, with the approval of the court in which such suit is pending.

PART 4—PROVISIONS COMMON TO PART 2 AND PART 3

ONE-YEAR STATUTE OF LIMITATIONS

SEC. 420. Every claim against the United States cognizable under this title shall be forever barred, unless within one year after such claim accrued or within one year after the date of enactment of this Act, whichever is later, it is presented in writing to the Federal agency out of whose activities it arises, if such claim is for a sum not exceeding $1,000; or unless within one year after

such claim accrued or within one year after the date of enactment of this Act, whichever is later, an action is begun pursuant to part 3 of this title. In the event that a claim for a sum not exceeding $1,000 is presented to a Federal agency as aforesaid, the time to institute a suit pursuant to part 3 of this title shall be extended for a period of six months from the date of mailing of notice to the claimant by such Federal agency as to the final disposition of the claim or from the date of withdrawal of the claim from such Federal agency pursuant to section 410 of this title, if it would otherwise expire before the end of such period.

EXCEPTIONS

SEC. 421. The provisions of this title shall not apply to—

Act, etc., in execution of statute.

(a) Any claim based upon an act or omission of an employee of the Government, exercising due care, in the execution of a statute or regulation, whether or not such statute or regulation be valid, or based upon the exercise or performance or the failure to exercise or perform a discretionary function or duty on the part of a Federal agency or an employee of the Government, whether or not the discretion involved be abused.

Loss of letters, etc.

(b) Any claim arising out of the loss, miscarriage, or negligent transmission of letters or postal matter.

Assessment of tax, etc.

(c) Any claim arising in respect of the assessment or collection of any tax or customs duty, or the detention of any goods or merchandise by any officer of customs or excise or any other law-enforcement officer.

Suits in admiralty. 41 Stat. 525. 46 U.S.C., Supp. V, § 745. 43 Stat. 1112.

(d) Any claim for which a remedy is provided by the Act of March 9, 1920 (U.S.C., title 46, secs. 741–752, inclusive), or the Act of March 3, 1925 (U.S.C., title 46, secs. 781–790, inclusive), relating to claims or suits in admiralty against the United States.

40 Stat. 411. 50 U.S.C. app. §§ 1–31; Supp. V, § 3 *et seq.* *Ante*, pp. 50, 54, 182, 418; *post*, pp. 925, 944.

(e) Any claim arising out of an act or omission of any employee of the Government in administering the provisions of the Trading with the Enemy Act, as amended.

Quarantine.

(f) Any claim for damages caused by the imposition or establishment of a quarantine by the United States.

Injury to vessels, etc.

(g) Any claim arising from injury to vessels, or to the cargo, crew, or passengers of vessels, while passing through the locks of the Panama Canal or while in Canal Zone waters.

Assault, etc.

(h) Any claim arising out of assault, battery, false imprisonment, false arrest, malicious prosecution, abuse of process, libel, slander, misrepresentation, deceit, or interference with contract rights.

Fiscal operations of Treasury.

(i) Any claim for damages caused by the fiscal operations of the Treasury or by the regulation of the monetary system.

(j) Any claim arising out of the combatant activities of the military or naval forces, or the Coast Guard, during time of war. Combatant activities.

(k) Any claim arising in a foreign country. Foreign country.

(l) Any claim arising from the activities of the Tennessee Valley Authority. TVA.

ATTORNEYS' FEES

SEC. 422. The court rendering a judgment for the plaintiff pursuant to part 3 of this title, or the head of the Federal agency or his designee making an award pursuant to part 2 of this title, or the Attorney General making a disposition pursuant to section 413 of this title, as the case may be, may, as a part of the judgment, award, or settlement, determine and allow reasonable attorney's fees, which, if the recovery is $500 or more, shall not exceed 10 per centum of the amount recovered under part 2, or 20 per centum of the amount recovered under part 3, to be paid out of but not in addition to the amount of judgment, award, or settlement recovered, to the attorneys representing the claimant. Any attorney who charges, demands, receives, or collects for services rendered in connection with such claim any amount in excess of that allowed under this section, if recovery be had, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be subject to a fine of not more than $2,000 or imprisonment for not more than one year, or both.

EXCLUSIVENESS OF REMEDY

SEC. 423. From and after the date of enactment of this Act, the authority of any Federal agency to sue and be sued in its own name shall not be construed to authorize suits against such Federal agency on claims which are cognizable under part 3 of this title, and the remedies provided by this title in such cases shall be exclusive. (Repealed, June 29, 1948, 62 Stat. 992.)

CERTAIN STATUTES INAPPLICABLE

SEC. 424. (a) All provisions of law authorizing any Federal agency to consider, ascertain, adjust, or determine claims on account of damage to or loss of property, or on account of personal injury or death, caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, are hereby repealed in respect of claims cognizable under part 2 of this title and accruing on and after January 1, 1945, including, but without limitation, the provisions granting such authorization now contained in the following laws:

Public Law Numbered 375, Sixty-seventh Congress, approved December 28, 1922 (42 Stat. 1066; U.S.C., title 31, secs. 215–217). 31 U.S.C. Supp. V, § 215 notes *et seq.*

Public Law Numbered 267, Sixty-sixth Congress, approved June 5, 1920 (41 Stat. 1054; U.S.C., title 33, sec. 853).

31 U.S.C., Supp. V, § 224b note.

Public Law Numbered 481, Seventy-fourth Congress, approved March 20, 1936 (49 Stat. 1184; U.S.C., title 31, sec. 224b).

31 U.S.C., Supp. V, §§ 215–217 notes, 223b, 223c.

Public Law Numbered 112, as amended, Seventy-eighth Congress, approved July 3, 1943 (57 Stat. 372; U.S.C., title 31, secs. 223b, 223c, and 223d).

Ante, pp. 332, 333.

Public Law Numbered 182, as amended, Sixty-fifth Congress, approved July 1, 1918 (40 Stat. 705; U.S.C., title 34, sec. 600).

Section 4 of Public Law Numbered 18, Sixty-seventh Congress, approved June 16, 1921 (42 Stat. 63), as amended by Public Law Numbered 456, Seventy-third Congress, approved June 22, 1934 (48 Stat. 1207; U.S.C., title 31, sec. 224c).

Cases not caused by negligence, etc.

(b) Nothing contained herein shall be deemed to repeal any provision of law authorizing any Federal agency to consider, ascertain, adjust, settle, determine, or pay any claim on account of damage to or loss of property or on account of personal injury or death, in cases in which such damage, loss, injury, or death was not caused by any negligent or wrongful act or omission of an employee of the Government while acting within the scope of his office or employment, or any other claim not cognizable under part 2 of this title.

Ante, p. 843.

An Act To amend the Federal Tort Claims Act, approved August 1, 1947 (61 Stat. 722)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 410(a) of the Federal Tort Claims Act (Public Law 601, Seventy-ninth Congress, title IV) is hereby amended so that it shall read as follows:

60 Stat. 843. 28 U.S.C. § 931(a).

Jurisdiction of district courts.

"SEC. 410. (a) Subject to the provisions of this title, the United States district court for the district wherein the plaintiff is resident or wherein the act or omission complained of occurred, including the United States district courts for the Territories and possessions of the United States, sitting without a jury, shall have exclusive jurisdiction to hear, determine, and render judgment on any claim against the United States, for money only, accruing on and after January 1, 1945, on account of damage to or loss of property or on account of personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant for such damage, loss, injury, or death in accordance with the law of the place where the act or omission occurred. Subject to the provi-

sions of this title, the United States shall be liable in respect of such claims, to the same claimants, in the same manner, and to the same extent, as a private individual under like circumstances, except that the United States shall not be liable for interest prior to judgment, or for punitive damages: *Provided, however*, That in any case wherein death was caused, where the law of the place where the act or omission complained of occurred, provides, or has been construed to provide, for damages only punitive in nature, the United States shall be liable for actual or compensatory damages, measured by the pecuniary injuries resulting from such death to the persons, respectively, for whose benefit the action was brought, in lieu thereof. Costs shall be allowed in all courts to the successful claimant to the same extent as if the United States were a private litigant, except that such costs shall not include attorneys' fees."

Liability of U.S.

Costs.

SEC. 2. This Act shall take effect as of August 2, 1946, and, notwithstanding the provisions of section 420 of the Federal Tort Claims Act, no claim which accrued on or after January 1, 1945, and prior to the date of enactment of this Act on account of death caused by the negligent or wrongful act or omission of any employee of the Government shall be barred by reason of such provisions if (a) the law of the place where such act or omission occurred provides, or has been construed to provide, only for damages punitive in nature, and (b) suit on such claim is instituted pursuant to part 3 of the Federal Tort Claims Act not later than August 2, 1948. (Repealed, June 29, 1948, 62 Stat. 992.)

Effective date.
60 Stat. 845.
28 U.S.C. § 942.

60 Stat. 843.
28 U.S.C. §§ 931–934.
Ante, p. 722.

An Act To amend title 28 of the United States Code to provide additional time for bringing suit against the United States in the case of certain tort claims, and for other purposes, approved April 25, 1949 (63 Stat. 62)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 2401(b) of title 28 of the United States Code is hereby amended to read as follows: "A tort claim against the United States shall be forever barred unless action is begun within two years after such claim accrues or within one year after the date of enactment of this amendatory sentence, whichever is later, or unless, if it is a claim not exceeding $1,000, it is presented in writing to the appropriate Federal agency within two years after such claim accrues or within one year after the date of enactment of this amendatory sentence, whichever is later." (28 U.S.C. § 2401[b].)

Title 28, United States Code, amendments.
62 Stat. 971.

SEC. 2. (a) Section 1346(b) of title 28 of the United States Code is hereby amended to read as follows:

62 Stat. 933.

"(b) Subject to the provisions of chapter 171 of this title, the district courts, together with the District Court

Post, p. 101.
62 Stat. 982.
28 U.S.C. Supp. II, §§ 2671–2680.
Post, pp. 106, 107, 444.

for the Territory of Alaska, the United States District Court for the District of the Canal Zone and the District Court of the Virgin Islands, shall have exclusive jurisdiction of civil actions on claims against the United States, for money damages, accruing on and after January 1, 1945, for injury or loss of property, or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred." (28 U.S.C. § 1346[b], as amended.)

62 Stat. 983.
28 U.S.C. Supp. II, § 2672.
Post, p. 106.

(b) The first paragraph of section 2672 of title 28 of the United States Code is hereby amended to read as follows:

"The head of each Federal agency, or his designee for the purpose, acting on behalf of the United States, may consider, ascertain, adjust, determine, and settle any claim for money damages of $1,000 or less against the United States accruing on and after January 1, 1945, for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred." (28 U.S.C. § 2672, as amended.)

Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes," approved June 18, 1940 (54 Stat. 406, 445)

General expenses.

General expenses: For every expenditure requisite for and incident to the authorized work of the office of the Director of the National Park Service not herein provided for, including traveling expenses, telegrams, photographic supplies, prints, and motion-picture films, necessary expenses of attendance at meetings concerned with the work of the National Park Service when authorized by the Secretary of the Interior, and necessary expenses of field employees engaged in examination of lands and in developing the educational work of the National Park Service, $36,500: *Provided*, That necessary expenses of field employees in attendance at such meetings, when authorized by the Secretary, shall be paid from the various park and monument appropriations. (16 U.S.C. § 17j–1.)

Proviso.
Field employees, attendance at meetings.

An Act to authorize the execution of agreements between agencies of the United States and other agencies and instrumentalities for mutual aid in fire protection, and for other purposes, approved May 27, 1955 (69 Stat. 66)

Fire protection agreements.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act—

Definitions.

(a) The term "agency head" means the head of any executive department, military department, agency, or independent establishment in the executive branch of the Government;

(b) The term "fire protection" includes personal services and equipment required for fire protection, the protection of life and property from fire, and fire fighting; and

(c) The term "fire organization" means any governmental entity or public or private corporation or association maintaining fire protection facilities within the United States, its Territories and possessions, and any governmental entity or public or private corporation or association which maintains fire protection facilities in any foreign country in the vicinity of any installation of the United States. (42 U.S.C. § 1856.)

Agency head, authority.

SEC. 2. (a) Each agency head charged with the duty of providing fire protection for any property of the United States is authorized to enter into a reciprocal agreement, with any fire organization maintaining fire protection facilities in the vicinity of such property, for mutual aid in furnishing fire protection for such property and for other property for which such organization normally provides fire protection. Each such agreement shall include a waiver by each party of all claims against every other party for compensation for any loss, damage, personal injury, or death occurring in consequence of the performance of such agreement. Any such agreement may provide for the reimbursement of any party for all or any part of the cost incurred by such party in furnishing fire protection for or on behalf of any other party.

(b) Any agreement heretofore executed which would have been authorized by this Act, if this Act had been in effect on the date of execution thereof, is hereby ratified and confirmed. (42 U.S.C. §1856a.)

Emergency assistance.

SEC. 3. In the absence of any agreement authorized or ratified by section 2, each agency head is authorized to render emergency assistance in extinguishing fires and in preserving life and property from fire, within the vicinity of any place at which such agency maintains fire-protection facilities, when the rendition of such assistance is determined, under regulations prescribed by the agency head, to be in the best interest of the United States. (42 U.S.C. § 1856 b.)

Service.

SEC. 4. Any service performed under section 2 or section 3 of this Act, by any officer or employee of the United States or any member of any armed force of the United States shall constitute service rendered in line of duty in such office, employment, or force. The performance of such service by any other individual shall not constitute such individual an officer or employee of the United States for the purposes of the Federal Employees' Compensation Act, as amended. (42 U.S.C. § 1856c.)

39 Stat. 742. 5 U.S.C.751 note.

Funds.

SEC. 5. Funds available to any agency head for fire protection on installations or in connection with activities under the jurisdiction of such agency may be used to carry out the purposes of this Act. All sums received by any agency head for fire protection rendered pursuant to this Act shall be covered into the Treasury as miscellaneous receipts. (42 U.S.C. § 1856d.)

An Act To authorize the Secretary of the Interior to cooperate with the First World Conference on National Parks, and for other purposes, approved June 28, 1962 (76 Stat. 112)

First World Conference on National Parks, Seattle, Wash., 1962.

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 cooperate with the First World Conference on National Parks, scheduled to be held in Seattle, Washington, in 1962, and in connection therewith he may participate in defraying the expenses of the conference on a matching basis in an amount not to exceed $30,000, the appropriation of which is hereby authorized.

Joint Resolution To direct the Franklin Delano Roosevelt Memorial Commission to consider possible changes in the winning design for the proposed memorial or the selection of a new design for such memorial, approved October 18, 1962 (76 Stat. 1079)

69 Stat. 694.

Whereas by joint resolution approved August 11, 1955, the Franklin Delano Roosevelt Memorial Commission was duly established for the purpose of formulating plans for the design, construction, and location of a permanent memorial to Franklin Delano Roosevelt in the city of Washington or its environs; and

73 Stat. 445.

Whereas by joint resolution approved September 1, 1959, there was reserved as a site for said memorial that portion of the West Potomac Park in the District of Columbia which lies between Independence Avenue and the inlet bridge; and the said Commission was authorized to hold a competition for the proposed memorial, and to award a prize of $50,000 to the winner thereof; and

Whereas the competition was duly held, and the winning prize was awarded to Pedersen and Tilney, of New York, by the jury of award; and

Whereas the winning design was thereafter approved by the said Commission, with the inclusion of a statue or bas-relief of President Roosevelt, and the result of the competition and the approval of the winning design duly reported to the President and to the Congress, as provided by the joint resolution of September 1, 1959; and

Whereas said design has created considerable controversy and is subject to specific criticism, and lacks the approval of the Commission of Fine Arts: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That pursuant to Public Law 372, Eighty-fourth Congress, the Franklin Delano Roosevelt Memorial Commission is hereby authorized and directed to consult with the Commission of Fine Arts to determine whether the winning design of Pedersen and Tilney, of New York, may be so changed or modified to secure the approval of the Commission of Fine Arts. If it is determined that such changes or modifications are not practical, the Commission is authorized and directed to select, with the advice and approval of the Commission of Fine Arts, such other design among those already submitted in the competition for the proposed memorial, or to consider a living memorial such as the stadium, an educational institution, information center, memorial park or any other suitable or worthy project.

Franklin Delano Roosevelt memorial.

Changes or modifications. 69 Stat. 694.

SEC. 2. The Commission shall report its findings and recommendations to the Congress for its approval and to the President not later than June 30, 1963.

Report to Congress.

SEC. 3. There is authorized to be appropriated not more than $25,000 to carry out the provisions of this joint resolution.

Appropriation.

Joint Resolution To provide protection for the golden eagle, approved October 24, 1962 (76 Stat. 1246)

Whereas the population of the golden eagle has declined at such an alarming rate that it is now threatened with extinction; and

Whereas the golden eagle should be preserved because of its value to agriculture in the control of rodents; and

Whereas protection of the golden eagle will afford greater protection for the bald eagle, the national symbol of the United States of America, because the bald eagle is often killed by persons mistaking it for the golden eagle: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first two sections of the Act of June 8, 1940 (54 Stat. 250, as amended; 16 U.S.C. 668, 668a), are hereby amended to read as follows: "Whoever, within the

Golden eagle, protection.

United States or any place subject to the jurisdiction thereof, without being permitted to do so as hereinafter provided, shall take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle commonly known as the American eagle, or any golden eagle, alive or dead, or any part, nest, or egg thereof of the foregoing eagles, shall be fined not more than $500 or imprisoned not more than six months, or both: *Provided*, That nothing herein shall be construed to prohibit possession or transportation of any bald eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to June 8, 1940, and that nothing herein shall be construed to prohibit possession or transportation of any golden eagle, alive or dead, or any part, nest, or egg thereof, lawfully taken prior to the addition to this Act of the provisions relating to preservation of the golden eagle.

Regulations, authorization.

"SEC. 2. Whenever, after investigation, the Secretary of the Interior shall determine that it is compatible with the preservation of the bald eagle or the golden eagle to permit the taking, possession, and transportation of specimens thereof for the scientific or exhibition purposes of public museums, scientific societies, and zoological parks, or for the religious purposes of Indian tribes, or that it is necessary to permit the taking of such eagles for the protection of wildlife or of agricultural or other interests in any particular locality, he may authorize the taking of such eagles pursuant to regulations which he is hereby authorized to prescribe: *Provided*, That on request of the Governor of any State, the Secretary of the Interior shall authorize the taking of golden eagles for the purpose of seasonally protecting domesticated flocks and herds in such State, in accordance with regulations established under the provisions of this section, in such part or parts of such State and for such periods as the Secretary determines to be necessary to protect such interests: *Provided further*, That bald eagles may not be taken for any purpose unless, prior to such taking, a permit to do so is procured from the Secretary of the Interior."

An Act To establish the Hudson-Champlain Celebration Commission, and for other purposes, approved August 8, 1958 (72 Stat. 544)

Hudson-Champlain Celebration Commission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a Commission to be known as the "Hudson-Champlain Celebration Commission" (hereinafter referred to as the "Commission") which shall be composed of twenty-one members as follows:

(1) Four members who shall be Members of the Senate, to be appointed by the President of the Senate; Membership.

(2) Four members who shall be Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives;

(3) Thirteen members to be appointed by the President.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman. The members of the Commission shall receive no salary.

SEC. 2. The functions of the Commission shall be to develop and to execute suitable plans for the celebration, in 1959, of the three hundred and fiftieth anniversary of the exploratory voyages in 1609 of Henry Hudson and Samuel de Champlain which signaled the beginning of settlements whose influence on our history, culture, law, and commerce extend through generations to the present day, settlements whose significance is recognized not only by their parent countries, sister nations across the seas, but by untold others who have come from foreign lands to find in America a new homeland. In carrying out its functions, the Commission is authorized to cooperate with and to assist the New York State Department of Commerce and any other agency created or designated by the Legislature of the State of New York, the State of New Jersey, or the State of Vermont for the purpose of planning and promoting the Hudson-Champlain Celebration. If the participation of other nations in the celebration is deemed advisable, the Commission may communicate to that end with the governments of such nations through the State Department. Functions.

SEC. 3. The Commission may employ, without regard to the civil-service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions. Service of an individual as a member of the Commission shall not be considered as service or employment bringing such individual within the provisions of sections 216, 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99); nor shall any member of the Commission by reason of his status as such be deemed to be an "officer of the Government" within the meaning of the Act of April 27, 1916 (5 U.S.C. 101). Employment of personnel. 63 Stat. 954. 5 U.S.C. 1071 note. 62 Stat. 694, 697, 698, 703, 793. 39 Stat. 54.

SEC. 4. Notwithstanding section 2 of the Act of July 31, 1894 (28 Stat. 205), as amended (5 U.S.C. 62) or section 6 of the Act of May 10, 1916 (39 Stat. 120), as amended (5 U.S.C. 58, 59), the Chairman of the Commission may appoint to, and employ in, any civilian office or position in the Commission, and pay, any retired commissioned officer, or retired warrant officer, of the Army, Navy, Marine Corps, Coast Guard, Coast and Employment of retired officers.

Geodetic Survey, or Public Health Service. The retired status, office, rank, and grade of retired commissioned officers or retired warrant officers, so appointed or employed and, except as provided in section 212 of the Act of June 30, 1932 (47 Stat. 406), as amended (5 U.S.C. 59a), any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade, shall be in no way affected by reason of such appointment to or employment in, or by reason of service in, or acceptance or holding of, any civilian office or position in the Commission or the receipt of the pay thereof.

Donations, etc.

SEC. 5. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with patriotic and historical societies and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this Act. The Commission, to such extent as it finds to be necessary, may, without regard to the laws and procedures applicable to Federal agencies procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this Act.

Expenditures.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account also for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress within two months following the celebration as prescribed by this Act. The Commission shall terminate upon submission of its report to the Congress.

Report to Congress.

Surplus property.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the National Park system or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

Appropriation.

SEC. 6. There is hereby authorized to be appropriated the sum of $50,000 to carry out the purposes of this Act.

Termination.

SEC. 7. The Commission shall expire upon the completion of its duties but in no event later than March 1, 1960.

Joint Resolution To establish a Lincoln Sesquicentennial Commission, approved September 2, 1957 (71 Stat. 587)

Whereas the year 1959 marks the one hundred and fiftieth anniversary of the birth of Abraham Lincoln on February 12, 1809; and

Whereas Abraham Lincoln served as the sixteenth President of the United States; and

Whereas his life and ideals played an important part in the history of the United States during a critical period of its history; and

Whereas his spoken and written words and his philosophy of government have continued to have influence in our Government and in our daily way of life; and

Whereas the United States observed with appropriate ceremonies the one hundredth anniversary of the birth of Abraham Lincoln in 1909; and

Whereas the interest in, and respect for, Abraham Lincoln is demonstrated by over one million eight hundred and fifty thousand people from all parts of the Nation visiting the Lincoln Memorial in Washington, District of Columbia, during the year 1956, making it the most visited memorial in the world; and

Whereas it is appropriate that his ideals and accomplishments be reemphasized and be given wider public knowledge on the occasion of the one hundred and fiftieth anniversary of his birth; and

Whereas it is incumbent upon us as a nation to provide for the proper observance of the birth of this great man who has continued to be a force in our history: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to provide for appropriate and nationwide observances and the coordination of ceremonies there is hereby established a commission to be known as the Lincoln Sesquicentennial Commission, hereafter in this Act referred to as the "Commission", which shall be composed of twenty-eight members, as follows:

Lincoln Sesquicentennial Commission.

(1) The President of the United States, President of the Senate, and Speaker of the House of Representatives, who shall be ex officio members of the Commission;

(2) Six Members of the Senate to be appointed by the President of the Senate;

(3) Six Members of the House of Representatives to be appointed by the Speaker of the House of Representatives;

(4) Twelve members to be appointed by the President of the United States; and

(5) One member from the Department of the Interior who shall be the Director of the National Park Service or his representative.

(b) The Director of the National Park Service shall call the first meeting for the purpose of electing a Chairman. The Commission, at its discretion, may appoint honorary members, and may establish an Advisory Council to assist it in its work.

(c) Appointments provided for in this section, with the exception of honorary members, shall be made within ninety days from the date of enactment of this resolution. Vacancies shall be filled in the same manner as the original appointments were made.

Program.

SEC. 2. It shall be the duty of the Commission to prepare an overall program to include specific plans for commemorating the one hundred fiftieth anniversary of the birth of Abraham Lincoln. In preparing its plans and programs, the Commission shall give due consideration to any similar and related plans advanced by State, civic, patriotic, hereditary, and historical bodies, and may designate special committees with representation from the above-mentioned bodies to plan and conduct specific ceremonies. The Commission may give suitable recognition such as the award of medals and certificates or by other appropriate means to persons and organizations for outstanding accomplishments in preserving the writings and ideals of Abraham Lincoln, or historical locations connected with his life.

Awards.

Proclamations.

SEC. 3. The President of the United States is authorized and requested to issue proclamations inviting the people of the United States to participate in and observe the anniversary of the nationally significant historic event, the commemoration of which is provided for herein.

Donations.

SEC. 4. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with State, civic, patriotic, hereditary, and historical groups and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this resolution.

All books, manuscripts, miscellaneous printed matter, memorabilia, relics and other materials relating to Abraham Lincoln and donated to the Commission may be deposited for permanent preservation in a National, State, or local library or museum or be otherwise disposed of by the Commission in consultation with the Librarian of Congress or the Secretary of the Smithsonian Institution.

(b) The Commission, to such extent as it finds to be necessary, may, without regard to the laws and procedures applicable to Federal agencies, procure supplies, services, and property and make contracts, expend in furtherance of this resolution funds donated or funds received in pursuance of contracts hereunder, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this resolution.

Administrative services.

(c) The National Park Service is designated to provide all general administrative services.

SEC. 5. (a) The Commission may employ, without regard to civil service laws or the Classification Act of 1949, an executive director and such employees as may be necessary to carry out its functions. Employees. 63 Stat. 954. 5 U.S.C. 1071 note.

(b) Expenditures of the Commission shall be paid by the National Park Service as general administrative agent, which shall keep complete records of such expenditures and shall account also for all funds received by the Commission.

(c) A report shall be submitted to the Congress, presenting the preliminary plans of the Commission not later than March 1, 1958, in order that further enabling legislation may be enacted. A final report shall be made to the Congress no later than March 1, 1960, upon which date the Commission shall terminate. Report to Congress.

(d) Any property acquired by the Commission remaining upon its termination may be used by the Secretary of the Interior for purposes of the National Park System or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

SEC. 6. (a) The members of the Commission shall serve without compensation, but shall be furnished transportation and be reimbursed at not to exceed $20 per diem, in lieu of subsistence, while engaged in the discharge of their duties provided for in this resolution. Compensation; transportation.

(b) Service of an individual as a member of the Commission shall not be considered as service or employment bringing such individual within the provisions of sections 216, 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99); nor shall any member of the Commission by reason of his status as such be deemed to be an "officer of the Government" within the meaning of the Act of April 27, 1916 (5 U.S.C. 101). 62 Stat. 694 *et seq.*

SEC. 7. Notwithstanding section 2 of the Act of July 31, 1894 (28 Stat. 205), as amended (5 U.S.C. 62), or section 6 of the Act of May 10, 1916 (39 Stat. 120), as amended (5 U.S.C. 58, 59), the Chairman of the Commission may appoint to, and employ in, any civilian office or position in the Commission, and pay, any retired commissioned officer, or retired warrant officer, of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, or Public Health Service. The retired status, office, rank, and grade of retired commissioned officers or retired warrant officers, so appointed or employed and, except as provided in section 212 of the Act of June 30, 1932 (47 Stat. 406), as amended (5 U.S.C. 59a), any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade, shall be in no way affected by reason of 39 Stat. 54. Employment of retired officers.

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such appointment to or employment in, or by reason of service in, or acceptance or holding of, any civilian office or position in the Commission or the receipt of the pay thereof.

Appropriation.

SEC. 8. There are hereby authorized to be appropriated such funds as may be necessary to carry out the provisions of this resolution, including an appropriation of not to exceed $10,000 to prepare the preliminary report and plans of the Commission described in section 5(c).

Joint Resolution To extend the time for filing of the final report of the Lincoln Sesquicentennial Commission, approved May 13, 1960 (74 Stat. 103)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 5 of the joint resolution entitled "Joint Resolution to establish a Lincoln Sesquicentennial Commission" approved September 2, 1957 (71 Stat. 587), is amended by striking out "March 1, 1960", and inserting in lieu thereof "June 30, 1960".

Lincoln Sesquicentennial Commission. Report.

An Act To provide for the maintenance and repair of Government improvements under concession contracts entered into pursuant to the Act of August 25, 1916 (39 Stat. 535), as amended, and for other purposes, approved August 24, 1962 (76 Stat. 405)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That privileges, leases, and permits granted by the Secretary of the Interior for the use of land for the accommodation of park visitors, pursuant to section 3 of the Act of August 25, 1916 (39 Stat. 535), as amended, may provide for the maintenance and repair of Government improvements by the grantee notwithstanding the provisions of section 321 of the Act of June 30, 1932 (47 Stat. 412; 40 U.S.C. 303b), or any other provision of law.

National parks. Concession contracts.

16 U.S.C. 3.

Excerpt from "An Act To amend the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of oil and gas on the public domain, and for other purposes," approved August 8, 1946 (60 Stat. 950)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of February 25, 1920 (41 Stat. 437; 30 U.S.C., sec. 181 and the following), as amended be amended to read as follows:

"That deposits of coal, phosphate, sodium, potassium, oil, oil shale, or gas, and lands containing such deposits owned by the United States, including those in national forests, but excluding lands acquired under the Act known as the Appalachian Forest Act, approved March 1, 1911 (36 Stat. 961), and those in incorporated cities, towns, and villages and in national parks and monu-

ments, * * * shall be subject to disposition in the form and manner provided by this Act to citizens of the United States, or to associations of such citizens, or to any corporation organized under the laws of the United States, or of any State or Territory thereof, or in the case of coal, oil, oil shale, or gas, to municipalities * * *." (30 U.S.C. § 181.)

An Act To increase the public benefits from the National Park System by facilitating the management of museum properties relating thereto, and for other purposes, approved July 1, 1955 (69 Stat. 242)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act shall be to increase the public benefits from museums established within the individual areas administered by the Secretary of the Interior through the National Park Service as a means of informing the public concerning the areas and preserving valuable objects and relics relating thereto. The Secretary of the Interior, notwithstanding other provisions or limitations of law, may perform the following functions in such manner as he shall consider to be in the public interest:

National Park Service. Museum management.

(a) Accept donations and bequests of money or other personal property, and hold, use, expend, and administer the same for purposes of this Act;

(b) Purchase from such donations and bequests of money museum objects, museum collections, and other personal properties at prices he considers to be reasonable;

(c) Make exchanges by accepting museum objects, museum collections, and other personal properties, and by granting in exchange therefor museum property under the administrative jurisdiction of the Secretary which is no longer needed or which may be held in duplicate among the museum properties administered by the Secretary, such exchanges to be consummated on a basis which the Secretary considers to be equitable and in the public interest;

(d) Accept the loan of museum objects, museum collections, and other personal properties and pay transportation costs incidental thereto, such loans to be accepted upon terms and conditions which he shall consider necessary; and

(e) Loan to responsible public or private organizations, institutions, or agencies, without cost to the United States, such museum objects, museum collections, and other personal property as he shall consider advisable, such loans to be made upon terms and conditions which he shall consider necessary to protect the public interest in such properties. (16 U.S.C. § 18f.)

An Act For the establishment of a National Outdoor Recreation Resources Review Commission to study the outdoor recreation resources of the public lands and other land and water areas of the United States, and for other purposes, approved June 28, 1958 (72 Stat. 238)

Outdoor Recreation Resources Review Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve, develop, and assure accessibility to all American people of present and future generations such quality and quantity of outdoor recreation resources as will be necessary and desirable for individual enjoyment, and to assure the spiritual, cultural, and physical benefits that such outdoor recreation provides; in order to inventory and evaluate the outdoor recreation resources and opportunities of the Nation, to determine the types and location of such resources and opportunities which will be required by present and future generations; and in order to make comprehensive information and recommendations leading to these goals available to the President, the Congress, and the individual States and Territories, there is hereby authorized and created a bipartisan Outdoor Recreation Resources Review Commission.

Definitions.

SEC. 2. For the purposes of this Act—

(1) "Commission" shall mean the Outdoor Recreation Resources Review Commission;

(2) "Outdoor recreation resources" shall mean the land and water areas and associated resources of such areas in the United States, its Territories, and possessions which provide or may in the future provide opportunities for outdoor recreation, irrespective of ownership.

(3) "Outdoor recreation resources" shall not mean nor include recreation facilities, programs, and opportunities usually associated with urban development such as playgrounds, stadia, golf courses, city parks, and zoos.

Membership.

SEC. 3. (a) The Commission hereby authorized and created shall consist of fifteen members appointed as follows:

(1) Two majority and two minority members of the Senate Committee on Interior and Insular Affairs, to be appointed by the President of the Senate;

(2) Two majority and two minority members of the House Committee on Interior and Insular Affairs to be appointed by the Speaker of the House; and

(3) Seven citizens, known to be informed about and concerned with the preservation and development of outdoor recreation resources and opportunities, and experienced in resource conservation planning for multiple resources uses, who shall be appointed by the President, and one of whom shall be designated as chairman by the President.

Vacancies occurring on the Commission shall not affect the authority of the remaining members of the Commission to carry out the functions of the Commission, and shall be filled in the same manner as the original positions.

(b) The Commission members shall serve without compensation, except that each member shall be entitled to reimbursement for actual travel and subsistence expense incurred in the services of the Commission and each member appointed by the President shall be entitled to a per diem allowance not to exceed $50 per day when actually engaged in Commission business.

(c) The Commission shall convene as soon as practicable following appointment of its members, to implement the purposes and objectives of this Act.

Personnel, etc.

SEC. 4. (a) The Commission is authorized, without regard to the civil-service laws and regulations, to appoint and fix the compensation of an executive secretary and such additional personnel as may be necessary to enable it to carry out its functions, except that any Federal employees subject to the civil service laws and regulations who may be assigned to the Commission shall retain civil service status without interruption or loss of status or privilege.

(b) The Commission shall establish headquarters in the District of Columbia and shall make such other arrangements as are necessary to carry out the purposes of this Act.

Liaison officers.

(c) The Commission shall request the Secretary of each Federal Department or head of any independent agency which includes an agency or agencies with a direct interest and responsibility in any phase of outdoor recreation to appoint, and he shall appoint for each such agency a liaison officer who shall work closely with the Commission and its staff.

Advisory Council.

SEC. 5. (a) There is hereby established an advisory council which shall consist of the liaison officers appointed under section 4 (c), together with twenty-five additional members appointed by the Commission who shall be representative of the various major geographical areas and citizen interest groups including the following: State game and fish departments, State park departments, State forestry departments, private organizations working in the field of outdoor recreation resources and opportunities, landowners, State water pollution control agencies, State water development agencies, private forestry interests, livestock interests, mining interests, State travel commissions, petroleum production interests, commercial fishing interests, commercial outdoor recreation interests, industry, education, labor, public utilities, and municipal governments.

(b) The functions of the advisory council shall be to advise and counsel the Commission in the development

of ways, means, and procedures whereby maximum cooperation may be obtained from all agencies and groups whose assistance in accomplishing the purposes of this Act will be required in arriving at sound methods and criteria for evaluating outdoor recreation resources data assembled and otherwise to advise and assist the Commission in carrying out the purposes of the Act.

(c) Members of the advisory council, except those employed by the Federal Government and assigned to the Commission as liaison officers, shall serve without compensation except that each shall be entitled to reimbursement for actual travel and subsistence expenses incurred in attending meetings of the advisory council called by the Chairman of the Commission, or incurred in carrying out duties assigned by the Chairman of the Commission.

(d) The Chairman of the Commission shall call an initial organization meeting of the advisory council, a meeting of such council each six months thereafter, and a final meeting of such council prior to transmitting the final report to the President and the Congress.

Duties.

SEC. 6. (a) The Commission shall proceed as soon as practicable to set in motion a nationwide inventory and evaluation of outdoor recreation resources and opportunities, directly and through the Federal agencies, the States, and private organizations and groups, utilizing to the fullest extent possible such studies, data, and reports previously prepared or concurrently in process by Federal agencies, States, private organizations, groups, and others.

(b) The Commission shall compile such data and in the light of the data so compiled and of information available concerning trends in population, leisure, transportation, and other factors shall determine the amount, kind, quality, and location of such outdoor recreation resources and opportunities as will be required by the year 1976 and the year 2000, and shall recommend what policies should best be adopted and what programs be initiated, at each level of government and by private organizations and other citizen groups and interests, to meet such future requirements.

Reports; termination.

(c) The Commission shall present not later than September 1, 1961, a report of its review, a compilation of its data, and its recommendations on a State by State, region by region, and national basis to the President and to the Congress, and shall cease to exist not later than one year thereafter. Such report, compilation, and recommendations shall be presented in such form as to make them of maximum value to the States and shall include recommendations as to means whereby the review may effectively be kept current in the future. The Commission, on its own initiative or on request of the Pres-

ident or the Congress, shall prepare interim or progress reports on particular phases of its review.

(d) The Commission is authorized to conduct public hearings and otherwise to secure data and expressions of opinion.

(e) The Commission is authorized to make direct grants to the States, and to transfer necessary funds to Federal agencies, from sums appropriated pursuant to section 8, to carry out such aspects of the review as the Commission may determine can best be carried out by the States, or Federal agencies, under such arrangements and agreements as are determined by the Commission; and may enter into contracts or agreements for studies and surveys with public or private agencies and organizations. The Commission is also authorized to reimburse Federal agencies for the expenses of liaison officers appointed under section 4 (c) and other cooperation.

Resource planning.

SEC. 7. The Commission, in its inquiries, findings, and recommendations, shall recognize that present and future solutions to problems of outdoor recreation resources and opportunities are responsibilities at all levels of government, from local to Federal, and of individuals and private organizations as well. The Commission shall recognize that lands, waters, forest, rangelands, wetlands, wildlife and such other natural resources that serve economic purposes also serve to varying degrees and for varying uses outdoor recreation purposes, and that sound planning of resource utilization for the full future welfare of the Nation must include coordination and integration of all such multiple uses.

Appropriation.

SEC. 8. There are hereby authorized to be appropriated not more than $2,500,000 to carry out the purposes of this Act, and such moneys as may be appropriated shall be available to the Commission until expended.

Short title.

SEC. 9. This Act may be cited as "the Outdoor Recreation Resources Review Act." (16 U.S.C. § 17k note.)

An Act To amend the Act of June 28, 1958, entitled "An Act to provide for a National Outdoor Recreation Resources Review Commission, and for other purposes," approved March 25, 1959 (73 Stat. 14)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 4 of the Act of June 28, 1958, entitled "An Act to provide for a National Outdoor Recreation Resources Review Commission, and for other purposes" is amended to read as follows:

72 Stat. 239. 16 U.S.C. 17k note.

"The Commission is authorized, without regard to the civil service laws and regulations, and without regard to the Classification Act of 1949, as amended, to appoint and fix the compensation of an executive secretary and such additional personnel as may be necessary to enable

it to carry out its functions, except that any Federal employees subject to the civil service laws and regulations who may be assigned to the Commission shall retain civil service status without interruption or loss of status or privilege." (16 U.S.C. § 17k note [Supp. II]. See p. 61.)

An Act To further the policy enunciated in the Historic Sites Act (49 Stat. 666) and to facilitate public participation in the preservation of sites, buildings, and objects of national significance or interest and providing a national trust for historic preservation, approved October 26, 1949 (63 Stat. 927)

National Trust for Historic Preservation in U.S.

16 U.S.C. §§ 461–467.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to further the policy enunciated in the Act of August 21, 1935 (49 Stat. 666), entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", and to facilitate public participation in the preservation of sites, buildings, and objects of national significance or interest, there is hereby created a charitable, educational, and nonprofit corporation, to be known as the National Trust for Historic Preservation in the United States, hereafter referred to as the "National Trust". The purposes of the National Trust shall be to receive donations of sites, buildings, and objects significant in American history and culture, to preserve and administer them for public benefit, to accept, hold, and administer gifts of money, securities, or other property of whatsoever character for the purpose of carrying out the preservation program, and to execute such other functions as are vested in it by this Act. (16 U.S.C. § 468.)

Purposes.

Principal office.

SEC. 2. The National Trust shall have its principal office in the District of Columbia and shall be deemed, for purposes of venue in civil actions, to be an inhabitant and resident thereof. The National Trust may establish offices in such other place or places as it may deem necessary or appropriate in the conduct of its business. (16 U.S.C. § 468a.)

Board of trustees. Composition.

SEC. 3. The affairs of the National Trust shall be under the general direction of a board of trustees composed as follows: The Attorney General of the United States; the Secretary of the Interior; and the Director of the National Gallery of Art, ex officio; and not less than six general trustees who shall be citizens of the United States, to be chosen as hereinafter provided. The Attorney General, and the Secretary of the Interior, when it appears desirable in the interest of the conduct of the business of the board and to such extent as they deem it advisable, may, by written notice to the National Trust, designate any officer of their respective departments to

act for them in the discharge of their duties as a member of the board of trustees. The number of general trustees shall be fixed by the Executive Board of the National Council for Historic Sites and Buildings, a corporation of the District of Columbia, and the general trustees first taking office shall be chosen by a majority vote of the members of the Executive Board from the membership of the National Council. The respective terms of office of the first general trustees so chosen shall be as prescribed by the said Executive Board but in no case shall exceed a period of five years from the date of election. A successor to a general trustee shall be chosen in the same manner as the original trustees and shall have a term expiring five years from the date of the expiration of the term for which his predecessor was chosen, except that a successor chosen to fill a vacancy occurring prior to the expiration of such term shall be chosen only for the remainder of that term. The chairman of the board of trustees shall be elected by a majority vote of the members of the board. No compensation shall be paid to the members of the board of trustees for their services as such members, but they shall be reimbursed for travel and actual expenses necessarily incurred by them in attending board meetings and performing other official duties on behalf of the National Trust at the direction of the board. (16 U.S.C. § 468b, as amended.)

Terms of office.

Compensation.

SEC. 4. To the extent necessary to enable it to carry out the functions vested in it by this Act, the National Trust shall have the following general powers:

Powers.

(a) To have succession until dissolved by Act of Congress, in which event title to the properties of the National Trust, both real and personal, shall, insofar as consistent with existing contractual obligations and subject to all other legally enforceable claims or demands by or against the National Trust, pass to and become vested in the United States of America.

Succession.

(b) To sue and be sued in its corporate name.

(c) To adopt, alter, and use a corporate seal which shall be judicially noticed.

Seal.

(d) To adopt a constitution and to make such bylaws, rules, and regulations, not inconsistent with the laws of the United States or of any State, as it deems necessary for the administration of its functions under this Act, including among other matter, bylaws, rules, and regulations governing visitation to historic properties, administration of corporate funds, and the organization and procedure of the board of trustees.

Constitution, bylaws, etc.

(e) To accept, hold, and administer gifts and bequests of money, securities, or other personal property of whatsoever character, absolutely or on trust, for the purposes for which the National Trust is created. Unless other-

Gifts, etc.

wise restricted by the terms of the gift or bequest, the National Trust is authorized to sell, exchange, or otherwise dispose of and to invest or reinvest in such investments as it may determine from time to time the moneys, securities, or other property given or bequeathed to it. The principal of such corporate funds, together with the income therefrom and all other revenues received by it from any source whatsoever, shall be placed in such depositories as the National Trust shall determine and shall be subject to expenditure by the National Trust for its corporate purposes.

Acquisition of property, etc.

(f) To acquire by gift, devise, purchase, or otherwise, absolutely or on trust, and to hold and, unless otherwise restricted by the terms of the gift or devise, to encumber, convey, or otherwise dispose of, any real property, or any estate or interest therein (except property within the exterior boundaries of national parks and national monuments), as may be necessary and proper in carrying into effect the purposes of the National Trust.

Contracts and agreements.

(g) To contract and make cooperative agreements with Federal, State, or municipal departments or agencies, corporations, associations, or individuals, under such terms and conditions as it deems advisable, respecting the protection, preservation, maintenance, or operation of any historic site, building, object, or property used in connection therewith for public use, regardless of whether the National Trust has acquired title to such properties, or any interest therein.

(h) To enter into contracts generally and to execute all instruments necessary or appropriate to carry out its corporate purposes, which instruments shall include such concession contracts, leases, or permits for the use of lands, buildings, or other property deemed desirable either to accommodate the public or to facilitate administration.

Appointment of officers, etc.

(i) To appoint and prescribe the duties of such officers, agents, and employees as may be necessary to carry out its functions, and to fix and pay such compensation to them for their services as the National Trust may determine.

(j) And generally to do any and all lawful acts necessary or appropriate to carry out the purposes for which the National Trust is created. (16 U.S.C. § 468c.)

Selection of sites, etc.

SEC. 5. In carrying out its functions under this Act, the National Trust is authorized to consult with the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments, on matters relating to the selection of sites, buildings, and objects to be preserved and protected pursuant hereto. (16 U.S.C. § 468d.)

Report to Congress.

SEC. 6. The National Trust shall, on or before the 1st day of March in each year, transmit to Congress a re-

port of its proceedings and activities for the preceding calendar year, including the full and complete statement of its receipts and expenditures. (16 U.S.C. § 468e.)

Rights reserved.

SEC. 7. The right to repeal, alter or amend this Act at any time is hereby expressly reserved, but no contract or individual right made or acquired shall thereby be divested or impaired. (16 U.S.C. § 468 note.)

An Act To exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia, approved July 3, 1957 (71 Stat. 275)

National Trust for Historic Preservation in the U.S. Tax exemption.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That certain property in the District of Columbia described as lots numbered 42, 43, 44, 45, and 46 in the subdivision of lot numbered 36 in square numbered 167, as said subdivision is recorded in the office of the Surveyor of the District of Columbia in book W.B.M., at folio 293, now known as lot 46 and lot 809, in square numbered 167, together with the improvements thereon and the furnishings therein, being premises numbered 748 Jackson Place, Northwest, known as "Decatur House," owned by the National Trust for Historic Preservation in the United States, a corporation chartered by Act of Congress, approved October 26, 1949, be exempt from all taxation, so long as the same is used in carrying on the purposes and activities of the National Trust for Historic Preservation in the United States, and is not used for commercial purposes, subject to the provisions of sections 2, 3, and 5 of the Act entitled "An Act to define the real property exempt from taxation in the District of Columbia", approved December 24, 1942 (56 Stat. 1091; D.C. Code, secs. 47–801b, 47–801c, and 47–801e). Use of the premises by agencies of the United States of America or by the Truxtun-Decatur Naval museum of the Naval Historical Foundation for museum purposes and conference accommodations shall not affect the exemption from taxation provided for herein. Any real estate taxes, penalties or interest on the aforesaid property which may be due to the District of Columbia with respect to periods after the property was acquired by the National Trust for Historic Preservation in the United States shall be abated.

An Act To promote public cooperation in the rehabilitation and preservation of the Nation's important historic properties in the New York City area, and for other purposes, approved August 11, 1955 (69 Stat. 632)

New York City National Shrines Advisory Board.

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 appoint an advisory board, to be known as the New

York City National Shrines Advisory Board. The membership of the Board may not exceed eleven persons. The Secretary shall appoint one member to represent the city of New York, one member to represent the State of New York, and one member to represent the Borough of Manhattan, after consideration of such recommendations as may be made by the mayor of New York City, the Governor of New York State, and the President of the Borough of Manhattan for the appointment of the representatives of their respective jurisdictions. The remaining membership of the Board shall be appointed from the various historical and civic organizations interested in effectuating the purposes of this Act. The Secretary shall, at the time of appointment, designate one of the members to serve as Chairman. Members of the Board shall receive no compensation for their services, but may be paid any necessary traveling and subsistence expenses incurred in the discharge of their duties, when authorized by the Secretary of the Interior.

Preservation of historic properties.

The functions of the Board shall be to render advice to the Secretary of the Interior and to further public participation in the rehabilitation and the preservation of those historic properties in the New York City area that are of great national significance, identified as the Federal Hall National Memorial, Castle Clinton National Monument, and the Statue of Liberty National Monument. The Board shall conduct a study of these historic properties and submit recommendations concerning their preservation and administration to the Secretary of the Interior, such report and recommendations of the Board to be transmitted to the Congress by the Secretary of the Interior, together with his recommendations thereon, within one year following the date of the establishment of the Board. The Board shall cease to exist when the Secretary of the Interior shall find that its purposes have been accomplished.

Report to Congress.

SEC. 2. The Secretary of the Interior is authorized to accept donations of funds for rehabilitation and preservation of the historic properties including any made upon condition that such funds are to be expended only if Federal funds in an amount equal to the donated funds are appropriated for such purposes. There are authorized to be appropriated such funds as may be necessary to match funds that may be donated for purposes of this Act.

Appropriation.

16 U.S.C. 461–467.

SEC. 3. The Federal Hall Memorial National Historic Site, established pursuant to the Historic Sites Act of August 21, 1935 (49 Stat. 666), shall hereafter be known as the "Federal Hall National Memorial". (16 U.S.C. § 463 note, as amended. See p. 69.)

An Act To amend the Act of August 11, 1955 (69 Stat. 632), relating to the rehabilitation and preservation of historic properties in the New York City area, and for other purposes, approved August 14, 1958 (72 Stat. 613)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to promote public cooperation in the rehabilitation and preservation of the Nation's important historic properties in the New York City area, and for other purposes," approved August 11, 1955 (69 Stat. 632), is hereby amended as follows:

New York City area. Historic properties.

16 U.S.C. 463 note.

(a) In the first sentence of the second paragraph of section 1 of such Act insert a comma and the word "development" after the word "rehabilitation."

(b) In the first sentence of section 2 of such Act insert a comma and the word "development" after the word "rehabilitation." (16 U.S.C. § 463 note. See p. 68.)

An Act To provide for cooperation by the Smithsonian Institution with State, educational, and scientific organizations in the United States for continuing paleontological investigations in areas which will be flooded by the construction of Government dams, approved August 15, 1949 (63 Stat. 606)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Smithsonian Institution is hereby authorized to cooperate with any State, educational institution, or scientific organization in the United States for continuing paleontological investigations, and the excavation and preservation of fossil remains, in areas which will be flooded by the construction of Government dams or otherwise be made unavailable for such investigations because of such construction: *Provided*, That such investigations and activities shall not duplicate nor affect adversely similar operations being conducted by the Department of Interior in cooperation with the Smithsonian Institution. (20 U.S.C. § 78.)

Smithsonian Institution. Paleontological investigations.

Investigations, etc., of Interior Department.

SEC. 2. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $65,000, which shall be available until expended for the above purposes: *Provided*, That at such time as the Smithsonian Institution is satisfied that any State agency, or any educational institution or scientific organization in any of the United States, is prepared to contribute to such investigation and when in its judgment such investigation shall appear meritorious, the Secretary of the Smithsonian Institution may make available for such investigation such amounts from this sum as shall be equal to the amounts contributed respectively by each such State agency, or educational institution or scientific organization: *Provided further*, That the amount to be made available from this sum

Appropriation authorized.

Contributions.

Limitation.

for such investigation in cooperation with each such State agency, or educational institution or scientific organization, shall not exceed $10,000 in any fiscal year: *Provided further*, That all such cooperative work and division of the result thereof shall be under the direction of the Secretary of the Smithsonian Institution: *Provided further*, That where lands are involved which are controlled by the Government of the United States, cooperative work thereon shall be under the provisions of the Act of June 8, 1906 (16 U.S.C. 432, 433), and rules and regulations pertaining thereto. (20 U.S.C. § 78a.)

Government lands.

34 Stat. 225.

An Act To provide for payment for lands heretofore conveyed to the United States as a basis for lieu selections from the public domain, and for other purposes, approved July 6, 1960 (74 Stat. 334)

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 shall certify to the General Accounting Office for audit the claim of any person who relinquished or conveyed lands to the United States as a basis for a lieu selection in accordance with the provisions of the fifteenth paragraph under the heading "Surveying the Public Lands" in the Act of June 4, 1897 (30 Stat. 11, 36), as amended, and supplemented by the Acts of June 6, 1900 (31 Stat. 588, 614), March 3, 1901 (31 Stat. 1010, 1037), March 3, 1905 (33 Stat. 1264) and the Act of September 22, 1922 (42 Stat. 1067, 16 U.S.C. 483), and who has not heretofore received his lieu selection, a reconveyance of his lands, or authority to cut and remove timber, as provided by law, and there shall be paid to each such person whose claim is found to be valid the sum of $1.25 per acre for the lands conveyed by him to the United States with interest thereon at the rate of 4 per centum per annum, from the date on which application was last made by said person for a lieu selection, for reconveyance, or for authority to cut and remove timber or, if no such application has been made, from the date of this Act. Said payment shall be made from moneys appropriated under the heading "Claims for Damages, Audited Claims, and Judgments," and acceptance thereof shall constitute a full and complete satisfaction of all claims which the person to whom payment is made may have against the United States arising from the transaction in connection with which the payment is made. No person shall receive, or be entitled to receive, payment under this Act except upon demand therefor made in writing to the Secretary, or any officer of the Department of the Interior to whom the Secretary delegates authority to receive such demand, within one year from the date of this Act.

Interior Department.

Payment for certain lands.

Condition for payment.

SEC. 2. (a) The right to receive payment under this Act shall not be assignable.

(b) For purposes of payment under this Act, the term "person who conveyed lands to the United States" includes (i) the heirs and devisees of any such person and (ii) any other person to whom he or his heirs or devisees lawfully assigned, before enactment of this Act, their right to a lieu selection or a reconveyance, or their right to receive authority to cut and remove timber. If more than one heir, devisee, or assignee is entitled to share in a payment to be made under this Act, each may individually claim and receive his proper share of the total amount of $1.25 per acre, with interest, which is payable hereunder.

(c) No agent or attorney acting on behalf of another to procure a payment under this Act shall demand, accept, or receive more than 10 per centum of the payment made, and any agreement to the contrary shall be null and void.

SEC. 3. The Act of September 22, 1922 (42 Stat. 1017; 16 U.S.C. 483) is hereby repealed. No reconveyance of lands to which section 1 of this Act applies shall hereafter be made under section 6 of the Act of April 28, 1930 (46 Stat. 257; 43 U.S.C. 872.)

Disposition of land.

SEC. 4. Any land for which the United States makes payment under section 1 of this Act, or any land for which it might make payment thereunder upon application by the proper party, but for which no demand is made, shall (unless it has heretofore been disposed of by the United States) be a part of the national forest, national park, or other area within the boundaries of which it is embraced, shall be administered as a part thereof, and shall be subject to the laws, rules, and regulations applicable to land set apart and reserved from the public domain in that national forest, national park, or other area.

An Act To provide for the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as the result of the construction of a dam, approved June 27, 1960 (74 Stat. 220)

Historical and archeological data, preservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to further the policy set forth in the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (16 U.S.C. 461–467), by specifically providing for the preservation of historical and archeological data (including relics and specimens) which might otherwise be irreparably lost or destroyed as the result of flooding, the building of access roads, the erection of workmen's communities, the relocation of railroads and highways, and other alterations of the terrain caused by the construction of a dam

49 Stat. 666.

by any agency of the United States, or by any private person or corporation holding a license issued by any such agency. (16 U.S.C. § 469 [Supp. II].)

Dam construction. Advance notice.

SEC. 2. (a) Before any agency of the United States shall undertake the construction of a dam, or issue a license to any private individual or corporation for the construction of a dam, it shall give written notice to the Secretary of the Interior setting forth the site of the proposed dam and the approximate area to be flooded and otherwise changed if such construction is undertaken: *Provided*, That with respect to any floodwater retarding dam which provides less than five thousand acre-feet of detention capacity and with respect to any other type of dam which creates a reservoir of less than forty surface acres the provisions of this section shall apply only when the constructing agency, in its preliminary surveys, finds, or is presented with evidence that historical or archeological materials exist or may be present in the proposed reservoir area.

Survey.

(b) Upon receipt of any notice, as provided in subsection (a), the Secretary of the Interior (hereinafter referred to as the "Secretary"), shall cause a survey to be made of the area proposed to be flooded to ascertain whether such area contains historical and archeological data (including relics and specimens) which should be preserved in the public interest. Any such survey shall be conducted as expeditiously as possible. If, as a result of any such survey, the Secretary shall determine (1) that such data exists in such area, (2) that such data has exceptional historical or archeological significance, and should be collected and preserved in the public interest, and (3) that it is feasible to collect and preserve such data, he shall cause the necessary work to be performed in such area to collect and preserve such data. All such work shall be performed as expeditiously as possible.

(c) The Secretary shall keep the instigating agency notified at all times of the progress of any survey made under this Act, or of any work undertaken as a result of such survey, in order that there will be as little disruption or delay as possible in the carrying out of the functions of such agency.

(d) A survey similar to that provided for by section (b) of this section and the work required to be performed as a result thereof shall so far as practicable also be undertaken in connection with any dam the construction of which has been heretofore authorized by any agency of the United States, or by any private person or corporation holding a license issued by any such agency.

(e) The Secretary shall consult with any interested Federal and State agencies, educational and scientific organizations, and private institutions and qualified indi-

viduals, with a view to determining the ownership of and the most appropriate repository for any relics and specimens recovered as a result of any work performed as provided for in this section. (16 U.S.C. § 469a [Supp. II].)

Administration.

SEC. 3. In the administration of this Act, the Secretary may—

(1) enter into contracts or make cooperative agreements with any Federal or State agency, any educational or scientific organization, or any institution, corporation, association, or qualified individual; and

(2) procure the temporary or intermittent services of experts or consultants or organizations thereof as provided in section 15 of the Act of August 2, 1946 (5 U.S.C. 55a); and

60 Stat. 810.

(3) accept and utilize funds made available for salvage archeological purposes by any private person or corporations holding a license issued by an agency of the United States for the construction of a dam or other type of water or power control project. (16 U.S.C. § 469b [Supp. II].)

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act. (16 U.S.C. § 469e [Supp. II].)

An Act To amend the Recreation Act of June 14, 1926, to include other public purposes and to permit nonprofit organizations to purchase or lease public lands for certain purposes, approved June 4, 1954 (68 Stat. 173)

Public lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved June 14, 1926 (44 Stat. 741; 43 U.S.C. sec. 869), entitled "An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes", is hereby amended to read as follows:

Disposal for public or recreational purposes.

"SECTION 1. (a) The Secretary of the Interior upon application filed by a duly qualified applicant under section 2 of this Act may, in the manner prescribed by this Act, dispose of any public lands to a State, Territory, county, municipality, or other State, Territorial, or Federal instrumentality or political subdivision for any public purposes, or to a nonprofit corporation or nonprofit association for any recreational or any public purpose consistent with its articles of incorporation or other creating authority. Before the land may be disposed of under this Act it must be shown to the satisfaction of the Secretary that the land is to be used for an established or definitely proposed project. The Secretary may classify public lands in Alaska for disposition under this Act. Lands so classified may not be appropriated under any

other public land law unless the Secretary revises such classification or authorizes the disposition of an interest in the lands under other applicable law. If, within eighteen months following such classification, no application has been filed for the purpose for which the lands have been so classified, then the Secretary shall restore such lands to appropriation under the applicable public land laws.

Limitations.

"(b) No more than six hundred and forty acres may be conveyed to any one grantee in any one calendar year.

"(c) Where the lands have been withdrawn in aid of a function of a Federal department or agency other than the Department of the Interior, or of a State, Territory, county, municipality, water district, or other local governmental subdivision or agency, the Secretary of the Interior may make disposals under this Act only with the consent of such Federal department or agency, or of such State, Territory, or local governmental unit. Nothing in this Act shall be construed to apply to lands in any national forest, national park, or national monument, or national wildlife refuge, or the revested Oregon and California Railroad grant lands in the State of Oregon, or the reconveyed Coos Bay Wagon Road grant lands in the State of Oregon, or to any Indian lands, or lands set aside or held for the use or benefit of Indians, including lands over which jurisdiction has been transferred to the Department of the Interior by Executive order for the use of Indians. Nor shall any disposition be made under this Act for any use authorized under any other law, except for a use authorized under the Act of June 1, 1938 (52 Stat. 609; 43 U.S.C., sec. 682a), as amended. (43 U.S.C. § 869 [a–c]. See p. 76.)

Sale or lease, etc.

"SEC. 2. The Secretary of the Interior may after due consideration as to the power value of the land, whether or not withdrawn therefor, (a) sell such land to the

States, etc.

State, Territory, county, or other State, Territorial, or Federal instrumentality or political subdivision in which the lands are situated, or to a nearby municipal corporation in the same State or Territory, for the purpose for which the land has been classified, and conveyances of

Historic monuments.

such land for historic-monument purposes under this subsection shall be made without monetary consideration, while conveyances for any other purpose under this subsection shall be made at a price to be fixed by the Secretary of the Interior through appraisal or otherwise, after taking into consideration the purpose for which the lands are to be used; (b) lease such land to the State, Territory, county, or other State, Territorial, or Federal instrumentality or political subdivision in which the lands are situated or to a nearby municipal corporation in the same State or Territory, for the purpose for which

the land has been classified, at a reasonable annual rental, for a period up to twenty years, and, at the discretion of the Secretary, with a privilege of renewal for a like period, (c) sell such land to a nonprofit corporation or nonprofit association, for the purpose for which the land has been classified, at a price to be fixed by the Secretary of the Interior through appraisal, after taking into consideration the purpose for which the lands are to be used, or (d) lease such land to a nonprofit corporation or nonprofit association at a reasonable annual rental, for a period up to twenty years, and, at the discretion of the Secretary, with a privilege of renewal for a like period. Each patent or lease so issued shall contain a reservation to the United States of all mineral deposits in the lands conveyed or leased and of the right to mine and remove the same, under applicable laws and regulations to be established by the Secretary. Each lease shall contain a provision for its termination upon a finding by the Secretary that the land has not been used by the lessee for the purpose specified in the lease for such period, not over five years, as may be specified in the lease, or that such land or any part thereof is being devoted to another use. (43 U.S.C. § 869–1.)

Nonprofit corporation, etc.

Reservation to U.S.

"SEC. 3. Title to lands conveyed by the Government under this Act may not be transferred by the grantee or its successor except, with the consent of the Secretary of the Interior, to a transferee which would be a qualified grantee under section 2 (a) or (c) and subject to the acreage limitation contained in section 1(b) of this Act. A grantee or its successor may not change the use specified in the conveyance to another or additional use except, with the consent of the Secretary, to a use for which such grantee or its successor could obtain a conveyance under this Act. If at any time after the lands are conveyed by the Government, the grantee or its successor attempts to transfer title to or control over these lands to another or the lands are devoted to a use other than that for which the lands were conveyed, without the consent of the Secretary, title to the lands shall revert to the United States. The provisions of this section, however, shall cease to be in effect as to any lands patented under this Act twenty-five years after the issuance of patent for such lands. (43 U.S.C. § 869–2. See p. 76.)

Title transfer.

"SEC. 4. The Secretary may authorize transfers of title or changes in use in accordance with the provisions of section 3 of this Act with respect to any patent heretofore issued under any Act upon application by a patentee qualified to obtain a conveyance under section 2 (a) or (c) of this Act. If the Secretary, pursuant to such an application, authorizes such transfer or use, all reverter

Authorization.

provisions and other limitations on transfer or use, under this or any other Act affecting the lands involved, shall cease to be in effect twenty-five years after the Secretary authorizes the transfer or use for a changed or additional purpose under the provisions of this section. (43 U.S.C. § 869–3.)

Repeals.

"SEC. 5. The Act of September 30, 1890, entitled 'An Act to authorize entry of the public lands by incorporated cities and towns for cemetery and park purposes', and the Act of October 17, 1940, entitled 'An Act to authorize the Secretary of the Interior to sell or lease for park or recreational purposes, and to sell for cemetery purposes, certain public lands in Alaska', are hereby repealed."

26 Stat. 502; 54 Stat. 1192. 43 U.S.C. 729 and note.

An Act To amend the Act of June 14, 1926, as amended by the Act of June 4, 1954 (68 Stat. 173; 43 U.S.C., sec. 869), approved September 21, 1959 (73 Stat. 571)

Public lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 1 of the Act of June 14, 1926, as amended by the Act of June 4, 1954 (68 Stat. 173, 174; 43 U.S.C. 869), is further amended to read as follows:

"(b) Conveyances made in any one calendar year shall be limited as follows:

Recreational use.

Acreage limitation.

"(i) For recreational purposes:

"(A) To any State, for not more than three sites, six thousand four hundred acres in all, except that during each of the calendar years 1960, 1961, and 1962, conveyances may be made for not more than six sites, comprising a total of not more than twelve thousand eight hundred acres and, in addition thereto, such acreage as may be needed for small roadside parks and rest sites of not more than ten acres each.

"(B) To any political subdivision of a State, six hundred and forty acres.

"(C) To any nonprofit corporation or nonprofit association, six hundred and forty acres.

"(ii) For public purposes other than recreation:

"(A) To any State or agency or instrumentality thereof, for any one program, six hundred and forty acres.

"(B) To any political subdivision of a State, six hundred and forty acres.

"(C) To any nonprofit corporation or nonprofit association, six hundred and forty acres." (43 U.S.C. § 869 [Supp. II]. See p. 74.)

SEC. 2. The last sentence of section 3 of the Act of June 14, 1926, as amended, is repealed. (43 U.S.C. § 869–2 note [Supp. II]. See p. 75.)

An Act To supplement the Act of June 14, 1926, as amended, to permit any State to acquire certain public lands for recreational use, approved September 13, 1960 (74 Stat. 899)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective as of September 21, 1959, subsection (b)(i)(A) of section 1 of the Act of June 14, 1926 (44 Stat. 741), as amended by the Acts of June 4, 1954 (68 Stat. 173, 174) and of September 21, 1959 (73 Stat. 571; 43 U.S.C. 869), is hereby amended by inserting after the word "State" the words "or the State park agency or any other agency having jurisdiction over the State park system of said State designated by the Governor of that State as its sole representative for acceptance of lands under this provision," and by substituting a colon for the period at the end thereof and by adding the following thereafter:

Public lands. Recreational use.

"*Provided, however*, That should any State fail in any one calendar year to secure the maximum herein specified, other than small roadside parks and rest sites, additional conveyances may be made thereafter to that State pursuant to any application on file with the Secretary of the Interior on the last day of said year, to the extent that the conveyances would not have exceeded the limitations of said year." (43 U.S.C. § 869 note [Supp. II].)

An Act To authorize grantees of recreational demonstration project lands to make land exchanges relating to such properties, and for other purposes, approved August 3, 1950 (64 Stat. 399)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate the administration of former recreational demonstration project lands and to consolidate the holdings of the grantees to whom such lands have been or may be granted pursuant to the Act of June 6, 1942 (56 Stat. 326), the Secretary of the Interior may authorize any such grantee to exchange or otherwise dispose of any lands or interests in lands conveyed to it in order to acquire other lands or interests therein of approximately equal value.

Certain land grantees. Authority to exchange lands.

16 U.S.C. §§ 459r–459t.

For the aforesaid purpose, the Secretary is authorized to execute a release, as to the particular lands involved, of any condition providing for a reversion of title to the United States, that may be contained in the conveyance by the United States to said grantee. No such release shall be executed, however, unless the grantee shall agree, in form satisfactory to the Secretary, that the lands to be acquired by it shall be subject to the conditions contained in the original conveyance from the United States, except that in lieu of a provision for reversion, the grantee shall agree to convey said lands to the United States

Release.

upon a finding by the Secretary in accordance with the procedure provided in said Act of June 6, 1942, that the grantee has not complied with such conditions during a period of more than three years. Lands so conveyed to the United States shall be subject to administration or disposition in like manner as recreational demonstration project lands that revert to the United States under the terms of the aforesaid Act. (16 U.S.C. § 459u.)

An Act To authorize the Secretary of the Interior to reimburse owners of lands acquired for developments under his jurisdiction for their moving expenses, and for other purposes, approved May 29, 1958 (72 Stat. 152)

Reclamation projects. Reimbursement of owners and tenants.

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 the extent administratively determined by him to be fair and reasonable, to reimburse the owners and tenants of lands acquired for the construction, operation, or maintenance of developments under his jurisdiction for expenses and other losses and damages incurred by them in the process and as a direct result of such moving of themselves, their families, and their possessions as is occasioned by said acquisition, which reimbursement shall be in addition to, but not in duplication of, any payments that may otherwise be authorized by law: *Provided*, That the total of such reimbursement to the owners and tenants of any parcel of land shall in no event exceed 25 per centum of its fair value, as determined by the Secretary. No payment under this Act shall be made unless application therefor, supported by an itemized statement of the expenses, losses, and damages incurred, is submitted to the Secretary within one year from the date upon which the premises involved are vacated or, in the case of lands acquired and vacated prior to the date of this Act but after July 14, 1952, within one year from the date of this Act. (43 U.S.C. § 1231.)

Restrictions.

Administration.

SEC. 2. The Secretary may perform any and all acts and make such rules and regulations as he finds necessary and proper for the purpose of carrying out the provisions of this Act. All functions performed under this Act shall be exempt from the operation of the Act of June 11, 1946 (60 Stat. 237), as amended (5 U.S.C., secs. 1001–1011), except as to the requirements of section 3 of said Act. (43 U.S.C. § 1232.)

Definitions.

SEC. 3. As used in this Act, the term "lands" shall include interests in land; the term "acquisition" and its cognates shall include the exercise of a right-of-way upon lands subject thereto under the Act of August 30, 1890 (26 Stat. 371, 391, 43 U.S.C., sec. 945); and the term "fair value" shall, in the case of interests in land and of rights-of-way under the Act of August 30, 1890, mean

a fair value of the interest acquired or of the right-of-way occupied. (43 U.S.C. § 1233.)

Appropriations.

SEC. 4. Funds appropriated for the construction, operation, or maintenance of developments under the jurisdiction of the Secretary shall also be availiable for carrying out the provisions of this Act. (43 U.S.C. § 1234.)

An Act To amend the provision in the Act of March 4, 1911 (36 Stat. 1235, 1253) authorizing the granting of easements for rights-of-way for electrical transmission, telephone, and telegraph lines and poles, approved May 27, 1952 (66 Stat. 95)

Public lands. Rights-of-way for electrical poles and lines, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth paragraph under the subheading "Improvement of the National Forests" under the heading "Forest Service" of the Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and twelve" (36 Stat. 1253, 43 U.S.C. 961) is amended to read as follows:

"That the head of the department having jurisdiction over the lands be, and he hereby is, authorized and empowered, under general regulations to be fixed by him, to grant an easement for rights-of-way, for a period not exceeding fifty years from the date of the issuance of such grant, over, across, and upon the public lands, national forests, and reservations of the United States for electrical poles and lines for the transmission and distribution of electrical power, and for poles and lines for communication purposes, and for radio, television, and other forms of communication transmitting, relay and receiving structures and facilities to the extent of two hundred feet on each side of the center line of such lines and poles and not to exceed four hundred feet by four hundred feet for radio, television, and other forms of communication transmitting, relay, and receiving structures and facilities, to any citizen, association, or corporation of the United States, where it is intended by such to exercise the right-of-way herein granted for any one or more of the purposes herein named: *Provided*, That such right-of-way shall be allowed within or through any national park, national forest, military, Indian, or any other reservation only upon the approval of the chief officer of the department under whose supervision or control such reservation falls, and upon a finding by him that the same is not incompatible with the public interest: *Provided further*, That all or any part of such right-of-way may be forfeited and annulled by the declaration of the head of the department having jurisdiction over the lands for nonuse for a period of two years or for abandonment." (43 U.S.C. § 961; 16 U.S.C. §§ 5, 420, 523.)

Joint Resolution To establish the Saint Augustine Quadricentennial Commission, and for other purposes, approved August 14, 1962 (76 Stat. 386)

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

Saint Augustine Quadricentennial Commission. Establishment.

That (a) there is hereby established a commission to be known as the "Saint Augustine Quadricentennial Commission" (hereinafter referred to as the "Commission"), which shall be composed of eleven members to be appointed as follows:

Membership.

(1) Two members who shall be Members of the Senate, to be appointed by the President of the Senate;

(2) Two members who shall be Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives;

(3) One member from the Department of the Interior who shall be the Director of the National Park Service, or his representative, and who shall serve as executive officer of the Commission; and

(4) Six members to be appointed by the President of the United States.

(b) The President of the United States shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman. The members of the Commission shall serve without compensation, but shall be reimbursed for travel, subsistence, and other expenses actually and necessarily incurred by them in the performance of duties vested in the Commission.

(c) A vacancy occurring in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

Conflict-of-interest.

(d) Service of an individual as a member of the Commission shall not be considered as service or employment bringing such individual within the provisions of sections 216, 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99).

62 Stat. 694, 697, 698, 703, 793.

Functions.

SEC. 2. The functions of the Commission shall be to develop and to execute suitable plans for the celebration, in 1965, of the four hundredth anniversary of the founding of Saint Augustine, Florida, the oldest permanent and continuous settlement in the United States. In carrying out these functions, the Commission is authorized to cooperate with and to assist the Quadricentennial Anniversary Commission of Florida.

63 Stat. 954. 5 U.S.C. 1071 note.

SEC. 3. The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions under this resolution: *Provided, however,* That no employee whose position would be subject to the Classification Act of 1949, as amended, if said Act were applicable to such position, shall be paid a salary at a rate in

excess of the rate payable under said Act for positions of equivalent difficulty or responsibility. Such rates of compensation may be adopted by the Commission as may be authorized by the Classification Act of 1949, as amended, as of the same date such rates are authorized for positions subject to said Act. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee.

Donations.

SEC. 4. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with patriotic and historical societies and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this resolution. The Commission, to such extent as it finds to be necessary, may procure supplies, services, and property and make contracts, and may exercise those powers which it determines are necessary to enable it to carry out efficiently and in the public interest the purposes of this resolution.

Assistance.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account also for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress within one year following the celebration as prescribed by this resolution. The Commission shall terminate upon submission of its report to the Congress.

Report to Congress.

Termination.

Surplus property and revenues, disposition.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

An Act To authorize transfer of surplus real property to the jurisdiction of the Department of the Interior for consolidation of Federal holdings within areas administered by the National Park Service, approved April 24, 1948 (62 Stat. 199)

Transfer of surplus real property in national parks, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any Federal agency administering real property situated within the boundaries of a national park or national monument and surplus to its needs or any other Federal agency or instrumentality holding such property for disposal only, is authorized, with the approval of the President of the United States, to transfer surplus real property or interest therein to the Department of the Interior without reimbursement or transfer of funds, having an aggregate appraised value

not to exceed $500,000, upon determination by the Secretary of the Interior that it is in the Federal interest to consolidate such Federal holdings within areas administered by the National Park Service. (50 U.S.C. § 1632a note [appendix].)

SEC. 2. Any real property or interest therein transferred pursuant to section 1 of this Act shall become a part of the area with which it is consolidated and shall be subject to all the laws and regulations applicable thereto.

Termination.

The authorization conferred by this Act, unless extended by Congress, shall expire July 1, 1952. (50 U.S.C. § 1632b note [appendix].)

Joint Resolution To establish a commission for the celebration of the one-hundredth anniversary of the birth of Theodore Roosevelt, approved July 28, 1955 (69 Stat. 383)

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

Theodore Roosevelt Centennial Commission. Establishment.

That there is hereby established a commission to be known as the Theodore Roosevelt Centennial Commission (hereinafter referred to as the "Commission") which shall be composed of fifteen Commissioners as follows: The President of the United States, the President of the Senate, and the Speaker of the House of Representatives, all ex officio, and eight persons to be appointed by the President of the United States, two Senators to be appointed by the President of the Senate, and two Representatives to be appointed by the Speaker of the House of Representatives.

SEC. 2. It shall be the duty of the Commission, after announcement to the American people of its creation and purpose, to prepare plans and a program for signalizing the one hundredth anniversary of the birth of Theodore Roosevelt in the year 1958, including plans for the completion of the development of Theodore Roosevelt Island in the Potomac River in accordance with the Act entitled "An Act to establish a memorial to Theodore Roosevelt in the National Capital", approved May 21, 1932 (47 Stat. 163) as amended by the Act approved February 11, 1933 (47 Stat. 799), and including the completion of the development of Theodore Roosevelt National Memorial Park in North Dakota, created by the Act of April 25, 1947 (61 Stat. 52), as amended. In preparing such plans and program, the Commission shall give due consideration to any plan which may be submitted to it, and shall take such steps as may be necessary to coordinate and correlate its plans with those prepared by State or civic bodies. If the participation of other nations in the commemoration is deemed advisable, the Commission may communicate to that end with the governments of such nations through the State Department.

40 U.S.C. 124–126.

16 U.S.C. 241–247.

SEC. 3. (a) The Commission shall select a Chairman and a Vice Chairman from among its members, and may employ, without regard to the civil-service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions. 63 Stat. 954. 5 U.S.C. 1071 note.

(b) Service of an individual as a member of the Commission shall not be considered as service or employment bringing such individual within the provisions of section 216, 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99) or section 412 of the Mutual Defense Assistance Act of 1949 (22 U.S.C. 1584); nor shall any member of the Commission by reason of his status as such be deemed to be an "officer of the Government" within the meaning of the Act of April 27, 1916 (5 U.S.C. 101). 62 Stat. 694. 63 Stat. 721. 39 Stat. 54.

SEC. 4. The Commissioners shall serve without compensation, but may be reimbursed for expenses incurred by them in carrying out the duties of the Commission.

SEC. 5. When the Commission has approved a plan of celebration, it shall submit it, insofar as it relates to the fine arts, to the Commission of Fine Arts for its approval.

SEC. 6. The Commission shall, on or before March 1, 1956, make a report to the Congress in order that further enabling legislation may be enacted. Report to Congress.

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution, but in no event shall the sums hereby authorized to be appropriated exceed a total of $10,000. Appropriation.

SEC. 8. The Commission shall expire upon the completion of its duties, but in no event later than October 27, 1959. Expiration date.

Excerpt from "An Act Making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes," approved July 31, 1956 (70 Stat. 763, 767)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriation Act, 1957") for the fiscal year ending June 30, 1957, and for other purposes, namely: Second Supplemental Appropriation Act, 1957.

* * * * * * *

THEODORE ROOSEVELT CENTENNIAL COMMISSION

For an additional amount for "Theodore Roosevelt Centennial Commission," $163,400, to remain available until expended: *Provided*, That this paragraph shall become effective only upon the enactment into law of S. 3386, Eighty-fourth Congress.

An Act To amend the joint resolution entitled "Joint resolution to establish a commission for the celebration of the one hundredth anniversary of the birth of Theodore Roosevelt," approved July 28, 1955, approved August 6, 1956 (70 Stat. 1035)

Theodore Roosevelt celebration.

69 Stat. 384.

Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the joint resolution entitled "Joint resolution to establish a commission for the celebration of the one hundredth anniversary of the birth of Theodore Roosevelt", approved July 28, 1955, is amended to read as follows:

"SEC. 7. There is hereby authorized to be appropriated not to exceed the sum of $150,000 to carry out the provisions of this joint resolution."

Joint Resolution To authorize and request the President to issue a proclamation in connection with the centennial of the birth of Theodore Roosevelt, approved September 4, 1957 (71 Stat. 617)

Theodore Roosevelt Centennial Commission.

69 Stat. 383.

Proclamation.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled, "Joint resolution to establish a commission for the celebration of the one hundredth anniversary of the birth of Theodore Roosevelt", approved July 28, 1955 (69 Stat. 348), is amended by adding at the end thereof the following new section:

"SEC. 9. The President is authorized and requested to issue a proclamation, inviting the people of the United States to observe the centennial anniversary of the birth of Theodore Roosevelt, which will occur in 1958, with appropriate ceremonies and activities during that year."

Joint Resolution To establish the Woodrow Wilson Centennial Celebration Commission, and for other purposes, approved August 30, 1954 (68 Stat. 964)

Woodrow Wilson Centennial Celebration Commission. Establishment.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a commission to be known as the "Woodrow Wilson Centennial Celebration Commission" (hereinafter referred to as the "Commission") which shall be composed of twelve members as follows:

(1) Two members who shall be Members of the Senate, to be appointed by the President of the Senate;

(2) Two members who shall be members of the House of Representatives, to be appointed by the Speaker of the House of Representatives;

(3) One member from the Department of the Interior who shall be the Director of the National Park Service, or his representative, and who shall serve as executive officer of the Commission; and

(4) Seven members to be appointed by the President after consideration of such recommendations as may be

made, upon the request of the President, by the Governor of Virginia as to three of such members, by the Woodrow Wilson Birthplace Foundation, Incorporated, as to two of such members, and by the Woodrow Wilson Foundation as to two of such members.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman. The members of the Commission shall receive no salary but shall be reimbursed for their actual and necessary traveling and subsistence expenses incurred in the discharge of their duties.

Functions.

SEC. 2. The functions of the Commission shall be to develop and to execute suitable plans for the celebration, in 1956, of the one hundredth anniversary of the birth of Woodrow Wilson in Staunton, Virginia. In carrying out these functions the Commission is authorized to cooperate with and to assist the Commission established by the State of Virginia to plan a centennial celebration, in 1956, of the birth of Woodrow Wilson, and to invite all the people of the United States to join therein.

Employees.
63 Stat. 954.
5 U.S.C. 1071 note.

SEC. 3. The Commission may employ, without regard to civil-service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions.

SEC. 4. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with patriotic and historical societies and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this resolution. The Commission, to such extent as it finds to be necessary, may, without regard to the laws and procedures applicable to Federal agencies, procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this resolution.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account also for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress within one year following the celebration as prescribed by this resolution. The Commission shall terminate upon submission of its report to the Congress.

Report to Congress.

Termination.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the National Park System or may be disposed of as surplus property. The net revenues, after payment of Commission expenses,

Disposal of property.

derived from Commission activities, shall be deposited in the Treasury of the United States.

Appropriation.

SEC. 5. There is hereby authorized to be appropriated not to exceed $10,000 for travel expenses of the members of the Commission and for other expenses that may be incurred in developing suitable plans provided for herein, and no appropriation shall be deemed to be authorized herein to carry out the purposes of this resolution in accordance with such plans unless an additional appropriation to carry out such purposes is expressly authorized by further legislation.

Joint Resolution To increase the appropriation authorization for the Woodrow Wilson Centennial Celebration Commission, approved March 29, 1956 (70 Stat. 58)

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

Woodrow Wilson Centennial Celebration Commission.

That section 5 of the joint resolution entitled "Joint resolution to establish the Woodrow Wilson Centennial Celebration Commission, and for other purposes", approved August 30, 1954 (68 Stat. 964), is amended to read as follows:

Appropriation.

"SEC. 5. There is hereby authorized to be appropriated in addition to sums previously appropriated to carry out the provisions of this joint resolution a sum not to exceed $48,500."

Joint Resolution To authorize and request the President to issue a proclamation in connection with the centennial of the birth of Woodrow Wilson, approved April 27, 1956 (70 Stat. 118)

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

Woodrow Wilson Centennial Celebration Commission.

That the joint resolution entitled "Joint resolution to establish the Woodrow Wilson Centennial Celebration Commission, and for other purposes", approved August 30, 1954 (68 Stat. 964), is amended by adding at the end thereof the following new section:

Proclamation.

"SEC. 6. The President is authorized and requested to issue a proclamation, as soon as practicable in the year 1956, inviting the people of the United States to observe the centennial anniversary of the birth of Woodrow Wilson with appropriate ceremonies and activities during that year."

Joint Resolution Authorizing the creation of a commission to consider and formulate plans for the construction in the District of Columbia of an appropriate permanent memorial to the memory of Woodrow Wilson, approved October 4, 1961 (75 Stat. 783)

Whereas Woodrow Wilson, as twenty-eighth President of the United States, won the enduring gratitude of the people of the United States and throughout the

world for his farsighted and tireless efforts to achieve a lasting peace, with justice and freedom for all; and

Whereas he so eloquently phrased the principles for which this country stands and provided, with his own high standards of integrity, vision, and compassionate good will an inspiration for generations to come: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a commission, to be known as the Woodrow Wilson Memorial Commission (hereinafter referred to as the "Commission"), for the purpose of considering and formulating plans for the design, construction, and location of a permanent memorial to Woodrow Wilson in Washington, District of Columbia, or in its immediate environs. The Commission shall, in general, decide on the advisability of one of two kinds of memorials: One which would be a monument similar to those which honor Presidents Washington, Jefferson, and Lincoln; or one which will serve as a building of a functional nature, or, as it is often called, a "living memorial". The Commission shall study, among others, proposals to associate the memorial with the Washington International Center program for international visitors.

Woodrow Wilson Memorial Commission. Establishment.

(b) The Commission shall be composed of the following members:

Composition.

(1) Former Presidents of the United States, at their pleasure;

(2) Two persons to be appointed by the President of the United States;

(3) Two Senators to be appointed by the President of the Senate;

(4) Two Members of the House of Representatives to be appointed by the Speaker of the House of Representatives; and

(5) Three members to be appointed by the President of the United States, one from each of the following:

(A) The Woodrow Wilson Foundation;

(B) The Woodrow Wilson Centennial Commission (now discharged); and

(C) One member of the Department of the Interior, who shall be the Director of the National Park Service, or his representative.

(c) The Commission shall select a chairman and a vice chairman from among its members. Vacancies occurring in the membership of the Commission shall be filled in the same manner as the original appointment.

(d) The members of the Commission shall serve without compensation, but shall be reimbursed for expenses incurred by them in carrying out the duties of the Commission.

Reports to President and Congress.

(e) The Commission shall report such plans, together with its recommendations, to the President and Congress at the earliest practicable date, and in the interim shall make annual reports of its progress to the President and Congress. However, such plans and recommendations shall not be reported until the Commission has obtained the assistance and advice of the National Capital Planning Commission and the Commission of Fine Arts if the memorial is to be located in the District of Columbia, or the assistance and advice of the National Capital Planning Commission, the Commission of Fine Arts, and the National Capital Regional Planning Council if the memorial is to be located in the environs of the District of Columbia.

Authority.

SEC. 2. The Commission is authorized to—

(a) make such expenditures for personal services and otherwise for the purpose of carrying out the provisions of this joint resolution as it may deem advisable from funds appropriated or received as gifts for such purpose;

(b) accept gifts to be used in carrying out the provisions of this joint resolution or to be used in connection with the construction or other expenses of such memorial; and

(c) hold hearings, organize contests, enter into contracts for personal services and otherwise, and do such other things as may be necessary to carry out the provisions of this joint resolution.

Appropriation.

SEC. 3. There is authorized to be appropriated not more than $10,000 to carry out the provisions of this joint resolution.

II. LEGISLATION RELATING TO NATIONAL PARKS

1. Acadia National Park

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An Act Providing for the transfer of certain property from the Home Owners' Loan Corporation to the United States for national-park purposes, approved December 22, 1944 (58 Stat. 914)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Home Owners' Loan Corporation (herein called the "Corporation") is authorized and directed to convey and transfer to the United States of America, upon the terms and conditions provided in section 4 hereof, all right, title, and interest vested in the Corporation, at the date of such conveyance and transfer, in and to real property and interests therein in the county of Hancock, State of Maine, acquired by the Corporation through the foreclosure of that certain mortgage deed, dated October 20, 1933, executed to the Corporation by Percy B. Russell and Florence L. Russell, and appearing in book 642, page 389, of the Registry of Deeds of Hancock County, State of Maine.

HOLC. Conveyance of certain property in Hancock County, Maine.

SEC. 2. The Secretary of the Interior, for and on behalf of the United States of America, is authorized and directed to accept the conveyance and transfer of such property without regard to the provisions of section 355, as amended, section 1136, as amended, and section 3709 of the Revised Statutes (except the last paragraph of said section 355, as amended, which shall be applicable hereto), or any other provision of law. The Secretary of the Interior is further authorized and directed to pay all necessary fees, charges, and expenses in connection with such conveyance and transfer.

Acceptance on behalf of U.S.

40 U.S.C. § 255; 10 U.S.C. § 1339; 41 U.S.C. § 5.

SEC. 3. Upon the conveyance and transfer of such property as herein provided, it shall be used and administered by the Secretary of the Interior solely for

Property to become part of Acadia National Park.

national-park purposes, and it shall be deemed to constitute a part of the Acadia National Park.

Cancellation of HOLC bonds.

SEC. 4. Any other provision of law to the contrary notwithstanding, the Secretary of the Treasury shall, upon such conveyance and transfer and in lieu of any other payment by the United States to the Corporation as consideration for the conveyance and transfer of such property, cancel bonds of the Corporation, in the principal sum of $18,000, purchased by the Secretary of the Treasury under or by reason of the provisions set forth in section 4 of the Home Owners' Loan Act of 1933, approved June 13, 1933 (48 Stat. 128), as amended (which bonds are hereby made available to the Secretary of the Treasury for the purposes of this section), and all sums due and unpaid upon or in connection with such bonds at the time of such cancellation and discharge, together with any accrued interest: *Provided*, That the Secretary of the Treasury and the Corporation are authorized and directed to make adjustments on their books and records as may be necessary to carry out the purposes of this Act. (16 U.S.C. § 343b.)

12 U.S.C. § 1463; Supp. III, § 1463.

Adjustments on books and records.

An Act To transfer jurisdiction of certain lands comprising a portion of Acadia National Park, Maine, from the Department of the Interior to the Department of the Navy, and for other purposes, approved July 30, 1947 (61 Stat. 519)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That control and jurisdiction over the following-described lands now comprising a portion of the Acadia National Park, in the State of Maine, are hereby transferred from the Department of the Interior to the Department of the Navy: *Provided*, That the Secretary of the Interior shall retain the right to approve the design of the buildings and structures to be placed thereon.

Acadia National Park, Maine. Transfer of jurisdiction.

Approval of design of buildings, etc.

All that certain tract or parcel of land on Big Moose Island, Winter Harbor, Maine, which is bounded southerly and easterly by a chain link security fence, and northerly and westerly by the waters of Pond Island Cove and Frenchman Bay, and which is more particularly described as beginning at a point on the shore at the high-water mark of Frenchman Bay on the southwesterly side of Big Moose Island, so called, thence following the chain link security fence as now erected by the three following courses and distances: North no degrees five minutes west one hundred and fifty-three feet; thence north thirty degrees twenty-four minutes east one hundred and fifty-seven and seven-tenths feet; thence south eighty-nine degrees nine minutes east one thousand four hundred and fifty-five and three-tenths feet to a point and angle in the said security fence which bears north thirty-

four degrees fifty-four minutes west and is fifty feet distant at right angles from a point in the center line of the National Park Service road known as the Big Moose Island Road; thence turning to the left and following the said security fence in a general northerly direction but everywhere parallel with and fifty feet distant from the center line of the said Big Moose Island Road three thousand five hundred feet more or less to the high-water mark on the shore of Pond Island Cove; thence in a generally westerly and southerly direction but everywhere following the high-water mark of Pond Island Cove and Frenchman Bay seven thousand four hundred and seventy feet more or less to the place of beginning; except that portion thereof, containing twenty-five and ninety-six one-hundredths acres, which was transferred to the jurisdiction of the Department of the Navy pursuant to the Act of August 24, 1935 (ch. 644, 49 Stat. 795); the lands herein described containing one hundred and fifty-one and eighty-six one-hundredths acres after excluding the excepted portion.

Retransfer of jurisdiction.

SEC. 2. The Secretary of the Navy is authorized and directed to retransfer jurisdiction over the property described in section 1 of this Act to the Secretary of the Interior in the event such property hereafter becomes surplus to the needs of the Department of the Navy, in which event it again shall become a part of Acadia National Park. (16 U.S.C. § 342 note.)

An Act Relating to the exchange of certain private and Federal properties within the authorized boundaries of Acadia National Park, in the State of Maine, and for other purposes, approved September 7, 1949 (63 Stat. 691)

Acadia National Park, Maine. Exchange of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of consolidating Federal holdings of land within Acadia National Park, the Secretary of the Interior is hereby authorized to accept, on behalf of the United States, approximately fifty-eight acres of non-Federal land within the authorized park boundaries, such land to be conveyed to the United States without cost by Mr. John D. Rockefeller, Junior. Upon acceptance of title thereto by the United States, such property shall be subject to all laws and regulations applicable to the park. In exchange for the conveyance to the United States of the aforesaid property, the Secretary of the Interior is authorized to convey to Mr. John D. Rockefeller, Junior, or to such agency as he may designate, for purposes of the Jackson Memorial Laboratory, Bar Harbor, Maine, approximately five acres of federally owned land within the park adjacent to the laboratory properties. (16 U.S.C. § 343c.)

An Act To authorize the conveyance, for school purposes, of certain land in Acadia National Park to the town of Tremont, Maine, and for other purposes, approved August 1, 1950 (64 Stat. 383)

Tremont, Maine. Conveyance.

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, in his discretion, is hereby authorized to convey without consideration, but under such terms and conditions as he may deem advisable, to the town of Tremont, Hancock County, Maine, for school purposes, eight and forty-five one-hundredths acres of land, more or less, situate between Marsh Creek and Marsh Road on Mount Desert Island, Hancock County, Maine, now a part of Acadia National Park.

An Act To exclude certain lands from Acadia National Park, Maine, and to authorize their disposal as surplus Federal property, approved July 24, 1956 (70 Stat. 597)

Acadia National Park, Maine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of land in Acadia National Park, State of Maine, comprising approximately three hundred acres and identified as the "Green Lake Fish Hatchery Tract" is hereby excluded from Acadia National Park, and the said tract is authorized to be disposed of in accordance with the laws relating to the disposition of Federal property. (16 U.S.C. § 343d.)

2. Big Bend National Park

		Page
Commissioner, authorizing appointment	Act of May 15, 1947	93
Acquisition and addition of lands in Block 234, Brewster County, authorized	Act of August 30, 1949	94
Acquisition of remaining non-Federal lands within park authorized	Act of August 8, 1953	94

An Act Providing for the appointment of a United States commissioner for the Big Bend National Park in the State of Texas, and for other purposes, approved May 15, 1947 (61 Stat. 91)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the establishment of the Big Bend National Park in the State of Texas pursuant to the provisions of the Act of June 20, 1935 (49 Stat. 393), entitled "An Act to provide for the establishment of the Big Bend National Park in the State of Texas, and for other purposes," the United States District Court for the Western District of Texas shall appoint a commissioner for the said national park. The district court shall prescribe the rules of procedure and practice for the commissioner in the trial of cases and for appeal to the district court. The commissioner shall be paid an annual salary, as appropriated for by the Congress. (See 28 U.S.C. §§ 631, 634 notes.)

Big Bend National Park, Texas. Appointment of Commissioner. 16 U.S.C. §§ 156–158.

Salary.

SEC. 2. The commissioner shall have jurisdiction to issue process in the name of the United States for the arrest of any person charged with a violation of any of the rules and regulations made by the Secretary of the Interior in pursuance of law for the government and protection of the park, or with the commission within the park of a petty offense against the law, and to try the person so charged, who, if found guilty, shall be subject to the punishment prescribed by section 3 of the Act of August 25, 1916 (39 Stat. 535; U.S.C., title 16, sec. 3), as amended. For the purposes of this Act, the term "petty offense" shall be defined as in section 335 of the Criminal Code (U.S.C., title 18, sec. 541). In all cases of conviction an appeal shall lie from the judgment of said commissioner to the district court. (See 28 U.S.C. § 632 note.)

Jurisdiction of commissioner.

"Petty offense." 35 Stat. 1152.

SEC. 3. The commissioner shall have power to issue process in the name of the United States for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 2 of this Act, and to hear the evidence introduced. If he is of the opinion that probable cause is shown for holding the person so charged for trial, he

Criminal offense.

shall commit such person for further appropriate action, and shall certify a transcript of the record of his proceedings and the testimony in such case to the district court, which court shall have jurisdiction of the case. (*Ibid.*)

Fees, costs, expenses, etc.

SEC. 4. All fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. All fines, fees, costs, and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Texas. (See 28 U.S.C. § 634 note.)

An Act To authorize the addition of certain lands to the Big Bend National Park in the State of Texas, and for other purposes, approved August 30, 1949 (63 Stat. 679)

Big Bend National Park, Tex. Additional land.

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 acquire, in such manner as he shall consider to be in the public interest, any land or interests in land situated within sections 15, 22, 27, 34, block 234, Brewster County, Texas, which he shall consider to be suitable for addition to the Big Bend National Park: *Provided, however*, That the aggregate cost to the Federal Government of properties acquired hereafter and under the provisions hereof shall not exceed the sum of $10,000. Properties acquired pursuant to this Act shall become a part of the park upon acquisition of title thereto by the United States. (16 U.S.C. § 157a.)

An Act To authorize the acquisition by the United States of the remaining non-Federal lands within Big Bend National Park, and for other purposes, approved August 8, 1953 (67 Stat. 497)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provisions of law, the Secretary of the Interior is hereby authorized to procure, in such manner as he may consider to be in the public interest, the remaining non-Federal land and interests in land within the boundaries of Big Bend National Park. (16 U.S.C. § 157b.)

3. Carlsbad Caverns National Park

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Erection of plaque or marker within the park, commemorating Jim White, authorized—Act of June 14, 1950	95
Transportation to and from work, outside of regular working hours of park employees residing in or near the city of Carlsbad, authorized—Excerpt from Act of August 8, 1953 [1]	95

An Act To commemorate Jim White and his contribution to the early history of Carlsbad Caverns, in the State of New Mexico, and for other purposes, approved June 14, 1950 (64 Stat. 211)

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 contribution of Jim White to the early history and public knowledge of Carlsbad Caverns, the Secretary of the Interior is authorized to erect a plaque or marker with an appropriate inscription thereon within Carlsbad Caverns National Park. Such plaque or marker shall be erected near the elevator in the elevator building in the park.

Appropriation authorized.

SEC. 2. There is authorized to be appropriated for the purposes of this Act not to exceed $200.

Excerpt from "An Act To facilitate the management of the National Park System and miscellaneous areas administered in connection with that system, and for other purposes," approved August 8, 1953 (67 Stat. 495)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to facilitate the administration of the National Park System and miscellaneous areas administered in connection therewith, the Secretary of the Interior is hereby authorized to carry out the following activities, and he may use applicable appropriations for the aforesaid system and miscellaneous areas for the following purposes:

National Park System. Administration.

* * * * * * *

Carlsbad Caverns National Park. Transportation of employees.

3. Transportation to and from work, outside of regular working hours, of employees of Carlsbad Caverns National Park, residing in or near the city of Carlsbad, New Mexico, such transportation to be between the park and the city, or intervening points, at reasonable rates to be determined by the Secretary of the Interior taking into consideration, among other factors, comparable rates charged by transportation companies in the locality for similar services, the amounts collected for such

[1] Act printed in full under General Legislation, pp. 36–38.

transportation to be credited to the appropriation current at the time payment is received: *Provided*, That if adequate transportation facilities are available, or shall be available by any common carrier, at reasonable rates, then and in that event the facilities contemplated by this paragraph shall not be offered. (16 U.S.C. § 1b.)

* * * * * * *

4. Everglades National Park

		Page
Protection of real property authorized, pending inclusion in park	Act of December 6, 1944	97
Procurement of lands within 1944 minimum park boundary authorized	Act of October 10, 1949	98
Boundary fixed, acquisition of land authorized, and provision made for transfer of certain land	Act of July 2, 1958	99
Exchange of certain lands authorized	Act of September 14, 1959	109
Addition of lands donated by the Collier deeds authorized	Act of September 2, 1960	110

An Act To provide for the acceptance and protection by the United States of property within the authorized boundaries of the Everglades National Park project, Florida, pending the establishment of the park, and for other purposes, approved December 6, 1944 (58 Stat. 794)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, (a) for the purpose of protecting the scenery, the wildlife, and other natural features of the region authorized to be established as the Everglades National Park by the Act of May 30, 1934 (48 Stat. 816; 16 U.S.C., secs. 410, 410a–410c), notwithstanding any provision contained in that Act, the Secretary of the Interior is authorized in his discretion to accept on behalf of the United States any land, submerged land, or interests therein, subject to such reservations of oil, gas, or mineral rights as the Secretary may approve, within the area of approximately two thousand square miles recommended by said Secretary in his report to the Congress of December 3, 1930, pursuant to the Act of March 1, 1929 (45 Stat. 1443): *Provided*, That no general development of the property accepted pursuant to this Act shall be undertaken nor shall the park be established until title satisfactory to the Secretary to a major portion of the lands, to be selected by him, within the aforesaid recommended area shall have been vested in the United States: *Provided further*, That until the property acquired by the United States pursuant to this Act has been cleared of the aforesaid reservations, the Secretary in his discretion shall furnish such protection thereover as may be necessary for the accomplishment of the purposes of this Act: *And provided further*, That in the event the park is not established within ten years from the date of the approval of this Act, or upon the abandonment of the park at any time after its establishment, title to any lands accepted pursuant to the provisions of this Act shall thereupon automatically revest in the State of Florida or other grantors of such property to the United States.

Everglades National Park, Fla.
Acceptance of property pending establishment.

Restriction.

Provisional protection.

Reversionary provision.

Establishment upon execution of provisions.

(b) Upon the execution of the aforesaid provisions relating to establishment thereof, the Everglades National Park shall be established by order of the Secretary which shall be published in the Federal Register. (16 U.S.C. § 410d.)

An Act To authorize the Secretary of the Interior to procure for the Everglades National Park with available funds, including those made available by the State of Florida, the remaining lands and interest in lands within the boundary agreed upon between the State of Florida and the Secretary of the Interior, within and a part of that authorized by the Act of May 30, 1934 (48 Stat. 816), and within which the State has already donated its lands, and for other purposes, approved October 10, 1949 (63 Stat. 733)

Everglades National Park. Procurement of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to consolidate the Federal ownership of lands within the boundary set forth in deed numbered 19035 executed December 28, 1944, by the trustees of the Internal Improvement Fund of the State of Florida, and accepted by the Secretary of the Interior on March 14, 1947, for Everglades National Park purposes, the said Secretary is hereby authorized, within the aforesaid boundary and with any funds made available for that purpose, to procure lands or interests therein by purchase or otherwise, subject, however, to the

Retention of rights by owners.

right of retention by owners of lands, interests in lands, interests in oil, gas, and mineral rights, or royalties, their heirs, executors, administrators, successors, or assigns (hereinafter referred to as "owners") at their election, of the following:

Time limitation.

(1) The reservation until October 9, 1958, of all oil, gas, and mineral rights or interests, including the right to lease, explore for, produce, store, and remove oil, gas, and other minerals from such lands: *Provided*, That if on

Automatic extension.

or before said date, oil, gas, or other minerals are being produced in commercial quantities anywhere within the boundary set forth in aforesaid deed numbered 19035, then in that event the time of the reservation as set forth in this subsection shall automatically extend for all owners, regardless of whether such production is from land in which such owners have an interest, for so long as oil, gas, or other minerals are produced in commercial quantities anywhere within said boundary. To exercise this reservation, the owners, their lessees, agents, employees, and assigns shall have such right of ingress and egress to and from such lands as may be necessary; and

Royalties.

(2) After the termination of the reserved rights of owners as set forth in subsection (1) hereof, a further reservation of the right to customary royalties, applying at the time of production, in any oil, gas, or other minerals which may be produced from such lands at any

time before January 1, 1985, should production ever be authorized by the Federal Government or its assigns. (16 U.S.C. § 410e.)

Restriction on acquisition of land.

SEC. 2. Unless consented to by an owner retaining the reservation set forth in subsection (1) of section 1 hereof, no action shall be taken by the Federal Government during the period of such reservation to purchase, acquire, or otherwise terminate or interfere with any lease or leases which may be applicable to said owner's lands. (16 U.S.C. § 410f.)

Rules and regulations.

SEC. 3. Any reservations retained under the provisions of subsection (1) of section 1 hereof shall be exercised by the owners subject to reasonable rules and regulations which the Secretary may prescribe for the protection of the park, but which shall permit the reserved rights to be exercised so that the oil, gas, and minerals may be explored for, developed, extracted, and removed from the park area in accordance with sound conservation practices. All operations shall be carried on under such regulations as the Secretary may prescribe to protect the lands and areas for park purposes. (16 U.S.C. § 410g.)

Acquisition of title.

SEC. 4. In any action caused by the Secretary of the Interior to be commenced for the acquisition of lands under the provisions hereof, reasonable diligence shall be exercised by him to ascertain whether owners elect to retain reservations in accordance with the provisions of this Act. If, after the exercise of such reasonable diligence, owners cannot be located, or do not appear in judicial proceedings to acquire the lands, so that it may be ascertained whether they desire to retain reservations in accordance with the provisions hereof, the Secretary may acquire the fee simple title to their lands free and clear of reservations as set forth in subsections (1) and (2) of section 1 hereof. (16 U.S.C. § 410h.)

An Act To fix the boundary of Everglades National Park, Florida, to authorize the Secretary of the Interior to acquire land therein, and to provide for the transfer of certain land not included within said boundary, and for other purposes, approved July 2, 1958 (72 Stat. 280)

Everglades National Park, Fla. Boundary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 1 of the Act of May 30, 1934 (48 Stat. 816, 16 U.S.C., sec. 410), or any action taken pursuant to authority contained therein, the exterior boundary of Everglades National Park, Florida, is subject to the provisions of section 7 of this Act, hereby fixed to include the following described lands:

(1) Beginning at the intersection of the south right-of-way line of United States Highway Numbered 41, also known as the Tamiami Trail, and the west line of township 54 south, range 37 east, as

shown on the Everglades National Park base map numbered NP–EVE–7109, revised August 10, 1949;

thence southerly along the west line of township 54 south, range 37 east, along the west line of Government lot 6 lying between township 54 south, and township 55 south, range 37 east, and along the west line of township 55 south, range 37 east, and township 56 south, range 37 east and along the west lines of sections 6, 7, and 18, township 57 south, range 37 east, to the southwest corner of section 18, said township and range;

thence easterly along the north line of sections 19, 20, 21, 22, and 23 of said township and range to the northeast corner of section 23;

thence southerly along the east line of sections 23, 26, and 35 of said township and range to the southeast corner of said section 35;

thence easterly along the south line of section 36, of said township and range, to the southeast corner of said section 36;

thence southerly along the east line of sections 1, 12, 13, 24, 25, and 36, township 58 south, range 37 east, and along the west line of sections 6, 7, and 18, township 59 south, range 38 east, to the northwest corner of section 19, said township and range;

thence easterly along the north line of sections 19, 20, 21, 22, 23, and 24 of township 59 south, range 38 east, and sections 19 and 20 of township 59 south, range 39 east, to the southwest right-of-way line of United States Highway Numbered 1;

thence southeasterly along the southwest right-of-way line of United States Highway Numbered 1 to a point which is the northerly point of a tract of land conveyed by the trustees of the internal improvement fund, State of Florida, to John E. Ravlin, and others, by deed dated November 5, 1943, recorded in deed book G16, page 72, in Monroe County public records;

thence following along the westerly and southerly boundary of said tract to its point of intersection with a line parallel with and 200 feet northwesterly from the centerline of Intracoastal Waterway near the southern point of said Ravlin tract;

thence southwesterly, following a line parallel to the centerline of said Intracoastal Waterway and 200 feet northwesterly from said centerline to a point due north of Long Key Light, approximately longitude 80 degrees 50 minutes west, latitude 24 degrees 51 minutes north;

thence northwesterly, following a line at all times parallel to the centerline of said Intracoastal Water-

way and 200 feet northeasterly from said centerline to a point opposite the Oxford Bank Light, approximately longitude 81 degrees 00 minutes 40 seconds west, latitude 24 degrees 59 minutes 10 seconds north;

thence northwesterly in a straight line to a point 3 miles due south of the most southernmost point of East Cape (Cape Sable);

thence due north in a straight line to a point 2 miles due south of the most southernmost point of East Cape (Cape Sable);

thence northwesterly in the Gulf of Mexico in a straight line to a point 2 miles due west of the southeast corner of fractional section 31 (Middle Cape), township 60 south, range 32 east;

thence northwesterly in a straight line to a point 2 miles due west of the most westernmost point of Northwest Cape (Cape Sable);

thence northeasterly in a straight line to a point 2 miles due west of the northwest corner of fractional section 6, township 59 south, range 32 east;

thence northwesterly in a straight line to a point 2 miles due west of the southwest corner of section 6, township 58 south, range 32 east;

thence northwesterly in a straight line to a point 2 miles due west of the northwest corner of fractional section 28, township 56 south, range 31 east;

thence northwesterly in a straight line to a point 3 miles due west of the southwest corner of fractional section 32, township 54 south, range 30 east;

thence northwesterly in a straight line to the southwest corner of section 28, township 53 south, range 28 east;

thence northerly along the west line of section 28, township 53 south, range 28 east, to the northwest corner of said section 28;

thence easterly along the north line of section 28, township 53 south, range 28 east, to the northeast corner of said section 28;

thence northerly along the west line of section 22, township 53 south, range 28 east, to the northwest corner of said section 22;

thence easterly along the north line of section 22, township 53 south, range 28 east, to the northeast corner of said section 22;

thence northerly along the west line of section 14, township 53 south, range 28 east, to the northwest corner of said section 14;

thence easterly along the north line of section 14, township 53 south, range 28 east, to the northeast corner of said section 14;

thence northerly along the west line of section 12, township 53 south, range 28 east, to the northwest corner of said section 12;

thence easterly along the north line of section 12, township 53 south, range 28 east, to the northeast corner of said section 12;

thence northerly along the west line of section 6, township 53 south, range 29 east, to the northwest corner of said section 6;

thence easterly along the north line of township 53 south, range 29 east, to the northeast corner of section 4, township 53 south, range 29 east;

thence southerly along the east lines of sections 4, 9, 16, and 21, township 53 south, range 29 east, to the southeast corner of the northeast quarter of said section 21;

thence easterly to the center of section 22, township 53 south, range 29 east;

thence southerly to the southeast corner of the southwest quarter of section 22, township 53 south, range 29 east;

thence easterly along the south line of section 22, township 53 south, range 29 east, to the southeast corner of said section 22;

thence southerly along the west line of section 26, township 53 south, range 29 east, to the southwest corner of the northwest quarter of said section 26;

thence easterly to the center of section 26, township 53 south, range 29 east;

thence southerly to the northwest corner of the southwest quarter of the southeast quarter of section 26, township 53 south, range 29 east;

thence easterly to the northeast corner of the southeast quarter of the southeast quarter of section 26, township 53 south, range 29 east;

thence southerly along the east line of section 26, township 53 south, range 29 east, to the southeast corner of said section 26;

thence easterly along the north line of section 36, township 53 south, range 29 east, to the northeast corner of the northwest quarter of said section 36;

thence southerly to the southwest corner of the northwest quarter of the southeast quarter of section 36, township 53 south, range 29 east;

thence easterly to the southeast corner of the northeast quarter of the southeast quarter of section 36, township 53 south, range 29 east;

thence continuing easterly to the southeast corner of the northwest quarter of the southwest quarter of section 31, township 53 south, range 30 east;

thence northerly to the northeast corner of the northwest quarter of the northwest quarter of section 31, township 53 south, range 30 east;

thence continuing northerly to the northeast corner of the southwest quarter of the southwest quarter of section 30, township 53 south, range 30 east;

thence westerly to the northeast corner of the southeast quarter of the southeast quarter of section 25, township 53 south, range 29 east;

thence northerly along the east lines of sections 25, 24, and 13, township 53 south, range 29 east, to the northeast corner of said section 13; thence easterly along the north lines of sections 18, 17, 16, 15, 14, and 13, to the northeast corner of section 13, township 53 south, range 30 east;

thence southerly along the east lines of sections 13, 24, 25, and 36 to the southeast corner section 36, township 53 south, range 30 east;

thence easterly along the north lines of sections 6, 5, and 4 to the northeast corner of section 4, township 54 south, range 31 east;

thence southerly along the east line of section 4 to the southeast corner of section 4, township 54 south, range 31 east;

thence easterly along the north line of section 10 to the northeast corner of section 10, township 54 south, range 31 east;

thence southerly along the east line of section 10 to the southeast corner of section 10, township 54 south, range 31 east;

thence easterly along the north line of section 14 to the northeast corner of section 14, township 54 south, range 31 east;

thence southerly along the east line of section 14 to the southeast corner of section 14, township 54 south, range 31 east;

thence easterly along the north line of section 24 to the northeast corner of section 24, township 54 south, range 31 east;

thence southerly along the east lines of sections 24 and 25 to the southeast corner of section 25, township 54 south, range 31 east;

thence easterly along the north lines of sections 31, 32, and 33 to the northeast corner of section 33, township 54 south, range 32 east;

thence southerly along the east line of section 33 to the southeast corner of section 33, township 54 south, range 32 east;

thence easterly along the north line of section 3, to the northeast corner of section 3, township 55 south, range 32 east;

thence southerly along the east lines of sections 3 and 10, to the southeast corner of section 10, township 55 south, range 32 east;

thence easterly along the north line of section 14, to the northeast corner of section 14, township 55 south, range 32 east;

thence southerly along the east line of section 14, to the southeast corner of section 14, township 55 south, range 32 east;

thence easterly along the north line of section 24, to the northeast corner of section 24, township 55 south, range 32 east;

thence southerly along the east lines of sections 24 and 25 to the northeast corner of the southeast quarter of section 25, township 55 south, range 32 east;

thence easterly along the north line of the south half of section 30 to the northeast corner of the south half of section 30, township 55 south, range 33 east;

thence southerly along the east lines of sections 30 and 31 to the southeast corner of section 31, township 55 south, range 33 east;

thence southerly along the east line of section 6, to the southeast corner of section 6, township 56 south, range 33 east;

thence easterly along the north lines of sections 8, 9, 10, 11, and 12, to the northeast corner of section 12, township 56 south, range 33 east;

thence easterly along the north lines of sections 7, 8, 9, 10, 11, and 12, to the northeast corner of section 12, township 56 south, range 34 east;

thence easterly along the north line of section 7 to the northeast corner of section 7, township 56 south, range 35 east;

thence northerly along the west line of section 5 to the northwest corner of section 5, township 56 south, range 35 east;

thence northerly along the west lines of sections 32, 29, 20, 17, 8, and 5 to the northwest corner of section 5, township 55 south, range 35 east;

thence northerly along the west lines of sections 32, 29, and 20 to the intersection of the south right-of-way line of the Loop Road, township 54 south, range 35 east;

thence easterly along the south right-of-way line of the Loop Road and the south right-of-way line of United States Highway Numbered 41, also known as the Tamiami Trail, through sections 20, 21, 22, 23, and 24, township 54 south, range 35 east, to the intersection of the east township line, township 54 south, range 35 east;

thence easterly along the south right-of-way line of United States Highway Numbered 41, also known as the Tamiami Trail, through sections 19, 20, 21, 22, 23, and 24, township 54 south, range 36 east, to the east township line of township 54 south, range 36 east;

thence easterly along the south right-of-way line of United States Highway Numbered 41, also known as the Tamiami Trail, across township 36½ east to the intersection of the west line of township 54 south, range 37 east, the point of beginning;

(2) Land acquired by the United States of America for furthering administration and use of the park by deeds dated January 25, 1954 (2), and February 27, 1954 (2), recorded in the public records of Monroe County, Florida, book OR–3, pages 302 to 308, inclusive, and book OR–2, pages 378 to 381, inclusive, respectively; and accepted by the National Park Service on April 7, 1954(2), and April 5.1954(2), respectively; and

(3) Not to exceed 35 acres, to be acquired by donation only, in or in the vicinity of Everglades City, Florida, which the Secretary of the Interior may find necessary and suitable for furthering administration and use of the park.

Administration.

Land and water now in Federal ownership within said boundary shall continue to be administered as Everglades National Park; however, the land and water therein not in Federal ownership shall be administered as a part of the park only after being acquired as hereinafter provided. (16 U.S.C. § 410i.)

Acquisition of land, water, etc.

SEC. 2. The authority of the Secretary of the Interior to acquire land and water for Everglades National Park shall hereafter be restricted to the area within the boundary described in section 1. Notwithstanding the proviso contained in section 1 of the Act of May 30, 1934 (48 Stat. 816, 16 U.S.C., sec. 410), or any other provision of law, the said Secretary is hereafter authorized, within the boundary fixed in this Act and with any funds made available for that purpose, to acquire land, water, and interests therein by purchase or otherwise subject to the proviso that no parcel within the following described area shall be acquired without the consent of its owner so long as it is used exclusively for agricultural purposes, including housing, directly incident thereto, or is lying fallow or remains in its natural state:

Consent of owner.

Beginning at the southwest corner of section 31, township 58 south, range 37 east;

thence southerly along the west line of sections 6 and 7, township 59 south, range 37 east, to the southeast corner of section 24, township 59 south, range 36 east;

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thence westerly along the south lines of sections 24, 23, 22, 21, and 20, township 59 south, range 36 east, to the southwest corner of said section 20;

thence northerly along the west lines of sections 20, 17, 8, and 5, township 59 south, range 36 east, to the northwest corner of said section 5;

thence to the southwest corner of section 33, township 58 south, range 36 east;

thence northerly along the west lines of sections 33 and 28, township 58 south, range 36 east, to the northwest corner of said section 28;

thence easterly along the north lines of sections 28, 27, 26, and 25, township 58 south, range 36 east, to the northeast corner of said section 25;

thence southerly along the east line of section 25, township 58 south, range 36 east, to the point of intersection of the east line of said section 25 and the north line of section 18, township 58 south, range 37 east, extended westerly along the hiatus;

thence easterly across the hiatus to the northwest corner of section 18, township 58 south, range 37 east;

thence easterly along the north lines of sections 18, 17, and 16, township 58 south, range 37 east, to the northeast corner of said section 16;

thence southerly to the northeast corner of section 21, township 58 south, range 37 east;

thence westerly along the north lines of sections 21 and 20, township 58 south, range 37 east, to the northeast corner of the northwest quarter of said section 20;

thence southerly along the west line of the east half of section 20, township 58 south, range 37 east, to the southeast corner of the southwest quarter of said section 20;

thence westerly along the north lines of sections 29 and 30, township 58 south, range 37 east, to the northwest corner of said section 30;

thence southerly along the west lines of sections 30 and 31, township 58 south, range 37 east, to the southwest corner of said section 31; the point of beginning.

Reservations.

The authority to acquire land, water, and interests therein within the park boundary fixed in section 1 of this Act but outside the area designated in the Act of October 10, 1949 (63 Stat. 733), is further subject to the right of retention by the owners thereof, including owners of interests in oil, gas, and mineral rights or royalties, and by their heirs, executors, administrators, successors, and assigns, at their election of the following:

(1) The reservation until October 9, 1967, of all oil, gas, and mineral rights or interests, including the

right to lease, explore for, produce, store, and remove oil, gas and other minerals from such lands;

(2) In the event that on or before said date, oil, gas, or other minerals are being produced in commercial quantities anywhere within the boundary fixed in section 1 of this Act but outside the area designated in the Act of October 10, 1949, the time of the reservation provided in subsection (1) above shall automatically extend for all owners within said boundary and outside of said area regardless of whether such production is from land in which such owners have an interest, for so long as oil, gas, or other minerals are produced in commercial quantities anywhere within said boundary and outside of said area. To exercise this reservation, the owners, their lessees, agents, employees, and assigns shall have such right of ingress to and egress from such land and water as may be necessary; and

(3) After the termination of the reserved rights of owners as set forth in subsections (1) and (2) of this section, a further reservation of the right to customary royalties, applying at the time of production, in any oil, gas, or other minerals which may be produced from such land and water at any time before January 1, 1985, should production ever be authorized by the Federal Government or its assigns. (16 U.S.C. § 410j.)

Restriction.

SEC. 3. Unless consented to by an owner retaining the reservation set forth in subsections (1) and (2) of section 2 of this Act, no action shall be taken by the Federal Government during the period of such reservation to purchase, acquire, or otherwise terminate or interfere with any lease or leases which may be applicable to said owner's land. (16 U.S.C. § 410k.)

Regulations.

SEC. 4. Any reservations retained under the provisions of subsections (1) and (2) of section 2 of this Act shall be exercised by the owners subject to reasonable rules and regulations which the Secretary may prescribe for the protection of the park, but which shall permit the reserved rights to be exercised so that the oil, gas, and minerals may be explored for, developed, extracted, and removed from the park area in accordance with sound conservation practices. All operations shall be carried on under such regulations as the Secretary may prescribe to protect the land and area for park purposes. (16 U.S.C. § 410l.)

Acquisition of fee simple title.

SEC. 5. In acquiring any of the land or water within the area described in the first section of this Act the Secretary of the Interior shall exercise reasonable diligence to ascertain whether owners elect to retain reservations in accordance with the provisions of section 2 of this Act. If, after the exercise of such reasonable dili-

gence, owners cannot be located, or do not appear in judicial proceedings to acquire the land and water, so that it may be ascertained whether they desire to retain reservations in accordance with the provisions hereof, the Secretary may acquire the fee simple title to their land free and clear of reservations as set forth in subsections (1), (2), and (3) of section 2 of this Act. (16 U.S.C. § 410m.)

Drainage.

SEC. 6. Unless the Secretary, after notice and opportunity for hearing, shall find that the same is seriously detrimental to the preservation and propagation of the flora or fauna of Everglades National Park, he shall permit such drainage through the natural waterways of the park and the construction, operation, and maintenance of artificial works for conducting water thereto as is required for the reclamation by the State of Florida or any political subdivision thereof or any drainage district organized under its laws of lands lying easterly of the eastern boundary of the park in township 54 south, ranges 31 and 32 east, township 55 south, ranges 32 and 33 east, and township 56 south, range 33 east. He shall grant said permission, however, only after a master plan for the drainage of said lands has been approved by the State of Florida and after finding that the approved plan has engineering feasibility and is so designed as to minimize disruptions of the natural state of the park.

Right-of-way.

Any right-of-way granted pursuant to this section shall be revocable upon breach of the conditions upon which it is granted, which conditions shall also be enforcible in any other appropriate manner, and the grantee shall be obligated to remove its improvements and to restore the land occupied by it to its previous condition in the event of such revocation. (16 U.S.C. § 410n.)

Land, etc., exchange.

SEC. 7. The Secretary of the Interior is authorized to transfer to the State of Florida by quitclaim deed the land, water, and interests therein, previously acquired by the United States of America for Everglades National Park and not included within such park by section 1 of this Act, such transfer to be in exchange for the conveyance by the State of Florida to the United States of all land, water, and interests therein, owned by the State within the boundary of the park as described in section 1 of this Act: *Provided*, That exclusion of any land, water, and interests therein from the park boundary pursuant to section 1 of this Act shall be dependent upon the contemporaneous conveyance by the State to the United States of all land, water, and interests therein, owned by the State within the park boundary described in section 1 of this Act, including land, water, and interests therein, heretofore conveyed to the State for transfer to the United States for inclusion in Everglades National Park. The effectuation of the

transfer provided for in this section shall be a condition precedent to the acquisition by the Secretary of any land, water, or interests therein held in private ownership within the boundaries set forth in section 1 of this Act and outside the area designated in the Act of October 10, 1949, except as such acquisition is by donation. (16 U.S.C. § 410o.)

Appropriation.

SEC. 8. There are hereby authorized to be appropriated such sums, but not more than $2,000,000 in all, as are required for the acquisition of land, water, and interests therein held in private ownership within the boundaries of Everglades National Park as fixed by section 1 of this Act and outside the area described in the Act of October 10, 1949. (16 U.S.C. § 410p.)

An Act To authorize the exchange of certain lands in or in the vicinity of Everglades City, Florida, in furtherance of the administration and use of the Everglades National Park, approved September 14, 1959 (73 Stat. 553)

Everglades City, Fla. Exchange of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to further the administration and use of the Everglades National Park, the Secretary of the Interior is authorized to accept on behalf of the United States title to the following described parcels of land:

> Those parts of tracts "R" and "S" which lie west of the right-of-way of State Road Numbered 29, and lots 1 to 9, inclusive, of block 40, in Everglades City, Florida, comprising 18.98, 1.32, and 3.17 acres, respectively, as shown on N.P.S. Map No. EVE–NP–E–1, dated June 23, 1959, of Everglades City, Florida; and not to exceed 15 acres of submerged lands lying adjacent to said tracts "R" and "S", if such additional lands are considered necessary by the Secretary of the Interior to permit full utilization of the lands above described;

and, in exchange for such parcels of land, to convey to the owner or owners thereof all right, title, and interest of the United States in and to the following described parcels of land within the Everglades National Park:

> Tract "L" and block 34, comprising 9.09 and 1.65 acres, respectively, lying in or in the vicinity of Everglades City, Florida. (16 U.S.C. § 410q [Supp. II].)

SEC. 2. All lands and submerged lands title to which is accepted by the Secretary of the Interior pursuant to the provisions of this Act shall, upon the acceptance of title thereto, become parts of the Everglades National Park and shall be subject to all laws and regulations applicable thereto. (16 U.S.C. § 410r [Supp. II].)

An Act To authorize the addition of certain donated lands to the Everglades National Park, approved September 2, 1960 (74 Stat. 577)

Everglades National Park. Additional lands.

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 accept for Everglades National Park purposes, title to approximately 1,160 acres of land and submerged land lying within sections 25, 26, and 36 of township 53 south, range 29 east, and section 30, township 53 south, range 30 east, Tallahassee meridian, and being a portion of the land and submerged land donated and conveyed by three Collier deeds in 1951 and 1952 to the trustees of the internal improvement fund of the State of Florida for subsequent inclusion in the Everglades National Park. Such three Collier deeds are dated December 12, 1951, December 26, 1951, and March 21, 1952, and are recorded in deed book 22, page 240, deed book 22, page 244, and deed book 39, page 25, respectively, in Collier County, Florida. The aforesaid land and submerged land shall be subject to the reservations set forth in the aforementioned Collier deeds for public utility easements and rights-of-way of the public with respect to Indian Key Channel, and also to a public right-of-way for the State highway or causeway from Everglades City to Chokoloskee Island. (16 U.S.C. § 410r–1 [Supp. II].)

SEC. 2. All lands and submerged lands title to which is accepted by the Secretary of the Interior pursuant to the provisions of this Act shall, upon the acceptance of title thereto, become parts of the Everglades National Park and shall be subject to all laws and regulations applicable thereto. (16 U.S.C. § 410r–2 [Supp. II].)

5. Glacier National Park [1]

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Fish hatchery eliminated from park and transferred to Fish and Wildlife Service	Act of December 13, 1944	111
Exchanges of Federal for non-Federal lands for addition to park authorized	Act of August 8, 1946	111
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Replacement of certain Government-owned utility facilities in park authorized	Act of August 23, 1954	112
Retrocession to State of Montana of concurrent police jurisdiction over Blackfeet Highway and its connections with park road system	Act of March 15, 1958	113

An Act Relating to the administration of the Glacier National Park Fish Hatchery, at Creston, Montana, and for other purposes, approved December 13, 1944 (58 Stat. 801)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the property at Creston, Montana, acquired by the United States for the establishment of a fish hatchery for restocking the waters of Glacier National Park and administered as a part of the park pursuant to the Act of July 31, 1939 (53 Stat. 1142), together with the improvements and equipment utilized in connection with the hatchery property, is hereby eliminated from the park.

Glacier National Park, Mont. Administration of fish hatchery.

The functions of the National Park Service with regard to the administration of the aforesaid properties for the benefit of the park are hereby transferred to and shall be exercised by the Fish and Wildlife Service for the same purposes: *Provided, however*, That such fish propagated at the hatchery as may be in excess of the number necessary to restock and maintain an optimum fish population in the waters of the park at all times may be utilized for the restocking of other waters. (16 U.S.C. § 161d.)

Use of surplus fish.

An Act To provide for the acquisition by exchange of non-Federal property within the Glacier National Park, approved August 8, 1946 (60 Stat. 949)

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 accept title to any non-Federal lands, interests in lands, buildings, or other property, real or personal, within the authorized boundaries of the Glacier National Park, as now or hereafter established, when the acquisition by exchange of such property would, in his judgment, be in the best interests of the United States. In

Glacier National Park. Exchange of property.

[1] See also General Legislation, p. 16.

exchange for the non-Federal property so to be acquired, the Secretary of the Interior is authorized to convey to the grantors of such property, or to their nominees, any federally owned lands, interests in lands, buildings, or other property, real or personal, within the authorized boundaries of the Glacier National Park, located in the State of Montana and administered by the National Park Service, which are of approximately equal value, as determined by the Secretary, to the property being acquired.

Agreements.

In order to facilitate the making of such exchanges, the Secretary of the Interior may enter into agreements for the reservation in conveyances to the United States, or for the grant in conveyances from the United States, of such estates for years, life estates, or other interests as may be consistent, in his judgment, with the accomplishment of the purposes of this Act, but all such limitations shall be considered in determining the equality of the interests to be exchanged.

Regulations.

SEC. 2. Any property acquired pursuant to this Act shall, upon acceptance of title thereto, become a part of the Glacier National Park, and shall be subject to all laws applicable to such area. The Secretary of the Interior is authorized to issue such regulations as he deems necessary for carrying out the purposes of this Act. (16 U.S.C. § 167a.)

An Act Relating to the acquisition by the United States of State-owned lands within Glacier National Park, in the State of Montana, and for other purposes, approved March 16, 1948 (62 Stat. 80)

Glacier National Park, Mont.

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 acquire, and the State of Montana is authorized to convey to the United States, without regard to the requirements contained in section 11 of the Act approved February 22, 1889 (25 Stat. 676), any lands, interests in lands, buildings, or other property, real and personal, owned by the State of Montana within the boundaries of Glacier National Park. The aforesaid properties may be acquired from the State of Montana by the Secretary of the Interior for such consideration as he may deem advisable, when the acquisition of such property would, in his judgment, be in the best interests of the United States. (16 U.S.C. § 161e.)

An Act To authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Montana, and Grand Canyon National Park, Arizona, approved August 23, 1954 (68 Stat. 771)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of facilitating the installation of adequate electric and communication facilities

at Glacier National Park and Grand Canyon National Park, the Secretary of the Interior is authorized to exchange, on an equal value basis, the existing inadequate facilities at these parks for more modern and efficient facilities.

An Act To retrocede to the State of Montana concurrent police jurisdiction over the Blackfeet Highway and its connections with the Glacier National Park road system, and for other purposes, approved March 15, 1958 (72 Stat. 35)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby retroceded to the State of Montana such concurrent police jurisdiction as has been ceded to the United States of America over the rights-of-way of the Blackfeet Highway, including the highway itself, and over the rights-of-way of its connections with the Glacier National Park road system on the Blackfeet Indian Reservation, including the highways themselves, the same being the jurisdiction ceded by the act of the Legislature of Montana, approved February 27, 1929 (laws of Montana, 1929, page 63), and accepted by Act of Congress approved May 2, 1932 (47 Stat. 144).

Blackfeet Highway, Mont. Police jurisdiction.

16 U.S.C. 181, 181a.

SEC. 2. Following acceptance by the State of Montana of the retrocession provided herein, the laws and regulations of the United States pertaining to Glacier National Park shall cease to apply to the territory of said rights-of-way and highways.

Nonapplicability.

6. Grand Canyon National Park

		Page
Replacement of certain Government-owned utility facilities in park authorized	Act of August 23, 1954	114
Commissioner, appointment authorized	Act of September 14, 1959	114
Acquisition of patented mining claim authorized	Act of May 28, 1962	115

An Act To authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Montana, and Grand Canyon National Park, Arizona, approved August 23, 1954 (68 Stat. 771)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of facilitating the installation of adequate electric and communication facilities at Glacier National Park and Grand Canyon National Park, the Secretary of the Interior is authorized to exchange, on an equal value basis, the existing inadequate facilities at these parks for more modern and efficient facilities.

An Act To authorize the appointment of a commissioner for Grand Canyon National Park, Arizona, approved September 14, 1959 (73 Stat. 546)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States District Court for the District of Arizona shall appoint a special commissioner for the Grand Canyon National Park, Arizona. The commissioner shall hold office for four years, unless sooner removed by the district court, and he shall be subject to the general laws and requirements applicable to United States commissioners.

Grand Canyon National Park, Ariz. Appointment of commissioner.

Petty offenses, trial.

SEC. 2. The jurisdiction of the commissioner in adjudicating cases brought before him shall be limited to the trial, and sentencing upon conviction, of persons charged with the commission of those misdemeanors classified as petty offenses (18 U.S.C. 1) relating to the violation of Federal laws or regulations applicable within the park: *Provided*, That any person charged with a petty offense may elect to be tried in the district court of the United States; and the commissioner shall apprise the defendant of his right to make such election, but shall not proceed to try the case unless the defendant, after being so apprised, signs a written consent to be tried before the commissioner. The exercise of additional functions by the commissioner shall be consistent with and be carried out in accordance with the authority, laws, and regulations of general application to United States commissioners. The rules of procedure set forth

62 Stat. 684.

in title 18, section 3402, of the United States Code, shall be followed in the handling of cases by such commissioner. The probation laws shall be applicable to persons tried by the commissioner and he shall have power to grant probation. 62 Stat. 831.

SEC. 3. The commissioner shall receive an annual salary to be fixed by the district court with the approval of the Judicial Conference of the United States and shall account for all fees, fines, and costs collected by him as public moneys. He shall reside within the boundary of the park or at some place reasonably adjacent thereto designated by the Secretary of the Interior with the approval of the district court. (28 U.S.C. § 631 [Supp. II].) Salary.

An Act To provide for the acquisition of a patented mining claim on the south rim of Grand Canyon National Park, and for other purposes, approved May 28, 1962 (76 Stat. 79)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to acquire for Grand Canyon National Park certain private land strategically located inside the park on the south rim of Grand Canyon and to provide for the removal of surface structures thereon and the termination of mining activities in connection with such land which intrudes upon the rim of Grand Canyon and adversely affects the public enjoyment of the park, the Secretary of the Interior is authorized to accept on the terms hereinafter stated the conveyance of title to the Orphan Claim, a mining claim of approximately 20.64 acres patented to D. L. Hogan and C. J. Babbitt on March 23, 1906, patent numbered 43506: *Provided*, Said authority is conditioned upon the grantor releasing any extralateral rights it may have to follow under adjoining park lands any mineral discovery made on the aforesaid Orphan Claim. The grantor shall, within six months following the passage of this Act, execute to the United States deeds of conveyance of good and sufficient fee simple title to the said claim, subject to the following reservations and conditions: Grand Canyon National Park. Mining claim, acquisition. Conditions.

(a) All mineral rights on the said claim shall be reserved to the said grantor for a period of twenty-five years, but the exercise of said rights shall be limited to underground mining.

(b) Until the close of 1966 the grantor shall be permitted to maintain and operate the Grand Canyon Inn and related cottages and facilities and may reserve for said period the customary rights to use so much of the surface area of the claim as is necessary for mining operations.

(c) After 1966 and until the expiration of the mineral reservation the grantor shall have reserved to it the surface rights to only the following described tract of

approximately three acres which is necessary to operate the said mine:

Description.

Beginning at an iron stake known as corner numbered 2 of the Orphan Claim, mineral survey numbered 2004 in section 14, township 31 north, range 2 east, Gila and Salt River base and meridian; thence north 41 degrees 03 minutes east 500 feet; thence north 60 degrees 15 minutes west 300 feet; thence south 41 degrees 03 minutes west 500 feet to the south end center of said claim; thence south 60 degrees 15 minutes east 300 feet to place of beginning, including all buildings and improvements as per survey of April 21, 1905.

Structures.

(d) Any structures erected on the reserved portion of surface rights shall be no more than two stories in height and shall be so designed as to be appropriate to the region.

Rights of grantor.

(e) The grantor shall be permitted to maintain and operate the present aerial tramway for not to exceed two years from the date of the conveyance to the United States; and throughout the allowable period of its mining to maintain and operate the sixty-thousand-gallon water tank; the access road across the claim to the mine area, the portal area of the present adit, and such ventilators from the mine as may be required by mine safety laws.

(f) The grantor shall be permitted to haul ore from its mining operations to such mills as directed by the Atomic Energy Commision or otherwise, over roads of the Grand Canyon National Park upon payment of use charges therefor, as agreed between the parties but reasonably calculated to provide such additional cost of maintenance of said roads, if any, as may be occasioned by such operations.

Rights of grantor.

SEC. 2. (a) In exchange for the foregoing conveyance to the United States of the said Orphan Claim and the release by the owner thereof of any claims to pursue any extralateral rights to the ore body under park land, the grantor shall have the right for a period of twenty-five years to mine and remove on a royalty basis all uranium ore and such other metalliferous ore of commercial value as can be recovered through the shaft existing on the Orphan Claim and additional underground workings beyond the northeast boundary of said claim, along the dip of any ore body apexing within the said claim: *Provided*, Said mining and removal rights shall be limited to underground mining, which shall be conducted so as not to disturb in any manner the surface of park land or the canyon walls, except for ventilation as required in accordance with mine safety laws: *Provided further*, That nothing in this Act shall be construed to create any obligation on the Atomic Energy Commission for the purchase of uranium derived from ores removed from

beyond the vertical boundaries of the Orphan Claim: *Provided further*, That neither the enactment of this Act nor anything contained in it shall be construed to relieve any party from any liability which would or might otherwise exist for the removal of ore from beyond the boundaries of said Orphan Claim, if any such removal occurred prior to the enactment of this Act.

Royalty payments to U.S.

(b) The United States shall be paid a royalty for ore extracted from under Government lands pursuant to this section, in accordance with the following Uranium Percentage Royalty Schedule:

Mine value per dry ton	Royalty percentage of mine value per dry ton
$0.01 to $10.00	5 per centum
$10.01 to $20.00	5½ per centum
$20.01 to $30.00	6 per centum
$30.01 to $40.00	6½ per centum
$40.01 to $50.00	7 per centum
$50.01 to $60.00	7½ per centum
$60.01 to $70.00	8 per centum
$70.01 to $80.00	8½ per centum
$80.01 to $90.00	9 per centum
$90.01 to $100.00	9½ per centum
$100.01 or more	10 per centum

"Mine value per dry ton."

"Mine value per dry ton" is hereby defined as the dollar value per dry ton of crude ores at the mine as paid for by the Atomic Energy Commission or other Government agency before allowance for transportation and development; however, if the Government at any time hereafter does not establish and pay for said ores on a fixed or scheduled dollar value per dry ton of crude ores at the mine, or said ores contain salable minerals, some or all, or which are disposed of to a custom treatment plant or smelter for treatment and sale, then mine value per dry ton shall be the gross value per dry ton of said crude ore as paid for by the Atomic Energy Commission or other Government authorized agency mill or other buyer, less any allowances or reimbursements for the following specific items: (1) transportation of ores, and (2) treatment or beneficiation of ores; which specific items shall in such event be deducted from the gross sales price received from the metal content of said ores by the seller before said percentage royalty is calculated and paid.

Whenever mineral or other products are recovered which are not included in determining mine value per dry ton as defined herein, there shall be paid for such minerals or other products a royalty of 5 per centum of the gross value of such products at the mine site.

Provided, That on all ore having a mine value per dry ton of less than $50, the royalty to be paid hereunder

shall not exceed 15 per centum of the grantor's net profit on such ore which shall be determined by the amount remaining from the total sales price of such ore after the payment of reasonable operating expenses, taxes, and cost depletion.

(c) When paid, the royalty shall be deposited to miscellaneous receipts of the Treasury in accordance with the provisions of title 31, United States Code, section 484.

7. Grand Teton National Park [1]

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Snake River waters division, excluding park from provisions of act----------Act of June 3, 1948	119
Excerpt from act approving Snake River Compact, excluding the waters of the park from provisions of the Compact------Act of March 21, 1950	120
Establishment of a new Grand Teton National Park----------Act of September 14, 1950	120
Construction authorized within the park of an alternate route to U.S. Highway 89 for conveyance to the State of Wyoming in exchange for State and county roads in the park area----------Act of August 9, 1955	125

An Act Granting the consent of Congress to the States of Idaho and Wyoming to negotiate and enter into a compact for the division of the waters of the Snake River and its tributaries originating in either of the two States and flowing into the other, approved June 3, 1948 (62 Stat. 294)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That consent of Congress is hereby given to the States of Idaho and Wyoming to negotiate and enter into a compact providing for an equitable division and apportionment among the said States of the waters of the Snake River and all of its tributaries originating in either of the two States and flowing into the other, upon condition that one suitable person, who shall be appointed by the President of the United States, shall participate in said negotiations as the representative of the United States and shall make report to Congress of the proceedings and of any compact entered into: *Provided*, That any such compact shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been ratified by the legislature of each of said States and approved by the Congress of the United States: *Provided further*, That nothing in this Act shall apply to any waters within the Yellowstone National Park or Grand Teton National Park or shall establish any right or interest in or to any lands within the boundaries thereof or in subsequent additions thereto.

Snake River. Consent of Congress to interstate compact.

Ratification and approval.

Nonapplicability.

SEC. 2. There is hereby authorized to be appropriated a sufficient sum to pay the salary and expenses of the representative of the United States appointed hereunder: *Provided*, That such representative, if otherwise employed by the United States, while so employed shall not receive additional salary in the appointment hereunder.

Appropriation authorized.

[1] See also General Legislation, p. 16.

Excerpt from "An Act Granting the consent and approval of Congress to a compact entered into by the States of Idaho and Wyoming relating to the waters of the Snake River," approved March 21, 1950 (64 Stat. 29, 34)

Snake River compact. Consent and approval of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent and approval of Congress is hereby given to an interstate compact relating to the waters of the Snake River, signed (after negotiations in which a representative of the United States duly appointed by the President participated) by the Commissioners for the States of Idaho and Wyoming on October 10, 1949, at Cheyenne, Wyoming, and thereafter ratified by the legislatures of each of the States aforesaid as provided for by Public Law 580, Eighties Congress, approved June 3, 1948 (62 Stat. 294), which compact reads as follows:

* * * * * * *

ARTICLE XIV

A. Nothing in this compact shall be deemed:

* * * * * * *

3. To apply to any waters within the Yellowstone National Park or Grand Teton National Park.

An Act To establish a new Grand Teton National Park in the State of Wyoming, and for other purposes, approved September 14, 1950 (64 Stat. 849)

Grand Teton National Park, Wyo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of including in one national park, for public benefit and enjoyment, the lands within the present Grand Teton National Park and a portion of the lands within the Jackson Hole National Monument, there is hereby established a new "Grand Teton National Park". The park shall comprise, subject to valid existing rights, all of the present Grand Teton National Park and all lands of the Jackson Hole National Monument that are not otherwise expressly provided for in this Act, and an order setting forth the boundaries of the park shall be prepared by the Secretary of the Interior and published in the Federal Register. The national park so established shall, so far as consistent with the provisions of this Act, be administered in accordance with the general statutes governing national parks, and shall supersede the present Grand Teton National Park and the Jackson Hole National Monument. The Act of February 26, 1929 (45 Stat. 1314), and any other provisions of law heretofore specifically applicable to such present park or monument, are hereby repealed: *Provided*, That no further extension or establishment of national parks or monuments in Wyoming may be under-

16 U.S.C. §§ 406–406d. Restriction.

taken except by express authorization of the Congress. (16 U.S.C. §§ 406d–1 and note, 431a, 451a.)

National Elk Refuge. Lands from Jackson Hole National Monument.

SEC. 2. The following-described lands of the Jackson Hole National Monument are hereby made a part of the National Elk Refuge and shall be administered hereafter in accordance with the laws applicable to said refuge:

SIXTH PRINCIPAL MERIDIAN

Township 42 north, range 116 west: Those portions of sections 24, 25, 26, and 35 lying east of the east right-of-way line of United States Highway Numbered 187, and lying south and east of the north and west bank of the Gros Ventre River.

Township 42 north, range 115 west: Those portions of sections 8, 9, 10, 17, 18, and 19 lying south and east of the north and west bank of the Gros Ventre River; section 20; section 29, northwest quarter; section 30, north half.

Township 41 north, range 116 west: Entire portion now in Jackson Hole National Monument except that portion in section 2 lying west of the east right-of-way line of United States Highway Numbered 187.

Containing in all six thousand three hundred and seventy-six acres, more or less. (16 U.S.C. § 673b.)

Teton National Forest. Lands from Jackson Hole National Monument.

SEC. 3. The following-described lands of the Jackson Hole National Monument are hereby made a part of the Teton National Forest and shall be administered hereafter in accordance with the laws applicable to said forest:

SIXTH PRINCIPAL MERIDIAN

Township 45 north, range 113 west: Section 21, lot 5; section 22, lots 2 and 6; section 23, lot 3; section 26, lots 2, 3, 6, 7, southwest quarter northwest quarter, southwest quarter and southwest quarter southeast quarter; section 27, lots 1, 2, 4, 6, 7, 8, 9, southeast quarter northeast quarter and south half; section 28, lot 1, southeast quarter northeast quarter and east half southeast quarter; section 29 lots 2, 4, 5, 6, 8, southwest quarter northeast quarter, northwest quarter southeast quarter, south half northwest quarter, and north half southwest quarter; section 30, lot 7, south half northeast quarter, north half southeast quarter and southeast quarter southeast quarter; section 31, lots 1 and 2; section 32, lots 2 and 5; section 33, east half northeast quarter and northeast quarter southeast quarter; section 34, north half and north half south half; section 35, north half, containing in all two thousand eight hundred six and thirty-four one-hundredths acres, more or less. (16 U.S.C. § 482m.)

Grand Teton National Park.

SEC. 4. With respect to those lands that are included by this Act within the Grand Teton National Park—

Rights-of-way, etc.

(a) the Secretary of the Interior shall designate and open rights-of-way, including stock driveways,

over and across Federal lands within the exterior boundary of the park for the movement of persons and property to or from State and private lands within the exterior boundary of the park and to or from national forest, State, and private lands adjacent to the park. The location and use of such rights-of-way shall be subject to such regulations as may be prescribed by the Secretary of the Interior;

Existing leases, etc.

(b) all leases, permits, and licenses issued or authorized by any department, establishment, or agency of the United States with respect to the Federal lands within the exterior boundary of the park which are in effect on the date of approval of this Act shall continue in effect, subject to compliance with the terms and conditions therein set forth, until terminated in accordance with the provisions thereof;

(c) where any Federal lands included within the park by this Act were legally occupied or utilized on the date of approval of this Act for residence or grazing purposes, or for other purposes not inconsistent with the Act of August 25, 1916 (39 Stat. 535), pursuant to a lease, permit, or license issued or authorized by any department, establishment, or agency of the United States, the person so occupying or utilizing such lands and the heirs, successors, or assigns of such person, shall, upon the termination of such lease, permit, or license, be entitled to have the privileges so possessed or enjoyed by him renewed from time to time, subject to such terms and conditions as the Secretary of the Interior shall prescribe, for a period of twenty-five years from the date of approval of this Act, and thereafter during the lifetime of such person and the lifetime of his heirs, successors, or assigns but only if they were members of his immediate family on such date, as determined by the Secretary of the Interior: *Provided*, That grazing privileges appurtenant to privately owned lands located within the Grand Teton National Park established by this Act shall not be withdrawn until title to lands to which such privileges are appurtenant shall have vested in the United States, except for failure to comply with the regulations applicable thereto after reasonable notice of default: *Provided further*, That nothing in this subsection shall apply to any lease, permit, or license for mining purposes or for public accommodations and services or to any occupancy or utilization of lands for purely temporary purposes. Nothing contained in this Act shall be construed as creating any vested right, title, interest, or estate in or to any Federal lands. (16 U.S.C. § 406d–2.)

5 U.S.C. § 485; 16 U.S.C. §§ 1, 2–4, 22, 48.

Grazing privileges.

Mining leases, etc.

Compensation for tax losses.

SEC. 5. (a) In order to provide compensation for tax losses sustained as a result of any acquisition by the United States, subsequent to March 15, 1943, of privately owned lands, together with any improvements thereon, located within the exterior boundary of the Grand Teton National Park established by this Act, payments shall be made to the State of Wyoming for distribution to the county in which such lands are located in accordance with the following schedule of payments: For the fiscal year in which the land has been or may be acquired and nine years thereafter there shall be paid an amount equal to the full amount of annual taxes last assessed and levied on the land, together with any improvements thereon, by public taxing units in such county, less any amount, to be determined by the Secretary of the Interior, which may have been paid on account of taxes for any period falling within such fiscal year. For each succeeding fiscal year, until twenty years elapse, there shall be paid on account of such land an amount equal to the full amount of taxes referred to in the preceding sentence, less 5 per centum of such full amount for each fiscal year, including the year for which the payment is to be made: *Provided*, That the amount payable under the foregoing schedule for any fiscal year preceding the first full fiscal year following the approval of this Act shall not become payable until the end of such first full fiscal year.

Schedule of payments.

(b) As soon as practicable after the end of each fiscal year, the amount then due for such fiscal year shall be computed and certified by the Secretary of the Interior, and shall be paid by the Secretary of the Treasury: *Provided*, That such amount shall not exceed 25 per centum of the fees collected during such fiscal year from visitors to the Grand Teton National Park established by this Act and the Yellowstone National Park. Payments made to the State of Wyoming under this section shall be distributed to the county where the lands acquired from private landowners are located and in such manner as the State of Wyoming may prescribe. (16 U.S.C. § 406d–3.)

Program for conservation of elk.

SEC. 6. (a) The Wyoming Game and Fish Commission and the National Park Service shall devise, from technical information and other pertinent data assembled or produced by necessary field studies or investigations conducted jointly by the technical and administrative personnel of the agencies involved, and recommend to the Secretary of the Interior and the Governor of Wyoming for their joint approval, a program to insure the permanent conservation of the elk within the Grand Teton National Park established by this Act. Such program shall include the controlled reduction of elk in such park, by hunters licensed by the State of Wyoming and deputized as rangers by the Secretary of the Interior,

when it is found necessary for the purpose of proper management and protection of the elk.

Yearly plan.

(b) At least once a year between February 1 and April 1, the Wyoming Game and Fish Commission and the National Park Service shall submit to the Secretary of the Interior and to the Governor of Wyoming, for their joint approval, their joint recommendations for the management, protection, and control of the elk for that year. The yearly plan recommended by the Wyoming Game and Fish Commission and the National Park Service shall become effective when approved by the Secretary of the Interior and the Governor of Wyoming, and thereupon the Wyoming Game and Fish Commission and the Secretary of the Interior shall issue separately, but simultaneously such appropriate orders and regulations as are necessary to carry out those portions of the approved plan that fall within their respective jurisdictions. Such orders and regulations, to be issued by the Secretary of the Interior and the Wyoming Game and Fish Commission, shall include provision for controlled and managed reduction by qualified and experienced hunters licensed by the State of Wyoming and deputized as rangers by the Secretary of the Interior, if and when a reduction in the number of elk by this method within the Grand Teton National Park established by this Act is required as a part of the approved plan for the year, provided that one elk only may be killed by each such licensed and deputized ranger. Such orders and regulations of the Secretary of the Interior for controlled reduction shall apply only to the lands within the park which lie east of the Snake River and those lands west of Jackson Lake and the Snake River which lie north of the present north boundaries of Grand Teton National Park, but shall not be applicable to lands within the Jackson Hole Wildlife Park. After the Wyoming Game and Fish Commission and the National Park Service shall have recommended to the Secretary of the Interior and the Governor of Wyoming in any specified year a plan, which has received the joint approval of the Secretary of the Interior and the Governor of Wyoming, calling for the controlled and managed reduction by the method prescribed herein of the number of elk within the Grand Teton National Park established by this Act, and after the Wyoming Game and Fish Commission shall have transmitted to the Secretary of the Interior a list of persons who have elk hunting licenses issued by the State of Wyoming and who are qualified and experienced hunters, on or before July 1 of that year the Secretary of the Interior, without charge, shall cause to be issued orders deputizing the persons whose names appear on such list, in the number specified by the plan, as rangers for the purpose of entering the park and assisting in the controlled reduc-

Orders and regulations.

Provision for controlled reduction.

Deputized rangers.

tion plan. Each such qualified hunter, deputized as a ranger, participating in the controlled reduction plan shall be permitted to remove from the park the carcass of the elk he has killed as a part of the plan. (16 U.S.C. § 673c.)

Acceptance of donated lands.

SEC. 7. The Secretary of the Interior is authorized to accept the donation of the following-described lands, which lands, upon acceptance by the United States, shall become a part of the national park:

SIXTH PRINCIPAL MERIDIAN

Township 41 north, range 116 west: Section 3, lots 1 and 2.

Containing seventy-eight and ninety-three one-hundredths acres, more or less. (16 U.S.C. § 406d–4.)

Revocation of temporary withdrawals.

SEC. 8. All temporary withdrawals of public lands made by Executive order in aid of legislation pertaining to parks, monuments, or recreational areas, adjacent to the Grand Teton National Park as established by this Act are hereby revoked. (16 U.S.C. § 406d–1 note.)

Use of lands for reclamation purposes, etc. 43 U.S.C. § 372 *et seq.*; Sup. III, § 373a *et seq.*

SEC. 9. Nothing in this Act shall affect the use for reclamation purposes, in accordance with the Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto, of the lands within the exterior boundary of the park as prescribed by this Act which have been withdrawn or acquired for reclamation purposes, or the operation, maintenance, rehabilitation, and improvement of the reservoir and other reclamation facilities located on such withdrawn or acquired lands. All provisions of law inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency. The remaining unexpended balance of any funds appropriated for the present Grand Teton National Park and the Jackson Hole National Monument shall be available for expenditure in connection with the administration of the Grand Teton National Park established by this Act. (16 U.S.C. §§ 406d–5, 406d–1 note.)

Availability of funds.

An Act To authorize the construction within Grand Teton National Park of an alternate route to U.S. Highway 89, also numbered U.S. 187 and U.S. 26, and the conveyance thereof to the State of Wyoming, and for other purposes, approved August 9, 1955 (69 Stat. 555)

Grand Teton National Park. Highway.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate public use and enjoyment of the Grand Teton National Park and to make possible an appropriate relocation and use of highways through the park, the Secretary of the Interior is authorized to construct within the park, upon a location to be agreed upon between the Secretary and the Governor of Wyoming, a highway which shall replace the present

U.S. Highway 89, also numbered U.S. 187 and U.S. 26. Upon completion of the said highway, the Secretary is authorized to enter into an agreement with the State of Wyoming, upon such terms and conditions as he deems in the interest of the United States, for the conveyance of the highway to the State in exchange for State and county roads in the park area. (16 U.S.C. § 406d–1 note.)

8. Great Smoky Mountains National Park

		Page
Boundary between the park and the Cherokee-Pisgah-Nantahala National Forests adjusted and defined	Act of July 26, 1950	
Amendment to title 28 of the United States Code to provide for two United States commissioners for park	Act of July 9, 1952	1
Secretary of the Interior authorized to consummate desirable land exchanges	Act of May 16, 1958	129

An Act To adjust and define the boundary between Great Smoky Mountains National Park and the Cherokee-Pisgah-Nantahala National Forests, and for other purposes, approved July 26, 1950 (64 Stat. 377)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the portion of the boundary of the Great Smoky Mountains National Park that is common to and between the park and the Cherokee-Pisgah-Nantahala National Forests hereafter shall be as follows:

Great Smoky Mountains National Park.

(a) Between the Pisgah National Forest and Great Smoky Mountains National Park the boundary shall be as follows: Beginning at a point where North Carolina State Highway Numbered 284 first crosses the Cataloochee Divide, said point being common to the boundary of said forest as described in Proclamation Numbered 2187 of July 10, 1936, and the boundary of said park, as authorized by the Act of May 22, 1926 (44 Stat. 616), as amended; thence following the divide northeasterly to the summit of Bent Knee Knob; thence northwesterly and northerly following Trail Ridge and White Oak Mountain to a point where the present national forest boundary leaves White Oak Mountain and running with same northwesterly across Cataloochee Creek to the southeast corner of a tract of national park land and northwesterly through the same following the crest of the ridge next south of the east boundary of the said tract to the old road on the summit of Longarm Mountain; thence southwesterly and northwesterly following the said road running with the top of Scottish Mountain and through a tract of national forest land to the south boundary of a tract of national park land just east of Mount Sterling Gap; thence northerly following the south and east boundaries of the said tract of national park land to the northeast corner thereof; thence northeasterly through a tract of national forest land, following the crest of the ridge parallel to and east of Mount Sterling Creek to the summit of the ridge terminated by the juncture of Mount Sterling Creek with its south prong; thence northwesterly across Mount Sterling Creek to the summit northeast of Ivy Gap; thence westerly to a point where the westerly boundary of a tract of Forest

Certain boundaries.

50 Stat. 1745.

16 U.S.C. §§ 403–403c.

Service land diverges from North Carolina State Highway Numbered 284; thence with the highway northerly to a point where North Carolina Highway Numbered 284 joins Tennessee Highway Numbered 75 at the State line;

(b) Between Nantahala National Forest and Great Smoky Mountains National Park, the boundary shall follow the boundary of said forest as described in Proc-
50 Stat. 1742. lamation Numbered 2185 of July 9, 1936;

(c) Between Cherokee National Forest (Unaka Division) and Great Smoky Mountains National Park, the boundary shall follow the boundary of said forest as described in Proclamation Numbered 2183 of July 8,
50 Stat. 1735. 1936. (16 U.S.C. § 403k.)

SEC. 2. That, subject to valid existing rights, all lands within the boundaries of Great Smoky Mountains National Park, as redefined by this Act, hereafter shall be a part of the national park and shall be subject to all laws, rules, and regulations applicable to the national park. All federally owned lands eliminated from the national park by this Act shall hereafter be a part of the Pisgah National Forest and shall be subject to all laws, rules, and regulations relating to such national forest. (16 U.S.C. § 403k–1.)

SEC. 3. That so much of the twenty-five-acre tract of land in Forney's Creek Township, Swain County, North Carolina, lying north of Lake Cheoah, proposed to be donated to the United States by the Carolina Aluminum Company, as now lies outside of the park boundaries
16 U.S.C. §§ 403–403c. authorized by the Act of May 22, 1926 (44 Stat. 616), as amended, shall, upon acceptance by the Secretary of the Interior, become a part of Great Smoky Mountains National Park and shall be subject to all laws, rules, and regulations applicable to said park. (16 U.S.C. § 403k–2.)

An Act To amend title 28 of the United States Code so as to provide for two United States commissioners for Great Smoky Mountains National Park, approved July 9, 1952 (66 Stat. 509)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-
Great Smoky Mountains National Park. 62 Stat. 915. *sembled*, That section 631(a) of title 28 of the United State Code is amended by striking out "Great Smoky Mountains" and by inserting after the second paragraph of such section the following new paragraph:

"Two United States commissioners may be appointed for Great Smoky Mountains National Park. One, whose jurisdiction shall be limited to the portion of the park situated in Tennessee, shall be appointed by the district court for the eastern district of Tennessee; the other, whose jurisdiction shall be limited to the portion of the park situated in North Carolina, shall be ap-

pointed by the district court for the western district of North Carolina."

SEC. 2. The jurisdiction of the United States commissioner holding office as commissioner of the Great Smoky Mountains National Park on the date of enactment of this Act shall be limited to the portion of the park situated in North Carolina. (28 U.S.C. § 631 and note.)

An Act To authorize the Secretary of the Interior to consummate desirable land exchanges, approved May 16, 1958 (72 Stat. 115)

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 accept from grantors title to non-Federal land and interests in land, together with improvements thereon, situated within or adjacent to the Great Smoky Mountains National Park, and in exchange therefor, to convey by deed on behalf of the United States to the aforesaid grantors, land or interests therein, together with improvements thereon, situated within the Great Smoky Mountains National Park: *Provided*, That such exchanges may be made without additional compensation by either party to the exchange when the properties to be exchanged are of approximately equal value; however, when the properties are not of approximately equal value, as may be determined by the Secretary, an additional payment of funds shall be required by the Secretary or by the grantor of non-Federal properties, as the case may be, in order to make an equal exchange, and the Secretary is authorized to use any land acquisition funds relating to the National Park System for such purposes: *Provided further*, That not more than two hundred acres of park land shall be conveyed pursuant to the aforesaid exchange authority. All properties acquired by the United States pursuant to this Act shall become a part of the Great Smoky Mountains National Park upon acquisition thereof. Properties conveyed by the United States pursuant to this Act shall thereafter be excluded from the park and any Federal regulation or control thereof for park purposes. (16 U.S.C. § 403g–1.)

Great Smoky Mountains National Park. Land exchange.

9. Haleakala National Park

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Establishment authorized	Act of September 13, 1960	130

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)

Haleakala National Park, Hawaii. Establishment.

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. (16 U.S.C. § 396b [Supp. II].)

16 U.S.C. 1–4, *passim*.

10. Hawaii Volcanoes National Park [1]

		Page
Commissioner to be appointed solely by the United States District Court	Act of April 21, 1948	131
United States to continue to have sole and exclusive jurisdiction over park after admission of the State of Hawaii into the Union	Excerpt from Act of March 18, 1959	132
Name changed	Act of September 22, 1961	132

An Act To provide that appointments of United States commissioners for the Isle Royale, Hawaii, Mammoth Cave, and Olympic National Parks shall be made by the United States district courts without the recommendation and approval of the Secretary of the Interior, approved April 21, 1948 (62 Stat. 196)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 5 of the Act entitled "An Act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes", approved March 6, 1942 (U.S.C., 1940 edition, Supp. V, title 16, sec. 408m), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate".

U.S. commissioners. Appointments to certain national parks.

56 Stat. 134.

SEC. 2. The first paragraph of section 6 of the Act entitled "An Act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes", approved April 19, 1930, as amended (U.S.C., 1940 edition, title 16, sec. 395e), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate".

46 Stat. 228.

SEC. 3. The first sentence of section 5 of the Act entitled "An Act to accept the cession by the Commonwealth of Kentucky of exclusive jurisdiction over the lands embraced within the Mammoth Cave National Park; to authorize the acquisition of additional lands for the park in accordance with the Act of May 25, 1926 (44 Stat. 635); to authorize the acceptance of donations of land for the development of a proper entrance road to the park; and for other purposes", approved June 5, 1942 (U.S.C., 1940 edition, Supp. V, title 16, sec. 404c-5), is amended by striking out "Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the" and inserting in lieu thereof "The".

56 Stat. 318.

SEC. 4. The first sentence of section 5 of the Act entitled "An Act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other pur-

[1] See also Haleakala National Park, p. 130.

56 Stat. 137.

poses", approved March 6, 1942 (U.S.C., 1940 edition, Supp. V, title 16, sec. 256d), is amended by striking out "Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the" and inserting in lieu thereof "The". (See 28 U.S.C. § 631 note.)

Excerpt from "An Act To provide for the admission of the State of Hawaii into the Union," approved March 18, 1959 (73 Stat. 4, 11)

* * * * * * *

Hawaii National Park.

SEC. 16. (a) Notwithstanding the admission of the State of Hawaii into the Union, the United States shall continue to have sole and exclusive jurisdiction over the area which may then or thereafter be included in Hawaii National Park, saving, however, to the State of Hawaii the same rights as are reserved to the Territory of Hawaii by section 1 of the Act of April 19, 1930 (46 Stat. 227), and saving, further, to persons then or thereafter residing within such area the right to vote at all elections held within the political subdivisions where they respectively reside. Upon the admission of said State all references to the Territory of Hawaii in said Act or in other laws relating to Hawaii National Park shall be deemed to refer to the State of Hawaii. Nothing contained in this Act shall be construed to affect the ownership and control by the United States of any lands or other property within Hawaii National Park which may now belong to, or which may hereafter be acquired by, the United States. (48 U.S.C. prec. § 491 note.)

16 U.S.C. 395.

An Act To change the designation of that portion of the Hawaii National Park on the island of Hawaii, in the State of Hawaii, to the Hawaii Volcanoes National Park, and for other purposes, approved September 22, 1961 (75 Stat. 577)

Hawaii Volcanoes National Park, Hawaii.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective upon the enactment of this Act, the portion of the Hawaii National Park situated on the island of Hawaii, established and administered pursuant to the Act of August 1, 1916 (39 Stat. 432), as amended and supplemented, shall be known as the Hawaii Volcanoes National Park. (16 U.S.C. § 391d.)

16 U.S.C. 391.

11. Hot Springs National Park

		Page
Park to be in Western United States Judicial District of Arkansas	Act of June 24, 1946	133
Conveyance to City of Hot Springs of an easement for water-main pipe line purposes authorized	Act of April 28, 1950	134
Conveyance of land to Hot Springs School District and to Garland County, Arkansas, authorized	Act of August 24, 1954	135
Exchange of lands at Hot Springs National Park authorized	Act of August 18, 1958	135
Secretary of the Army directed to convey the Army and Navy General Hospital, Hot Springs National Park, to the State of Arkansas	Act of September 21, 1959	136

An Act To amend the Act establishing the Hot Springs National Park, approved June 24, 1946 (60 Stat. 303)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of April 20, 1904 (33 Stat. 187), as amended (16 U.S.C. 372), is further amended by striking out the words "Eastern United States Judicial District of Arkansas" and inserting in lieu thereof "Western United States Judicial District of Arkansas".

Hot Springs National Park. Transfer of jurisdiction over certain offenses.

SEC. 2. Section 6 of the Act of April 20, 1904 (33 Stat. 188), as amended (16 U.S.C. 376), is further amended by striking out the words "United States District Court for the Eastern District of Arkansas" wherever they appear in said section and inserting in lieu thereof the words "United States District Court for the Western District of Arkansas".

SEC. 3. Section 7 of the Act of April 20, 1904 (33 Stat. 188), as amended (16 U.S.C. 377), is further amended by striking out the words "United States District Court for the Eastern District of Arkansas" and inserting in lieu thereof the words "United States District Court for the Western District of Arkansas".

SEC. 4. Section 8 of the Act of April 20, 1904 (33 Stat. 189), as amended (16 U.S.C. 378), is further amended by striking out the words "Eastern District of Arkansas" and inserting in lieu thereof the words "Western District of Arkansas".

SEC. 5. Section 9 of the Act of April 20, 1904 (33 Stat. 189), as amended (16 U.S.C. 379), is further amended by striking out the words "Eastern District of Arkansas" and inserting in lieu thereof the words "Western District of Arkansas".

SEC. 6. Section 12 of the Act of April 20, 1904 (33 Stat. 189, 16 U.S.C. 382), is amended to read as follows:

"SEC. 12. All persons who may be imprisoned for non-payment of any fine or costs provided for by this Act

Imprisonment for non-payment of fine or costs.

or awaiting trial without bail, shall be confined in any approved jail situated in the Western District of Arkansas or at such place as may be otherwise designated". (See 16 U.S.C. § 372 note.)

An Act To authorize the Secretary of the Interior to convey to the city of Hot Springs, Arkansas, a perpetual easement for the construction and operation of a water-main pipe line, approved April 28, 1950 (64 Stat. 89)

Hot Springs, Ark. Conveyance.

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 hereby authorized to grant and convey under such terms and conditions as he may prescribe, to the city of Hot Springs, Arkansas, a perpetual easement for the construction, operation, maintenance, inspection, reconstruction, and repair of a sixteen-inch water-main pipe line in, under, and across a strip of land situated within the Hot Springs National Park, such water-main pipe line to follow, in general, the following-described line: *Provided*, That any grant or conveyance pursuant to this Act shall be made subject to the right in the United States to require the city of Hot Springs to relocate without expense to the United States the said water-main pipe line upon a determination by the Secretary of the Interior that the public interest requires such relocation:

Beginning at a point on the park boundary, north forty-three degrees thirty-one minutes east, one hundred seventy-five and five-tenths feet from monument numbered 163; thence north seventy-seven degrees thirty-one minutes east, exactly two hundred and eleven feet; thence south forty-five degrees fifty-six minutes east, one hundred three and five-tenths feet; thence south one degree nine minutes east, exactly two hundred and fifty-seven feet; thence south sixty-nine degrees twenty-two minutes east, one hundred forty-six and three-tenths feet; thence south eighty-six degrees nine minutes east, one hundred ten and eight-tenths feet; thence south fifty-nine degrees no minutes east, one hundred seven and twenty-one one-hundredths feet to a point on the park boundary eighty-three and eighty-one one-hundredths feet arc length on a curve of three hundred seventy-seven and six-tenths feet radius from monument numbered 168, south thirty-five degrees nineteen minutes thirteen seconds east, eighty-three and sixty-five one-hundredths feet distant, situated in United States Hot Springs Reservation in Garland County, Arkansas.

An Act To authorize the conveyance to the Hot Springs School District and to Garland County, Arkansas, for school and for other public purposes, of certain land originally donated to the United States and situated in Hot Springs National Park, Arkansas, and for other purposes, approved August 24, 1954 (68 Stat. 790)

Hot Springs School District and Garland County, Ark. Conveyance.

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 convey without consideration but upon such terms and conditions as he shall consider to be in the public interest to the Hot Springs School District and to the county of Garland, Arkansas, all or portions of a tract of approximately thirty-five acres within Hot Springs National Park, which was donated to the United States by Garland County, Arkansas, such property being situated in the northwest quarter of the northwest quarter of section 34, township 2 south, range 19 west, Garland County, Arkansas, and identified as the former United States Public Health Service Medical Center property.

Such property may be conveyed together with any improvements, appurtenances, and facilities relating thereto except those which the Secretary may find to be necessary to retain for purposes of the national park system or which he may deem advisable to remove for other purposes, the conveyances of the land hereunder to be made in the approximate proportions of two-thirds of the tract to or for purposes of the Hot Springs School District, such portion to be used for public school purposes, and one-third to Garland County for purposes of the county health and welfare unit. Any costs incidental to accomplishing the conveyances provided for herein shall be borne by the said Hot Springs School District and by Garland County.

An Act To authorize an exchange of lands at Hot Springs National Park, Arkansas, and for other purposes, approved August 18, 1958 (72 Stat. 630)

Hot Springs National Park, Ark. **Exchange of lands.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of consolidating Federal holdings of land within Hot Springs National Park, Arkansas, and in order to bring about certain improvements in park land use, the Secretary of the Interior is authorized in his discretion to accept, on behalf of the United States, approximately 4.75 acres of non-Federal land or interests in land situated in blocks 195 and 196 of the city of Hot Springs, Arkansas, and in exchange therefor to convey by deed on behalf of the United States to the grantor of the aforesaid property certain federally owned land or interests in land, of no greater value, comprising not in excess of five and three-tenths acres of

land situated adjacent to and in the immediate rear of the Arlington Hotel in Hot Springs, Arkansas. (16 U.S.C. § 361f.)

An Act To direct the Secretary of the Army to convey the Army and Navy General Hospital, Hot Springs National Park, Arkansas, to the State of Arkansas, and for other purposes, approved September 21, 1959 (73 Stat. 594)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Army is authorized and directed to convey to the State of Arkansas by quitclaim deed, without consideration and without regard to the provisions of section 2662 of title 10 of the United States Code, but subject to the conditions, limitations, and reservations hereinafter set forth, all right, title, and interest of the United States in and to approximately twenty-one acres, more or less, of land located at Hot Springs National Park, Arkansas, which comprise a part of the reservation presently occupied by the Army and Navy General Hospital, together with all buildings and improvements situated thereon and all appurtenances and utilities belonging or appertaining thereto.

Arkansas. Conveyance.

70A Stat. 147.

Limitation.

(b) The conveyance authorized by this Act may not include any part of that portion of the Hot Springs National Park, comprising approximately three and one-half acres hereinafter described by metes and bounds, presently occupied in part by the National Park Service, or any building, improvement, appurtenance, or utility appertaining thereto, or any personal property situated thereon. Such buildings, improvements, appurtenances, and utilities are hereby transferred to the Department of the Interior. The limitation made by the first sentence of this subsection applies to that portion of such park described as follows: Beginning at the west iron road gate post on the property line at Reserve Avenue at point A, northwesterly along the curb line to point B approximately midway along the curb line immediately east of building numbered 16; thence northeasterly to terminus of the rock wall at point C; thence northeasterly to the junction of the rock wall and the rock and masonry wall at point D; thence northeasterly along the rock and masonry wall to its junction with the United States Government property line at point E; thence southerly and westerly along the property line to the starting point at point A, containing approximately 3.5 acres, being the land shown on sheet 9 of 10 sheets, drawing numbered 109, entitled "Master Plan Army and Navy General Hospital, General Utility Map, as revised by the National Park Service, April 20, 1959, Dwg. No. NP–HS–7005."

Reservation.

SEC. 2. The deed of conveyance executed pursuant to this Act shall expressly reserve to the United States (a)

all mineral rights in the land so conveyed, and (b) full title to all thermal waters on and under such land. The Secretary of the Interior is authorized to grant to the State of Arkansas a permit for the use of so much of such waters as may be required for the use of such land by the State for the purposes described in section 3 of this Act.

Conditions.

SEC. 3. The deed of conveyance of real property authorized by this Act shall include the conditions that (a) such property shall be used by the State of Arkansas as a vocational rehabilitation center or for other public health or educational purposes, (b) if at any time the Secretary of the Army determines, upon advice received from the Secretary of Health, Education, and Welfare, that the property so conveyed is not used for such purposes, title thereto shall immediately revert to the United States, and (c) in the event of any such reversion, title to all improvements made thereon by the State of Arkansas during its occupancy shall vest in the United States without payment of compensation therefor.

Right of reentry.

SEC. 4. The deed of conveyance of the real property authorized by this Act shall include appropriate provisions to insure that (a) whenever the Congress of the United States declares a state of war or other national emergency, or the President declares a state of emergency and upon the determination by the Secretary of Defense that the property conveyed under this Act is useful or necessary for military, air, or naval purposes, or in the interest of national defense, the United States shall have the right, without obligation to make payment of any kind, to reenter upon the property and use the same or any part thereof, including any and all improvements made thereon by the State of Arkansas, for a period not to exceed the duration of such state of war or national emergency plus six months, and (b) upon the termination of such use by the United States, the property shall be returned to the State of Arkansas, together with any or all improvements thereon and appurtenances appertaining thereto.

SEC. 5. In executing the deed of conveyance authorized by this Act, the Secretary of the Army shall include such other reservations and conditions as he and the Secretary of the Interior shall determine to be required in the public interest.

Equipment and personal property.

SEC. 6. Upon the execution of that deed of conveyance the Secretary of the Army is further authorized, subject to the provisions of subsection (b) of the first section of this Act, to transfer to the State of Arkansas, without consideration, such equipment and personal property located at the Army and Navy General Hospital as he shall determine to be required for use by the State for the purposes stated in section 3 of this Act.

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Nonacceptance of conveyance.

SEC. 7. In the event the State of Arkansas does not accept the conveyance authorized by this Act on or before June 30, 1960, the Secretary of the Army shall thereafter report to the Administrator of the General Services Administration as excess property pursuant to the provisions of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, all the lands and improvements thereon comprising the Army and Navy General Hospital, Hot Springs National Park, Arkansas, and said lands and improvements thereon shall cease to be a part of the Hot Springs National Park, Arkansas.

40 U.S.C. 471 note.

SEC. 8. Notwithstanding any other provision of this Act, the Secretary of the Interior may take custody and control of any or all of the lands and improvements thereon comprising the Army and Navy General Hospital, and restore such lands and improvements to the Hot Springs National Park, if (a) the State of Arkansas does not accept the conveyance authorized by this Act on or before June 30, 1960, or (b) title thereto reverts to the United States following the conveyance thereof to the State of Arkansas.

12. Isle Royale National Park

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Commissioner to be appointed solely by the United States District Court	Act of April 21, 1948	139
Enlargement of the administrative headquarters site for park authorized	Act of August 14, 1958	140

An Act To provide that appointments of United States commissioners for the Isle Royale, Hawaii, Mammoth Cave, and Olympic National Parks shall be made by the United States district courts without the recommendation and approval of the Secretary of the Interior, approved April 21, 1948 (62 Stat. 196)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 5 of the Act entitled "An Act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes", approved March 6, 1942 (U.S.C., 1940 edition, Supp. V, title 16, sec. 408m), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate".

U.S. commissioners. Appointments to certain national parks.

56 Stat. 134.

SEC. 2. The first paragraph of section 6 of the Act entitled "An Act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes", approved April 19, 1930, as amended (U.S.C., 1940 edition, title 16, sec. 395e), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate".

46 Stat. 228.

SEC. 3. The first sentence of section 5 of the Act entitled "An Act to accept the cession by the Commonwealth of Kentucky of exclusive jurisdiction over the lands embraced within the Mammoth Cave National Park; to authorize the acquisition of additional lands for the park in accordance with the Act of May 25, 1926 (44 Stat. 635); to authorize the acceptance of donations of land for the development of a proper entrance road to the park; and for other purposes", approved June 5, 1942 (U.S.C., 1940 edition, Supp. V, title 16, sec. 404c–5), is amended by striking out "Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the" and inserting in lieu thereof "The".

56 Stat. 318.

SEC. 4. The first sentence of section 5 of the Act entitled "An Act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes", approved March 6, 1942 (U.S.C., 1940 edition, Supp. V, title 16 sec. 256d), is amended by striking out "Upon the recommendation and approval of the Secre-

56 Stat. 137.

tary of the Interior of a qualified candidate the" and inserting in lieu thereof "The". (See 28 U.S.C. § 631 note.)

An Act To authorize the enlargement of the administrative headquarters site for Isle Royale National Park, Houghton, Michigan, and for other purposes, approved August 14, 1958 (72 Stat. 604)

Isle Royale National Park, Mich.

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 acquire by purchase or donation, or with donated funds, a tract of land, or interests therein, located in Houghton, Michigan, fronting on Portage Lake and lying to the east of Franklin Street and to the north of Carroll Avenue, said land aggregating not more than three acres and being known as the Carroll Estate. The property so acquired shall be added to the existing nearby administrative headquarters site furnishing services and facilities required for the administration of Isle Royale National Park.

SEC. 2. Any funds now or hereafter made available for purposes of construction or for purposes of operation and maintenance within Isle Royale National Park may be used for such purposes with respect to the administrative site and facilities relating thereto at Houghton, Michigan. Any land acquisition funds now or hereafter made available to the Secretary of the Interior for purposes of the national park system may be used by the Secretary for the acquisition of the property authorized to be added to the headquarters site pursuant to this Act.

13. Kings Canyon National Park [1]

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Commissioner for Sequoia National Park authorized to exercise similar functions for Kings Canyon National Park	Act of April 23, 1946	141
Restriction on appropriations for road construction in park	Excerpt from Act of July 1, 1946	142
Act of March 4, 1940, amended to remove five-year restriction relating to granting of privileges	Act of August 17, 1950	142
Designation of the General Grant Tree (known as the Nation's Christmas Tree) in park as a national shrine	Joint Resolution of March 29, 1956	142
Revision of boundary of park	Act of August 14, 1958	143

An Act To authorize the United States commissioner for the Sequoia National Park to exercise similar functions for the Kings Canyon National Park, approved April 23, 1946 (60 Stat. 119)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States commissioner for the Sequoia National Park, appointed pursuant to section 8 of the Act of June 2, 1920 (41 Stat. 731, 733; 16 U.S.C., secs. 66–68), shall exercise the additional functions of a United States commissioner for the Kings Canyon National Park. The United States District Court for the Southern District of California shall prescribe the rules of procedure and practice for the commissioner in the trial of cases and for appeal to the district court. (See 28 U.S.C. § 631 note.)

Sequoia and Kings Canyon National Parks. U.S. commissioner.

SEC. 2. The commissioner shall have jurisdiction to issue process in the name of the United States for the arrest of any person charged with a violation of any of the rules and regulations made by the Secretary of the Interior in pursuance of law for the government and protection of the park, or with the commission within the park of a petty offense against the law, and to try the person so charged, who, if found guilty, shall be subject to the punishment prescribed by section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C., sec. 3), as amended. For the purposes of this Act, the term "petty offense" shall be defined as in section 335 of the Criminal Code (18 U.S.C., sec. 541). In all cases of conviction an appeal shall lie from the judgment of said commissioner to the district court. (See 28 U.S.C. § 632 note.)

Jurisdiction.

"Petty offense." 35 Stat. 1152.

SEC. 3. The commissioner shall have power to issue process in the name of the United States for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 2 of this Act, and to hear the evidence introduced. If he is of the opinion that probable cause is shown for holding the person so charged for trial, he

Other criminal offenses.

[1] See also General Legislation, pp. 16–17.

shall commit such person for further appropriate action, and shall certify a transcript of the record of his proceedings and the testimony in such case to the district court, which court shall have jurisdiction of the case. (*Ibid.*)

Fees, costs, and expenses.

SEC. 4. All fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. All fines, fees, costs, and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the United States District Court for the Southern District of California. (See 28 U.S.C. § 634 note.)

Excerpt from "An Act Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1947, and for other purposes," approved July 1, 1946 (60 Stat. 348, 377)

Restriction.

* * * Roads and trails, National Park Service: * * * *Provided*, That hereafter no part of appropriations made for the National Park Service shall be available for road construction in Kings Canyon National Park, California, except on the floor of the canyon of the South Fork of the Kings River and the Grant Grove section of that park. (16 U.S.C. § 80d–1.)

An Act To remove the present restriction relating to the granting of privileges within Kings Canyon National Park in order that privileges hereafter granted may be consistent with those granted in other areas of the National Park System, and for other purposes, approved August 17, 1950 (64 Stat. 458)

Kings Canyon National Park, Calif.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to permit the granting of privileges within Kings Canyon National Park, California, upon terms that are consistent with those granted in other national parks pursuant to the Act of August 25, 1916 (39 Stat. 535), the last sentence in section 4 of the Act of March 4, 1940 (54 Stat. 41, 44; 16 U.S.C., 1946 edition, sec. 80c), which limits the duration of such privileges to five years, is hereby repealed. (16 U.S.C. § 80c note.)

16 U.S.C. §§ 1–4, 22, 48.

Joint Resolution To designate the General Grant tree (known as the Nation's Christmas Tree) in Kings Canyon National Park, California, as a national shrine, approved March 29, 1956 (70 Stat. 57)

Whereas the General Grant tree, growing in the Kings Canyon National Park, California, was dedicated by the Federal Government on April 28, 1926, at the request of the citizens of Sanger, California, as the Nation's Christmas Tree; and

Whereas Sanger, California, was, on October 1, 1949, recognized by the Post Office Department as the Nation's Christmas Tree City; and

Whereas because of such dedication, and because of the work done and the interest shown by the citizens of Sanger, California, the Nation's Christmas Tree has become known nationally and internationally; and

Whereas it is appropriate and desirable at this time to provide further recognition of the Nation's Christmas Tree as a living symbol of our American heritage: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the General Grant tree, which is located in the Kings Canyon National Park, in Fresno County, California, and which was dedicated by the Federal Government in 1926 as the Nation's Christmas Tree, is hereby declared to be a national shrine in memory of the men and women of the Armed Forces who have served and fought and died to keep this Nation free and to preserve the spiritual, human, and civil rights which are the essence of our American heritage. The Secretary of the Interior, through the National Park Service, shall make appropriate provision for the perpetual care and maintenance of such shrine.

Nation's Christmas Tree.

SEC. 2. Nothing in this Act shall be deemed to change the name of the General Grant tree. (16 U.S.C. § 80a note.)

An Act To revise the boundary of the Kings Canyon National Park, in the State of California, and for other purposes, approved August 14, 1958 (72 Stat. 616)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of improving the boundary of Kings Canyon National Park, California, and excluding therefrom certain land that is no longer needed for park purposes, that particular area of the park, comprising approximately 160 acres, lying west of the section line between sections 21 and 22, and lying west of the section line between sections 27 and 28, township 13 south, range 30 east, Mount Diablo meridian, is hereby excluded from the park.

Kings Canyon National Park, Calif. Boundary revision.

Land excluded from the park by this section hereafter shall be a part of the Sequoia National Forest. (16 U.S.C. § 80a–1.)

SEC. 2. For the purpose of facilitating park road maintenance, and to include in the park certain property that is desirable for future use and development, the following land situated in section 7, township 14 south, range 28 east, Mount Diablo meridian, is hereby excluded from

the Sequoia National Forest and added to the Kings Canyon National Park:

East half northeast quarter, east half west half northeast quarter, northeast quarter southeast quarter, east half northwest quarter southeast quarter, and those portions of the southeast quarter southeast quarter and of the east half southwest quarter southeast quarter, lying north of the right-of-way of State Highway 180. (16 U.S.C. § 80a–2.)

14. Lassen Volcanic National Park [1]

Page
Lands added; boundaries revised----------Act of August 10, 1961 145

An Act To add certain federally owned land to the Lassen Volcanic National Park, in the State of California, and for other purposes, approved August 10, 1961 (75 Stat. 319)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following described lands of the Lassen National Forest are hereby excluded from the forest and added to the Lassen Volcanic National Park:

Lassen Volcanic National Park, Calif. Lands, addition.

Lots 1, 2, and 3, south half northeast quarter, and southeast quarter northwest quarter section 4; west half southeast quarter and those parts of the south half northwest quarter and of the southwest quarter of section 11 lying east of Lost Creek; and section 19, township 31 north, range 4 east, Mount Diablo meridian: *Provided*, That the aforesaid lands in section 19 are included within the national park subject to the right of the Secretary of Agriculture to construct and maintain a permanent road through such section in order to permit the use, protection, and administration of adjacent national forest lands and the removal of timber from the national forest. (16 U.S.C. § 207c.)

[1] See also General Legislation, pp. 16–17.

15. Mammoth Cave National Park

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Commissioner to be appointed solely by the United States District Court	Act of April 21, 1948	146
Amendment of section 11 of Act of June 5, 1942, and appropriation of $350,000 authorized for acquisition of lands	Act of June 30, 1948	147
Authorization for Secretary of the Interior to cooperate with the State of Kentucky to acquire non-Federal cave properties within the park	Act of March 27, 1954	147

An Act To provide that appointments of United States commissioners for the Isle Royale, Hawaii, Mammoth Cave, and Olympic National Parks shall be made by the United States district courts without the recommendation and approval of the Secretary of the Interior, approved April 21, 1948 (62 Stat. 196)

U.S. commissioners. Appointments to certain national parks. 56 Stat. 184.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 5 of the Act entitled "An Act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes", approved March 6, 1942 (U.S.C., 1940 edition, Supp. V, title 16, sec. 408m), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate."

SEC. 2. The first paragraph of section 6 of the Act entitled "An Act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes", approved April 19, 1930, as amended (U.S.C., 1940 edition, title 16, sec. 395e), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate".

46 Stat. 228.

SEC. 3. The first sentence of section 5 of the Act entitled "An Act to accept the cession by the Commonwealth of Kentucky of exclusive jurisdiction over the lands embraced within the Mammoth Cave National Park; to authorize the acquisition of additional lands for the park in accordance with the Act of May 25, 1926 (44 Stat. 635); to authorize the acceptance of donations of land for the development of a proper entrance road to the park; and for other purposes", approved June 5, 1942 (U.S.C., 1940 edition, Supp. V, title 16, sec. 404c-5), is amended by striking out "Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the" and inserting in lieu thereof "The".

56 Stat. 318.

SEC. 4. The first sentence of section 5 of the Act entitled "An Act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other pur-

poses", approved March 6, 1942 (U.S.C., 1940 edition, Supp. V, title 16, sec. 256d), is amended by striking out "Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the" and inserting in lieu thereof "The". (See 28 U.S.C. § 631 note.) 56 Stat. 137.

An Act To amend section 11 of the Act approved June 5, 1942 (56 Stat. 317), relating to Mammoth Cave National Park in the State of Kentucky, and for other purposes, approved June 30, 1948 (62 Stat. 1165)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 11 of the Act approved June 5, 1942 (56 Stat. 317, 319; 16 U.S.C. sec. 404c–11), is hereby amended to read as follows: Mammoth Cave National Park, Ky.

"In order to provide for acquisition of property on behalf of the United States, in accordance with the provisions of this section, there is hereby authorized to be appropriated the sum of not to exceed $350,000. Any of the funds appropriated pursuant to the provisions hereof which are not needed to acquire property as authorized by this section may, in the discretion of the Secretary of the Interior, be used to acquire lands and interests in lands required for the development of a proper and suitable entrance road to Mammoth Cave National Park, as authorized in section 12 of this Act. The funds heretofore deposited in the Treasury under special fund receipt account 146664 shall, upon the passage of this Act, be transferred to the general fund of the Treasury as miscellaneous receipts: *Provided*, That no part of this authorization shall be used for road development or construction until after all the lands within the maximum boundaries, as authorized by the Act of May 25, 1926 (44 Stat. 635), have been acquired by purchase, condemnation or otherwise." (16 U.S.C. § 404c–11.) Appropriation authorized. Acquisition of lands. 56 Stat. 320. Restriction. 16 U.S.C. §§ 404–404c.

An Act To authorize the Secretary of the Interior to cooperate with the State of Kentucky to acquire non-Federal cave properties within the authorized boundaries of Mammoth Cave National Park in the State of Kentucky, and for other purposes, approved March 27, 1954 (68 Stat. 36)

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 cooperate with the State of Kentucky for the purpose of arranging for the eventual acquisition by the United States of the Great Onyx Cave and the Crystal Cave within the authorized boundaries of Mammoth Cave National Park. The Secretary shall deposit to the credit of a special receipt account that portion of the annual admission, guide, and elevator fee receipts from the said Kentucky. U.S. authority to acquire cave properties.

park which exceeds the annual amount available to the park for management, guide, and protection purposes, which funds so deposited may be expended thereafter in payment for the purchase of said cave properties. The Secretary is further authorized to enter into such contracts and agreements as he may determine to be necessary to effectuate the acquistion of the cave properties as authorized herein. (16 U.S.C. § 404b–2.)

16. Mount McKinley National Park

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Receipts for fiscal years 1957, 1958, and 1959 from the operation of McKinley Park Hotel in park to be applied to costs of managing, operating, and maintaining hotel—Excerpts from Acts of June 13, 1956	149
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Authority of the United States in Mount McKinley National Park not affected by admission of the State of Alaska into the Union—	
—Excerpt from Act of July 7, 1958	150

Excerpt from "An Act Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1957, and for other purposes," approved June 13, 1956 (70 Stat. 257, 263)

* * * * * * *

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed one hundred and ten passenger motor vehicles of which one hundred and nine shall be for replacement only, including not to exceed seventeen for replacing United States Park Police cruisers; and the objects and purposes specified in the Acts of August 8, 1953 (67 Stat. 495, 496) and July 1, 1955 (69 Stat. 242): *Provided*, That all receipts for the fiscal year 1957 from the operation of the McKinley Park Hotel in Mount McKinley National Park, Alaska, may be applied to, or offset against, costs of managing, operating, and maintaining the hotel and related facilities, and any receipts or other revenues in excess of such costs shall be deposited at least annually into the Treasury of the United States as miscellaneous receipts.

16 U.S.C. 1b-d 18f.

Excerpt from "An Act Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes," approved July 1, 1957 (71 Stat. 257, 263)

* * * * * * *

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed one hundred and seventeen passenger motor vehicles for replacement only, including not to exceed seventeen for replacing United States Park Police cruisers; and the objects and purposes specified in the Acts of August 8, 1953 (16 U.S.C. 1b–1d) and July 1, 1955 (16 U.S.C. 18f): *Provided*, That all receipts for the fiscal year 1958 from the operation of the McKinley Park Hotel in Mount McKinley National Park, Alaska, may be applied to, or offset against, costs of managing, operating, and main-

67 Stat. 495, 496; 69 Stat. 242.

taining the hotel and related facilities, and any receipts or other revenues in excess of such costs shall be deposited at least annually into the Treasury of the United States as miscellaneous receipts.

Excerpt from "An Act Making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1959, and for other purposes," approved June 4, 1958 (72 Stat. 155, 161)

* * * * * * *

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed eighty-four passenger motor vehicles for replacement only, including not to exceed seventeen for replacing United States Park Police cruisers; purchase of one aircraft; and the objects and purposes specified in the Acts of August 8, 1953 (16 U.S.C. 1b–1d) and July 1, 1955 (16 U.S.C. 18f): *Provided*, That all receipts for the fiscal year 1959 from the operation of the McKinley Park Hotel in Mount McKinley National Park, Alaska, may be applied to, or offset against, costs of managing, operating, and maintaining the hotel and related facilities, and any receipt or other revenues in excess of such costs shall be deposited at least annually into the Treasury of the United States as miscellaneous receipts.

67 Stat. 495, 496; 69 Stat. 242.

Excerpt from "An Act To provide for the admission of the State of Alaska into the Union," approved July 7, 1958 (72 Stat. 339, 347)

* * * * * * *

Mount McKinley National Park.

SEC. 11. (a) Nothing in this Act shall affect the establishment, or the right, ownership, and authority of the United States in Mount McKinley National Park, as now or hereafter constituted; but exclusive jurisdiction, in all cases, shall be exercised by the United States for the national park, as now or hereafter constituted; saving, however, to the State of Alaska the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State, but outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing now or hereafter in such area the right to vote at all elections held within the respective political subdivisions of their residence in which the park is situated. (48 U.S.C. prec. § 21 note.)

17. Mount Rainier National Park

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Secretary of the Interior authorized to acquire the property and facilities of the Rainier National Park Company——Act of September 21, 1950	151
Secretary of the Interior authorized to provide a headquarters site for park in general vicinity of Ashford, Washington——Act of June 27, 1960	151

An Act Authorizing the Secretary of the Interior to acquire on behalf of the United States Government all property and facilities of the Rainier National Park Company, approved September 21, 1950 (64 Stat. 895)

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 hereby authorized, in his discretion and under such terms and conditions as he may deem proper, to acquire on behalf of the United States, at a price considered by him to be reasonable, all of the property and facilities of the Rainier National Park Company within the Mount Rainier National Park used for the purpose of furnishing accommodations and conveniences to the public visiting said park, excluding, however, such facilities of the company as are used in furnishing transportation for the said park.

Rainier National Park Company. Acquisition of property by Interior Department.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sum or sums as may be necessary to carry out the provisions of this Act.

Appropriation authorized.

An Act To authorize the Secretary of the Interior to provide a headquarters site for Mount Rainier National Park in the general vicinity of Ashford, Washington, and for other purposes, approved June 27, 1960 (74 Stat. 219)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to apply the present headquarters site in Mount Rainier National Park to public use for which it is more suitable and to provide a headquarters for the park, the Secretary of the Interior is authorized to provide a park headquarters in the general vicinity of Ashford, Washington, and for such purpose to acquire in this vicinity, by such means as he may deem to be in the public interest, not more than three hundred acres of land, or interest therein. (16 U.S.C. § 110a [Supp. II].)

Mount Rainier National Park. Headquarters site.

SEC. 2. The headquarters site provided pursuant to this Act shall constitute a part of Mount Rainier National Park and be administered in accordance with the laws applicable thereto. (16 U.S.C. § 110b [Supp. II].)

18. Olympic National Park [1]

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Acquisition, rehabilitation, and operation of facilities for the public in park authorized	Act of December 6, 1944	152
Commissioner to be appointed solely by the United States District Court	Act of April 21, 1948	152
Fishery facilities, exchange authorized	Act of June 8, 1949	153
Secretary of the Interior authorized to exchange lands adjacent to portions of park	Act of June 11, 1958	153

An Act To authorize the acquisition, rehabilitation, and operation of the facilities for the public in the Olympic National Park, in the State of Washington, and for other purposes, approved December 6, 1944 (58 Stat. 793)

Olympic National Park, Wash.

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 hereby authorized, in his discretion, to acquire by purchase at prices deemed by him reasonable, the buildings, structures, furniture, fixtures, and any other real or personal property of the Olympic Recreation Company and the Olympic Chalet Company within the Olympic National Park in the State of Washington.

Appropriation authorized.

SEC. 2. That for the purposes of this Act, there is hereby authorized to be appropriated not to exceed the sum of $35,000. (See 16 U.S.C. § 251 note.)

An Act To provide that appointments of United States commissioners for the Isle Royale, Hawaii, Mammoth Cave, and Olympic National Parks shall be made by the United States district courts without the recommendation and approval of the Secretary of the Interior, approved April 21, 1948 (62 Stat. 196)

U.S. commissioners. Appointments to certain national parks.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 5 of the Act entitled "An Act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes", approved March 6, 1942 (U.S.C., 1940 edition, Supp. V, title 16, sec. 408m), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate".

56 Stat. 134.

SEC. 2. The first paragraph of section 6 of the Act entitled "An Act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes", approved April 19, 1930, as amended (U.S.C., 1940 edition, title 16, sec. 395e), is amended by striking out "upon the recommendation and

46 Stat. 228.

[1] See also General Legislation, p. 16.

approval of the Secretary of the Interior of a qualified candidate".

SEC. 3. The first sentence of section 5 of the Act entitled "An Act to accept the cession by the Commonwealth of Kentucky of exclusive jurisdiction over the lands embraced within the Mammoth Cave National Park; to authorize the acquisition of additional lands for the park in accordance with the Act of May 25, 1926 (44 Stat. 635); to authorize the acceptance of donations of land for the development of a proper entrance road to the park; and for other purposes", approved June 5, 1942 (U.S.C., 1940 edition, Supp. V, title 16, sec. 404c-5), is amended by striking out "Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the" and inserting in lieu thereof "The". 56 Stat. 318.

SEC. 4. The first sentence of section 5 of the Act entitled "An Act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes", approved March 6, 1942 (U.S.C., 1940 edition, Supp. V, title 16, sec. 256d), is amended by striking out "Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the" and inserting in lieu thereof "The". (See 28 U.S.C. § 631 note.) 56 Stat. 137.

An Act To authorize the exchange of certain fishery facilities within the State of Washington, approved June 8, 1949 (63 Stat. 159)

Washington. Exchange of certain fishery facilities.

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, in his discretion, to accept from the State of Washington on behalf of the United States title to the land and facilities located in Clallam County, Washington, known as the Lake Crescent Hatchery, and in exchange therefor to convey by deed on behalf of the United States to the State of Washington the fish hatchery facilities in Skagit County, Washington, designated as the Birdsview Fish Cultural Station.

SEC. 2. The lands and facilities acquired by the Secretary of the Interior under the terms of this Act shall become a part of the Olympic National Park and shall be administered under the laws and regulations applicable thereto.

An Act To authorize the Secretary of the Interior to exchange lands at Olympic National Park, and for other purposes, approved June 11, 1958 (72 Stat. 185)

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

677-347—63——11

Olympic National Park. Exchnge of lands.

to exchange approximately six thousand six hundred eight and ninety-six one-hundredths acres of land adjacent to the Queets Corridor and Ocean Strip portions of Olympic National Park, which were originally acquired by the Federal Government for public works purposes, for lands and interest in lands not in Federal ownership within the exterior boundaries of the park: *Provided*, That the lands so exchanged shall be of approximately equal value. (16 U.S.C. § 251b.)

SEC. 2. Lands acquired pursuant to the exchange authority contained herein shall be administered as a part of Olympic National Park in accordance with the laws and regulations applicable to the park. (16 U.S.C. § 251c.)

SEC. 3. The provisions of this Act shall not be applicable with respect to any privately owned lands lying within the exterior boundaries of the Olympic National Park which are within township 23 north, range 10 west; township 23 north, range 9 west; township 24 north, range 9 west; and township 24 north, range 8 west, West Willamette meridian; and lot 5 of the July Creek lot survey consisting of .15 acre, and lot 12 of the July Creek lot survey consisting of .35 acre. (16 U.S.C. § 251d.)

19. Petrified Forest National Park

		Page
Establishment authorized	Act of March 28, 1958	155

An Act To authorize the establishment of the Petrified Forest National Park in the State of Arizona, and for other purposes, approved March 28, 1958 (72 Stat. 69)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to permit the establishment of the Petrified Forest National Monument, Arizona, and other lands as provided for herein, as the Petrified Forest National Park, such national park shall be established (a) after title to all of the lands described in section 2 of this Act shall have been vested in the United States, with the exception of such easements and rights-of-way for railroad, public utilities, and highway purposes as may be acceptable to the Secretary of the Interior, and (b) when notification of the effective date of such establishment of the park, as determined by the said Secretary, is published in the Federal Register. Disestablishment of the Petrified Forest National Monument shall be effected concurrently with the establishment of the park.

Petrified Forest National Park, Ariz. Establishment.

Publication in F.R.

The Petrified Forest National Park shall be preserved and administered in its natural condition by the Secretary of the Interior for the public benefit in accordance with the general laws governing areas of the National Park System and in accordance with the basic policies relating thereto as prescribed by the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C., 1952 edition, secs. 1–3).

The exchange authority prescribed for the Petrified Forest National Monument in the Act of May 14, 1930 (46 Stat. 278; 16 U.S.C., 1952 edition, secs. 444, 444a), is hereby extended to all the lands within the Petrified Forest National Park as herein authorized.

For the purposes of this Act, the Secretary is authorized to acquire, in such manner as he shall consider to be in the public interest, any non-Federal land or interests in land within the area hereby authorized to be established as the Petrified Forest National Park. In acquiring any State-owned land or interests therein within the aforesaid area, such property may be procured by the United States without regard to any limitations heretofore prescribed by the Congress relating to the disposal of State-owned properties.

Upon establishment of the Petrified Forest National Park, as authorized by this Act, any remaining balance of funds that may be available for purposes of the Petrified Forest National Monument shall thereafter be

available for expenditure for purposes of the Petrified Forest National Park. (16 U.S.C. §119.)

SEC. 2. The Petrified Forest National Park, authorized to be established pursuant to section 1 of this Act, shall comprise the following described lands:

GILA AND SALT RIVER MERIDIAN

Township 20 north, range 23 east: Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, 36, all.

Township 20 north, range 24 east: All.

Township 20 north, range 25 east: Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, all.

Township 19 north, range 23 east: Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, all.

Township 19 north, range 24 east: Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, all; section 11, northwest quarter and north half northeast quarter; sections 16, 17, 18, 21, 28, 33, all.

Township 18 north, range 24, east: Sections 4, 9, all; section 10, southwest quarter; sections 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36, all.

Township 17 north, range 24 east: Sections 2, 11, 14, 23, 26, west halves; sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, all.

Township 17 north, range 23 east: Sections 34, 35, 36, all.

Township 16 north, range 24 east: Sections 3 and 10, west halves; sections 4, 5, 6, 7, 8, 9, all.

Township 16 north, range 23 east: Sections 1, 2, 11, 12, all; sections 3, 10, east halves. (16 U.S.C. § 119a.)

20. Rocky Mountain National Park

		Page
Exchange of certain lands authorized	Act of July 14, 1945	157
Addition of lands and authority to acquire other lands for eastern approach road	Act of August 24, 1949	158
Exchange of property with Colorado Transportation Company authorized; boundaries revised	Act of August 17, 1961	159

An Act To authorize an exchange of certain lands with William W. Kiskadden in connection with the Rocky Mountain National Park, Colorado, approved July 14, 1945 (59 Stat. 466)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon submission of satisfactory evidence of title the Secretary of the Interior is hereby authorized, in his discretion, to accept title on behalf of the United States to the following described land conveyed to William W. Kiskadden by warranty deed numbered 174403 from Mrs. Arah Chapman, recorded August 24, 1916, in book 339, page 231, records of Larimer County, Colorado: Beginning at the northeast corner of the southwest quarter of section 31, township 5 north, range 73 west, sixth principal meridian, Colorado; thence south four hundred and eighty feet; thence west two hundred feet; thence north 27 degrees 30 minutes west five hundred and forty-one feet; thence east four hundred and fifty feet to the place of beginning, containing approximately three and fifty-eight one-hundredths acres, and in exchange therefor to issue a patent for that portion of the northeast quarter of the southwest quarter and that portion of the southeast quarter of the northwest quarter of section 31, township 5 north, range 73 west, sixth principal meridian, Colorado, more particularly described as follows: Beginning at a point from whence the center quarter-section corner of section 31 bears south 79 degrees no minutes east, three hundred and sixty and nine-tenths feet; thence south four hundred and eighty feet to a point from whence the east quarter corner of section 31 bears north 79 degrees 22 minutes east, two thousand six hundred and seventy-three and six-tenths feet; thence west two hundred feet; thence north 27 degrees 30 minutes west, five hundred and forty-one feet; thence east four hundred and fifty feet to the point of beginning, containing approximately three and five-tenths acres: *Provided*, That the land conveyed to the United States, other than the land to be patented, shall, upon acceptance of title thereto, become a part of the Rocky Mountain National Park Colorado, and become subject to all laws and regulations applicable to said park. (16 U.S.C. § 192b–1.)

William W. Kiskadden. Exchange of lands.

An Act For the addition of certain lands to Rocky Mountain National Park, Colorado, and for other purposes, approved August 24, 1949 (63 Stat. 626)

Rocky Mountain National Park, Colo. Additional lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands, comprising approximately one hundred and forty acres, are hereby added to Rocky Mountain National Park and shall be subject to all laws and regulations applicable to said park:

SIXTH PRINCIPAL MERIDIAN

Township 5 north, range 73 west, section 27, southwest quarter northwest quarter, and west half southwest quarter; section 34, west half northeast quarter northwest quarter. (16 U.S.C. § 192b–2.)

SEC. 2. The Secretary of the Interior is authorized to acquire lands and interests in lands by donation or with donated funds, by purchase with Federal funds, or otherwise, in his discretion, for development of an appropriate eastern approach to the park, described as follows:

SIXTH PRINCIPAL MERIDIAN

Township 5 north, range 73 west; those parts of the following subdivisions lying south of the south boundary of the present Highdrive Road right-of-way: Section 27, east half southwest quarter, and south half southeast quarter; section 34, northeast quarter northeast quarter; section 35, west half northwest quarter northwest quarter; those parts of the following subdivisions lying north and west of the left bank of the Big Thompson River: Section 34, north half southeast quarter northeast quarter; section 35, southwest quarter northwest quarter comprising approximately one hundred and forty-five acres; and a strip of land, not to exceed an average of five hundred feet in width, generally paralleling the Thompson River for approximately one and six-tenths miles from near the center of section 25, township 5 north, range 73 west, to the one hundred and forty-five-acre tract described elsewhere in this section. (16 U.S.C. § 192b–3.)

Issuance of orders.

SEC. 3. All property acquired pursuant to this Act shall become a part of the park, following acquisition of title thereto by the United States upon the issuance of an appropriate order or orders by the Secretary of the Interior setting forth the revised boundaries of the park, such order or orders to be effective immediately upon the expiration of thirty full calendar days after publication in the Federal Register. Lands so added to the park shall thereafter be subject to all laws and regulations applicable to the park. (16 U.S.C. § 192b–5.)

Acquisition of property.

SEC. 4. The Secretary of the Interior is authorized to acquire by purchase or otherwise such properties within

the exterior boundaries of Rocky Mountain National Park as may be deemed by him to be necessary in connecting the eastern approach road with the existing Bear Lake and Trail Ridge roads, and in developing the present governmental residential, utility, and proposed administrative units. (16 U.S.C. § 192b–4.)

An Act To authorize the Secretary of the Interior to exchange certain property in Rocky Mountain National Park, Colorado, and for other purposes, approved August 17, 1961 (75 Stat. 383)

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 in the manner and to the extent hereinafter provided land, interests in land, and improvements in Rocky Mountain National Park: Rocky Mountain National Park, Colo.

(1) The Secretary may convey to the Colorado Transportation Company the possessory interest which the United States has in the Fall River Pass Building, but not the land upon which the building is situated, adjacent to the Trail Ridge Road in section 36, township 6 north, range 75 west: *Provided*, The United States shall reserve for a period of two years the right to use without charge the alpine exhibit room; and he may also convey to said company all right, title, and interest of the United States in and to the property known as Grand Lake Lodge, described in section 3 hereof as parcel A, including the land and any improvements thereon owned by the United States;

(2) In exchange for the foregoing, the Secretary is authorized to accept from the Colorado Transportation Company the land and interests therein located in Rocky Mountain National Park, described in section 3 as parcels C and D, together with such other privately owned land and interests in land within the park as he may designate;

(3) In exchange for the Government property conveyed pursuant to this Act the United States shall receive other property of approximately equal value and such differences as there may be in values shall be equalized by a payment of funds: *Provided*, That all procedures and rights authorized in this Act shall be in conformity with that agreement entered into under date of February 7, 1961, by and between the United States of America and the Colorado Transportation Company. (16 U.S.C. § 192b–6.)

SEC. 2. Upon consummation of the exchange the Secretary shall, by publishing notice in the Federal Register, revise the boundary of Rocky Mountain National Park so as to exclude from the park the land described in section 3 as combined parcels A and B. (16 U.S.C. § 192b–7.) Publication in F.R.

SEC. 3. The aforesaid parcels A, C, and D, and the combined parcels A and B are, subject to minor revisions or corrections of a technical nature, more particularly described as follows:

PARCEL A

Beginning at the southeast corner of section 31, township 4 north, range 75 west of the sixth principal meridian; thence north 800.0 feet along the east line of said section 31; thence west 1,000.0 feet; thence south 134.06 feet; thence west 329.75 feet; thence south 166.94 feet; thence west 1,078.60 feet; thence south 497.82 feet, more or less, to the south line of said section 31; thence east along the south line of said section 31 to the point of beginning, containing 35 acres more or less.

PARCEL C

Beginning at a point on the west line of section 32, township 4 north, range 75 west of the sixth principal meridian, 800 feet north of the southwest corner of said section 32; thence east 660.0 feet; thence north 520.0 feet; thence east 660.0 feet; thence north 1,325.94 feet; thence west to the west line of said section 32; thence south along said west line of said section 32 to the point of beginning, containing 48 acres, more or less.

PARCEL D

Beginning at a point 800.0 feet north and 660.0 feet east of the southwest corner of section 32, township 4 north, range 75 west of the sixth principal meridian; thence east 1,962.18 feet; thence north 520.0 feet; thence west 1,962.18 feet; thence south 520.0 feet to the point of beginning, containing 23.5 acres, more or less.

COMBINED PARCELS A AND B

Beginning at the corner common to sections 31 and 32, township 4 north, range 75 west, and sections 5 and 6, township 3 north, range 75 west, sixth principal meridian; thence south 88 degrees 55 minutes east, 660.0 feet along the south section line of said section 32; thence north 800.0 feet; thence west 660.0 feet, more or less, to a point on the section line common to said sections 31 and 32; thence continuing west 1,000.0 feet; thence south 134.06 feet; thence west 329.75 feet; thence south 166.94 feet; thence west 1,078.6 feet; thence south 497.82 feet, more or less, to a point on the south section line of said section 31; thence south 89 degrees 24 minutes east, 2,389.47 feet along the south section line of said section 31 to the point of beginning; the tract as described containing approximately 47 acres. (16 U.S.C. § 192b–8.)

21. Sequoia National Park [1]

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Commissioner for Sequoia National Park authorized to exercise similar functions for Kings Canyon National Park——Act of April 23, 1946	161
Exclusion of certain lands from Sequoia National Park——Act of August 14, 1958	162

An Act To authorize the United States commissioner for the Sequoia National Park to exercise similar functions for the Kings Canyon National Park, approved April 23, 1946 (60 Stat. 119)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States commissioner for the Sequoia National Park, appointed pursuant to section 8 of the Act of June 2, 1920 (41 Stat. 731, 733; 16 U.S.C., secs. 66–68), shall exercise the additional functions of a United States commissioner for the Kings Canyon National Park. The United States District Court for the Southern District of California shall prescribe the rules of procedure and practice for the commissioner in the trial of cases and for appeal to the district court. (See 28 U.S.C. § 631 note.)

Sequoia and Kings Canyon National Parks. U.S. commissioner.

SEC. 2. The commissioner shall have jurisdiction to issue process in the name of the United States for the arrest of any person charged with a violation of any of the rules and regulations made by the Secretary of the Interior in pursuance of law for the government and protection of the park, or with the commission within the park of a petty offense against the law, and to try the person so charged, who, if found guilty, shall be subject to the punishment prescribed by section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C., sec. 3), as amended. For the purposes of this Act, the term "petty offense" shall be defined as in section 335 of the Criminal Code (18 U.S.C., sec. 541). In all cases of conviction an appeal shall lie from the judgment of said commissioner to the district court. (See 28 U.S.C. § 632 note.)

Jurisdiction.

"Petty offense." 35 Stat. 1152.

SEC. 3. The commissioner shall have power to issue process in the name of the United States for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 2 of this Act, and to hear the evidence introduced. If he is of the opinion that probable cause is shown for holding the person so charged for trial, he shall commit such person for further appropriate action, and shall certify a transcript of the record of his proceedings and the testimony in such case to the district court, which court shall have jurisdiction of the case. (*Ibid.*)

Other criminal offenses.

[1] See also General Legislation, pp. 16–17.

Fees, costs, and expenses.

SEC. 4. All fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States. All fines, fees, costs, and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the United States District Court for the Southern District of California. (See 28 U.S.C. § 634 note.)

An Act To exclude certain lands from the Sequoia National Park in the State of California, and for other purposes, approved August 14, 1958 (72 Stat. 604)

Sequoia National Park, Calif. Exclusion of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of eliminating certain lands from the Sequoia National Park, the Secretary of the Interior, with the approval of the Secretary of Agriculture, is hereby authorized to exclude from the Sequoia National Park not to exceed ten acres of land situated adjacent to the boundary of the park in township 17 south, range 30 east, Mount Diablo meridian and at a place where the Mineral King Road intersects the east line of said township. Land so excluded shall become a part of the Sequoia National Game Refuge, within the Sequoia National Forest. Exclusion of such land from the park and the addition thereof to the Sequoia National Game Refuge of the Sequoia National Forest, pursuant to this section, shall be effective upon publication of notice thereof in the Federal Register. (16 U.S.C. § 45a–3.)

Notification in F.R.

22. Shenandoah National Park

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Commissioner to be appointed solely by the United States District Court for the Western District of Virginia—Act of May 15, 1947	163
Exchange of certain property within park authorized—Act of September 13, 1960	163
Section of Blue Ridge Parkway transferred to park—Act of June 30, 1961	164

An Act To provide that the United States District Court for the Western District of Virginia shall alone appoint the United States commissioner for the Shenandoah National Park, approved May 15, 1947 (61 Stat. 92)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 5 of the Act entitled "An Act to direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes", approved August 19, 1937 (U.S.C., 1940 edition, title 16, sec. 403c–5), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate". (See 28 U.S.C. § 631 note.)

Shenandoah National Park. Appointment of commissioner.

50 Stat. 702.

An Act To authorize the exchange of certain property within Shenandoah National Park, in the State of Virginia, and for other purposes, approved September 13, 1960 (74 Stat. 915)

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 may accept title to approximately 37.44 acres of land within the authorized boundaries of the Shenandoah National Park, said land fronting on United States Highway Numbered 211 and being more particularly described as follows:

Shenandoah National Park, Va. Land exchange.

Beginning at park monument H–8, thence with the park boundary line the following courses and distances: north 51 degrees 57 minutes, east 2,242.0 feet to park monument H–9; south 26 degrees 40 minutes, east 51.0 feet to park monument H–10; south 32 degrees 40 minutes, east 340.0 feet to park monument H–11; south 11 degrees 35 minutes, east 190.0 feet to park monument H–12; south 41 degrees 26 minutes, east 329.0 feet to park monument H–13; thence crossing Pass Run south 57 degrees 00 minutes 36 seconds, west 1,871.32 feet to a marked white oak tree near the northeast edge of the fire road on top of Piney Mountain, thence north 58 degrees 36 minutes, west 771.16 feet to the point of beginning.

In exchange for the aforesaid land the Secretary is authorized to convey on the basis of approximately equal values a parcel of park land containing approximately 38.58 acres, being more particularly described as follows:

Beginning at park monument P–153, a point in the center of Route 666, Virginia Department of Highways, thence with the park boundary line the following courses and distances: north 66 degrees 27 minutes, west 345.0 feet to park monument P–152; north 41 degrees 08 minutes, east 705.0 feet to park monument P–151; north 63 degrees 01 minutes, west 302.0 feet to park monument P–150; north 30 degrees 38 minutes, east 1,110.0 feet to park monument P–149; south 74 degrees 36 minutes, east 443.0 feet to park monument P–148; north 41 degrees 33 minutes, east 109.0 feet to park monument P–147; south 69 degrees 50 minutes, east 668.0 feet to the center of the said Route 666; thence leaving the courses of the park boundary line and following the alinement of said Route 666 for the following courses and distances; south 36 degrees 26 minutes, west 436.0 feet; south 33 degrees 45 minutes, west 398.0 feet; south 29 degrees 39 minutes, west 388.0 feet; south 13 degrees 55 minutes, west 100.0 feet; south 04 degrees 16 minutes, west 70.0 feet; south 32 degrees 37 minutes, west 49.0 feet; north 89 degrees 45 minutes, west 43.0 feet; north 66 degrees 43 minutes, west 50.0 feet; north 89 degrees 26 minutes, west 100.0 feet; north 73 degrees 39 minutes, west 78.0 feet; north 84 degrees 11 minutes, west 45.0 feet; south 72 degrees 08 minutes, west 100.0 feet; south 43 degrees 17 minutes, west 50.0 feet; south 30 degrees 57 minutes, west 73.0 feet; south 47 degrees 22 minutes, west 70.0 feet; south 65 degrees 32 minutes, west 68.0 feet; south 80 degrees 05 minutes, west 130.0 feet; south 51 degrees 40 minutes, west 118.0 feet; south 66 degrees 51 minutes, west 36.0 feet; to the point of beginning. (16 U.S.C. § 403–2, [Supp. II].)

An Act To transfer a section of Blue Ridge Parkway to the Shenandoah National Park, in the State of Virginia, and for other purposes, approved June 30, 1961 (75 Stat. 192)

Blue Ridge Parkway, Va. Transfer of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to valid existing rights, the lands and interests in lands which comprise section 1–A of the Blue Ridge Parkway and lie between the southern boundary of the Shenandoah National Park at Jarman Gap and parkway centerline station 448+00 at Rockfish Gap are excluded from the parkway, made a part of the Shenandoah National Park, and shall be administered in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented. (16 U.S.C. § 403–3.)

23. Virgin Islands National Park

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Establishment of park authorized	Act of August 2, 1956	165
Amendment of establishment act by deletion of section 3 providing for appropriation of certain Federal funds	Act of May 16, 1958	166
Boundaries revised	Act of October 5, 1962	166

An Act To authorize the establishment of the Virgin Islands National Park, and for other purposes, approved August 2, 1956 (70 Stat. 940)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a portion of the Virgin Islands of the United States, containing outstanding scenic and other features of national significance, shall be established, as prescribed in section 2 hereof, as the "Virgin Islands National Park". Virgin Islands National Park.

The national park shall be administered and preserved by the Secretary of the Interior in its natural condition for the public benefit and inspiration, in accordance with the laws governing the administration of the national parks (16 U.S.C. 1, and the following). (16 U.S.C. § 398.) Administration. 39 Stat. 535.

SEC. 2. The Secretary of the Interior is hereby authorized, subject to the following conditions and limitations, to proceed in such manner as he shall find to be necessary in the public interest to consummate the establishment of the Virgin Islands National Park: Conditions and limitations.

(a) The acreage of the national park shall be limited to a total of not more than nine thousand five hundred acres of land area, such total to be comprised of not more than fifteen acres on the island of Saint Thomas, and not more than nine thousand four hundred and eighty-five additional acres to be comprised of portions of the island of Saint John and such small islands, rocks, and cays not in excess of five hundred acres in the general vicinity thereof as may be desirable for inclusion within the park;

(b) Tentative exterior boundary lines, to include land not in excess of the aforesaid acreage limitations, may be selected for the park in order to establish the particular areas in which land may be acquired pursuant to this Act, such tentative boundaries to be selected and adjusted as may be necessary by the Secretary of the Interior;

(c) The Secretary, on behalf of the United States, is authorized to accept donations of real and personal property within the areas selected for the park until such time as the aforesaid total of nine thousand five hundred acres shall have been acquired for the park by the United States, and he may also accept donations of funds for the purposes of this Act;

(d) Any Federal properties situated within the areas selected for the park upon agreement by the particular

agency administering such properties that such properties should be made available for the park, may be transferred without further authorization to the Secretary by such agency for purposes of this Act;

(e) Establishment of the Virgin Islands National Park, in its initial phase, shall be and is hereby declared to be accomplished and effective for purposes of administration when a minimum acreage of not less than five thousand acres in Federal ownership for purposes of this Act shall have been acquired by the United States in specific areas containing such acquired lands to be designated by the Secretary; and

Publication in F.R.

(f) Notice of the establishment of the park as authorized and prescribed by this Act shall be published in the Federal Register. (16 U.S.C. § 398a.)

Appropriation.

SEC. 3. There is hereby authorized to be appropriated from Federal funds a sum not in excess of $60,000 for capital improvements for said Virgin Islands National Park, and a sum of not in excess of $30,000 annually for the administration of the Virgin Islands National Park. (Repealed, 16 U.S.C. § 398b.)

An Act To amend the Act of August 2, 1956 (70 Stat. 940), providing for the establishment of the Virgin Islands National Park, and for other purposes, approved May 16, 1958 (72 Stat. 112)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 2, 1956 (70 Stat. 940), entitled "An Act to authorize the establishment of the Virgin Islands National Park, and for other purposes" is hereby amended by striking section 3 therefrom. (16 U.S.C. § 398b.)

16 U.S.C. 398.

An Act To revise the boundaries of the Virgin Islands National Park, Saint John, Virgin Islands, and for other purposes, approved October 5, 1962 (76 Stat. 746)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the purposes of the Act of August 2, 1956 (70 Stat. 940), as amended, providing for the establishment of the Virgin Islands National Park, and in order to preserve for the benefit of the public significant coral gardens, marine life, and seascapes in the vicinity thereof, the boundaries of such park, subject to valid existing rights, are hereby revised to include the adjoining lands, submerged lands, and waters described as follows:

Virgin Islands National Park, Saint John, V.I. Boundary revision. 16 U.S.C. 398.

NORTH OFFSHORE AREA

Beginning at the hereinafter lettered point A on the shore of Cruz Bay, a corner in the Virgin Islands National Park boundary, being also a corner of lot F, Cruz

Bay, added to the park by order of designation signed June 29, 1960, by the Assistant Secretary of the Interior pursuant to the Act of August 2, 1956 (70 Stat. 940), and published in the Federal Register of July 7, 1960, the said corner being the terminus of the course recited therein as "north 58 degrees 50 minutes west a distance of 20.0 feet, more or less, along Government land to a point;" for the third call in the metes and bounds description lot F, Cruz Bay. 25 F.R. 6408.

From the initial point A, distances in nautical miles, along direct courses between the hereinafter lettered points at geographic positions (latitudes north, longitudes west):

Northwestward approximately 0.13 mile to point B, latitude 18 degrees 20 minutes 08 seconds, longitude 64 degrees 47 minutes 43 seconds in Cruz Bay;

0.43 mile to point C, latitude 18 degrees 20 minutes 08 seconds, longitude 64 degrees 48 minutes 10 seconds in Pillsbury Sound;

1.99 miles to point F, latitude 18 degrees 22 minutes 30 seconds, longitude 64 degrees 48 minutes 10 seconds in Windward Passage;

1.64 miles to point E, latitude 18 degrees 22 minutes 10 seconds, longitude 64 degrees 46 minutes 35 seconds in the Atlantic Ocean;

1.99 miles to point F, latitude 18 degrees 22 minutes 45 seconds, longitude 64 degrees 44 minutes 35 seconds in the Narrows;

3.18 miles to point G, latitude 18 degrees 22 minutes 00 seconds, longitude 64 degrees 41 minutes 20 seconds in Sir Francis Drake Channel;

1.04 miles to point H, latitude 18 degrees 21 minutes 10 seconds, longitude 64 degrees 40 minutes 40 seconds in Haulover Bay;

Southwestward approximately 0.22 mile to point I, a bound post on the shore of Haulover Bay marking a corner of the Virgin Islands National Park boundary as shown on drawing numbered NP–VI–7000 entitled "Acquisition Area Virgin Islands National Park", approved November 15, 1956, by the Acting Secretary of the Interior in accordance with the provisions of the Act of August 2, 1956, supra, being also the southeasterly corner of estate Haulover 5a and 5c east end quarter as delineated on the municipality of Saint Thomas and Saint John drawing PW file numbered 9–24–T51 dated October 26, 1950;

Thence running generally westward along the Virgin Islands National Park northerly boundary as it follows the northerly shore of the island of Saint John as shown on the said drawing numbered NP–VI–7000 and on drawing numbered NP–VI–7003

entitled "Land Ownership Cruz Bay Creek" depicting the boundary adjustment affected by the said order of designation to point A, the point of beginning.

The area described contains approximately 4,100 acres.

SOUTH OFFSHORE AREA

Beginning at the hereinafter lettered point L, a concrete bound post on the shore of Drunk Bay marking a northeasterly corner in the Virgin Islands National Park boundary as shown on the said drawing numbered NP–VI–7000, being also the northeasterly corner of parcel numbered 1, estate Concordia (A), as delineated on the Leo R. Sibilly, civil engineer, drawing file numbered C9–13–T55.

From the initial point L, distances in nautical miles, along direct courses between the hereinafter lettered points at geographic positions (latitudes north, longitudes west):

Eastward approximately 0.32 mile to point M, latitude 18 degrees 18 minutes 48 seconds, longitude 64 degrees 41 minutes 50 seconds in Sabbat Channel;

0.88 mile to point N, latitude 18 degrees 17 minutes 55 seconds, longitude 64 degrees 41 minutes 50 seconds in the Caribbean Sea;

0.40 mile to point O, latitude 18 degrees 17 minutes 55 seconds, longitude 64 degrees 42 minutes 15 seconds in the Caribbean Sea;

1.88 miles to point P, latitude 18 degrees 18 minutes 48 seconds, longitude 64 degrees 44 minutes 00 seconds in the Caribbean Sea;

1.74 miles to point Q, latitude 18 degrees 18 minutes 48 seconds, longitude 64 degrees 45 minutes 50 seconds in the Caribbean Sea;

0.45 mile to point R, latitude 18 degrees 19 minutes 15 seconds, longitude 64 degrees 45 minutes 50 seconds in Fish Bay;

Eastward approximately 0.08 mile to point S on the shore of Fish Bay, a corner in the present Virgin Islands National Park, as delineated on said drawing numbered NP–VI–7000, being the northwesterly corner of parcel numbered 2 estate Fish Bay, numbered 8 Reef Bay Quarter, and the terminus of the delineated course "south 78 degrees 52 minutes west distance 1,178.9 feet" as depicted on the Leo R. Sibilly, civil engineer, drawing file numbered G9–385–T56.

Thence running generally eastward along the present southerly park boundary as it follows the southerly shore of the island of Saint John as depicted on the said drawing numbered NP–VI–7000 to point L, the point of beginning.

The area described contains approximately 1,550 acres.

Lands, submerged lands, and waters added to the Virgin Islands National Park pursuant to this Act shall be subject to administration by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

Acquisition of lands, etc. 16 U.S.C. 398.

SEC. 2. Within the boundaries of Virgin Islands National Park as established and adjusted pursuant to the Act of August 2, 1956 (70 Stat. 940), and as revised by this Act, the Secretary of the Interior is authorized to acquire lands, waters, and interests therein by purchase, exchange or donation or with donated funds.

SEC. 3. Nothing in this Act shall be construed as authorizing any limitation on customary uses of or access to the areas specified in section 1 for bathing and fishing (including setting out of fishpots and landing boats), subject to such regulations as the Secretary of the Interior may find reasonable and necessary for protection of natural conditions and prevention of damage to marine life and formations.

SEC. 4. There are hereby authorized to be appropriated such sums, but not more than $1,250,000, as are necessary to acquire lands pursuant to section 2 of this Act.

677–347—63——12

24. Wind Cave National Park

		Page
Boundary revision and exchange of Custer RDA lands for State-owned lands authorized	Act of August 9, 1946	170

An Act To revise the boundaries of Wind Cave National Park in the State of South Dakota, and for other purposes, approved August 9, 1946 (60 Stat. 970)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of the Wind Cave National Park is hereby established as follows:

Wind Cave National Park, S. Dak. Boundary.

Beginning at the southeast corner of section 13, township 6 south, range 5 east; thence west to the southwest corner of section 15, township 6 south, range 5 east; thence north to the west quarter corner of section 10, township 6 south, range 5 east; thence to the north quarter corner of section 10, township 6 south, range 5 east; thence to the west quarter corner of section 2, township 6 south, range 5 east; thence north to the northwest corner of the southwest quarter of the northwest quarter of section 11, township 5 south, range 5 east; thence to the north quarter corner of section 11, township 5 south, range 5 east; thence to the northeast corner of the southeast quarter of the southeast quarter of section 2, township 5 south, range 5 east, thence east to the northeast corner of the southwest quarter of the southwest quarter of section 6, township 5 south, range 6 east; thence in a southeasterly direction to the southeast corner of the northeast quarter of section 7, township 5 south, range 6 east along a line to be mutually acceptable to the South Dakota Game, Fish, and Parks Commission and the Secretary of the Interior; thence from the southeast corner of the northeast quarter of section 7, township 5 south, range 6 east; east to the northeast corner of the southwest quarter of section 12, township 5 south, range 6 east; thence south to the northeast corner of the southeast quarter of the southwest quarter of section 12, township 5 south, range 6 east; thence east to the northeast corner of the southwest quarter of the southwest quarter of section 7, township 5 south, range 7 east; thence south to the southeast corner of the southwest quarter of the southwest quarter of section 18, township 5 south, range 7 east; thence west to the northeast corner of section 24, township 5 south, range 6 east; thence south to the southeast corner of section 24, township 5 south, range 6 east; thence west to the southwest corner of section 24, township 5 south, range 6 east; thence south to the southeast corner of the northeast quarter of the southeast quarter of section 35, township 5 south, range 6 east; thence west to the southwest corner of the northwest

quarter of the southwest quarter of section 35, township 5 south, range 6 east; thence south to the southeast corner of section 34, township 5 south, range 6 east; thence west to the southwest corner of the southeast quarter of the southwest quarter of section 33, township 5 south, range 6 east; thence north to the northeast corner of the northwest quarter of the southwest quarter of section 28, township 5 south, range 6 east; thence west to the northwest corner of the southwest quarter of section 29, township 5 south, range 6 east; thence south to the southeast corner of section 7, township 6 south, range 6 east; thence west to the southwest corner of section 7, township 6 south, range 6 east; thence south to the southeast corner of section 13, township 6 south, range 5 east; the point of beginning, and all of those lands lying within the boundary above described, together with the south half of the northeast quarter and the west half of the northeast quarter of the northeast quarter of section 32, township 5 south, range 5 east, are hereby included in and made a part of the Wind Cave National Park and shall be subject to all laws and regulations applicable thereto. (16 U.S.C. § 141a.)

Lands included in Harney National Forest.

SEC. 2. All those lands which by section 1 hereof are excluded from the Wind Cave National Park as heretofore constituted and those lands of the Custer Recreational Demonstration Area lying in section 2, township 5 south, range 5 east, Black Hills meridian, are hereby included in and made a part of the Harney National Forest, and hereafter shall be subject to all laws and regulations applicable to the national forests.

Conveyances.

SEC. 3. All those lands heretofore within the Custer Recreational Demonstration Area and which are not included within the Wind Cave National Park by virtue of section 1 hereof, except those lands of the Custer Recreational Demonstration Area lying in section 2, township 5 south, range 5 east, Black Hills meridian, which are included within the Harney National Forest by virtue of section 2 hereof, shall be conveyed by the Secretary of the Interior to the State of South Dakota for addition to the Custer State Park for public park, recreational, and conservation purposes (subject, however, to a proviso that the State of South Dakota will allow a minimum of ten thousand gallons of water per day to pass from springs or streams in these lands into the lands of Wind Cave National Park as herein described) as soon as all lands owned by the State of South Dakota lying within the boundaries of the Wind Cave National Park as described in section 1 hereof are conveyed to the United States; and the southwest quarter of the southwest quarter of the southwest quarter of section 2, township 5 south, range 5 east, Black Hills meridian, owned by the State of South Dakota, is conveyed to the United States

State school lands.

to be included in the Harney National Forest as provided in section 2 hereof: *Provided, however*, That section 25, township 5 south, range 6 east, of the Custer Recreational Demonstration Area shall be conveyed by the Secretary of the Interior to the State of South Dakota as State school lands.

25. Yellowstone National Park [1]

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Snake River waters division, excluding park from provisions of act	Act of June 3, 1948	173
School facilities, Federal assistance for	Act of June 4, 1948	174
Yellowstone River waters division, excluding park from provisions of act	Act of June 2, 1949	175
Excerpt from act approving Snake River Compact, excluding waters of the park from provisions of the Compact	Act of March 21, 1950	175

An Act Granting the consent of Congress to the States of Idaho and Wyoming to negotiate and enter into a compact for the division of the waters of the Snake River and its tributaries originating in either of the two States and flowing into the other, approved June 3, 1948 (62 Stat. 294)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That consent of Congress is hereby given to the States of Idaho and Wyoming to negotiate and enter into a compact providing for an equitable division and apportionment among the said States of the waters of the Snake River and all of its tributaries originating in either of the two States and flowing into the other, upon condition that one suitable person, who shall be appointed by the President of the United States, shall participate in said negotiations as the representative of the United States and shall make report to Congress of the proceedings and of any compact entered into: *Provided*, That any such compact shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been ratified by the legislature of each of said States and approved by the Congress of the United States: *Provided further*, That nothing in this Act shall apply to any waters within the Yellowstone National Park or Grand Teton National Park or shall establish any right or interest in or to any lands within the boundaries thereof or in subsequent additions thereto.

Snake River. Consent of Congress to interstate compact.

Ratification and approval.

Nonapplicability.

SEC. 2. There is hereby authorized to be appropriated a sufficient sum to pay the salary and expenses of the representative of the United States appointed hereunder: *Provided*, That such representative, if otherwise employed by the United States, while so employed shall not receive additional salary in the appointment hereunder. (See p. 175.)

Appropriation authorized.

[1] See also General Legislation, pp. 16–17.

An Act To provide adequate school facilities within Yellowstone National Park, and for other purposes, approved June 4, 1948 (62 Stat. 338)

Yellowstone National Park. School facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, under such regulations as may be prescribed by the Secretary of the Interior, payments may be made, as provided herein, in advance or otherwise, from any revenues received by the United States from visitors to Yellowstone National Park, to the appropriate school district or districts serving that park, as reimbursement for educational facilities (including, where appropriate, transportation to and from school) furnished by the said district or districts to pupils who are dependents of persons engaged in the administration, operation, and maintenance of the park, and living at or near the park upon real property of the United States not subject to taxation by the State or local agencies and upon which payments in lieu of taxes are not made by the United States: *Provided*, That the payments for any school year for the aforesaid purpose shall not exceed that part of the cost of operating and maintaining such facilities which the number of pupils, in average daily attendance during that year, bears to the whole number of pupils in average daily attendance at those schools for that year. (16 U.S.C. § 40a.)

Cooperative agreements with States, etc.

Sec. 2. That, if in the opinion of the Secretary of the Interior, the aforesaid educational facilities cannot be provided adequately and payment made therefor on a pro rata basis, as prescribed in section 1 of this Act, the Secretary of the Interior, in his discretion, may enter into cooperative agreements with States or local agencies for (a) the operation of school facilities, (b) for the construction and expansion of local facilities at Federal expense, and (c) for contribution by the Federal Government, on an equitable basis satisfactory to the Secretary, to cover the increased cost to local agencies for providing the educational services required for the purposes of this Act. (16 U.S.C. § 40b.)

Special fund.

Sec. 3. For the purposes of this Act, the Secretary of the Treasury is authorized to maintain hereafter in a special fund a sufficient portion of the park revenues, based upon estimates to be submitted by the Secretary of the Interior, and to expend the same upon certification by the Secretary of the Interior. (16 U.S.C. § 40c.)

An Act Granting the consent of Congress to the States of Montana, North Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River, approved June 2, 1949 (63 Stat. 152)

Yellowstone River compact. Consent of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the States of Montana, North Dakota, and Wyoming to negotiate and enter into a compact, or agreement, not later than June 1, 1952, providing for an equitable division and apportionment between the States of the water supply of the Yellowstone River and of the streams tributary thereto, upon condition that one suitable person, who shall be appointed by the President of the United States, shall participate in said negotiations as the representative of the United States and shall make a report to Congress of proceedings and of any compact or agreement entered into: *Provided*, That such compact or agreement shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been approved by the legislatures of each of said States and by the Congress of the United States: *Provided further*, That nothing in this Act shall apply to any waters within or tributary to the Yellowstone National Park or shall establish any right or interest in or to any lands with the boundaries thereof.

Approval.

Nonapplicability.

Excerpt from "An Act Granting the consent and approval of Congress to a compact entered into by the States of Idaho and Wyoming relating to the waters of the Snake River," approved March 21, 1950 (64 Stat. 29, 34)

Snake River compact. Consent and approval of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent and approval of Congress is hereby given to an interstate compact relating to the waters of the Snake River, signed (after negotiations in which a representative of the United States duly appointed by the President participated) by the Commissioners for the States of Idaho and Wyoming on October 10, 1949, at Cheyenne, Wyoming, and thereafter ratified by the legislatures of each of the States aforesaid as provided for by Public Law 580, Eighteith Congress, approved June 3, 1948 (62 Stat. 294), which compact reads as follows:

* * * * *

ARTICLE XIV

A. Nothing in this compact shall be deemed:

* * * * *

3. To apply to any waters within the Yellowstone National Park or Grand Teton National Park.

(See p. 173.)

26. Yosemite National Park[1]

Page

Administrative site for park authorized on lands adjacent to park------
----------Act of September 2, 1958 176

An Act To authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, California, on lands adjacent to the park, and for other purposes, approved September 2, 1958 (72 Stat. 1772)

Yosemite National Park, Calif.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the Secretary of the Interior to preserve the extraordinary natural qualities of Yosemite National Park, notwithstanding its increasing use by the public, the Secretary is hereby authorized to provide in the manner hereinafter set forth an administrative site in the El Portal area adjacent to Yosemite National Park, in order that utilities, facilities, and services required in the operation and administration of Yosemite National Park may be located on such site outside the park.

Acquisition of land.

SEC. 2. For said site the Secretary of the Interior is authorized to acquire by purchase or donation, or with donated funds, approximately twelve hundred acres, as shown on map numbered NP–YOS–7011, of non-Federal land, interests in land, and appurtenances thereto, and, to avoid severing parcels in private ownership which extend beyond the area so depicted, the Secretary of the Interior may acquire in their entirety such parcels of land or interests therein.

Jurisdiction of land.

SEC. 3. The Secretaries of Agriculture and Interior are authorized to arrange and effect mutually satisfactory transfers of jurisdiction over land administered by each in the El Portal area. Land so transferred to the Secretary of the Interior shall thereupon be excluded from the national forest or forests involved and thereafter be administered by the Secretary of the Interior pursuant to this Act as a part of said administrative site. Land transferred to the Secretary of Agriculture pursuant to this Act shall thereupon become national forest land subject to all laws, rules, and regulations applicable to land acquired pursuant to the Week's law.

SEC. 4. Nothing herein contained shall affect any valid claim, location, or entry existing under the land laws of the United States, or the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land.

[1] See also General Legislation, pp. 16–17.

Management and control of land.

SEC. 5. Until further action by the Congress, the lands acquired by or transferred to the Secretary of the Interior hereunder shall not become a part of Yosemite National Park, nor be subject to the laws and regulations governing said park, but the Secretary of the Interior shall have supervision, management, and control of the area and shall make and publish such rules and regulations as he may deem necessary and proper for its use and management: *Provided*, That he may grant nonexclusive privileges, leases, and permits for the use of land in the area and enter into contracts relating to the same, subject to the limitations and conditions applying to the similar authority provided in section 3 of the Act of August 25, 1916 (39 Stat. 535), as amended (45 Stat. 235, 16 U.S.C., 1952 edition, sec. 3).

16 U.S.C. 3, 22, 43.

Availability of funds.

SEC. 6. Funds now or hereafter appropriated or otherwise available for operating and capital programs in the areas administered by the National Park Service, including funds for acquisition of land and interests in land, are hereby made available to acquire land, interests in land, and appurtenances thereto, within the administrative site, and to further the purpose of this Act. (16 U.S.C. § 47–1.)

27. Zion National Park

		Page
Inclusion of the present area of Zion National Monument within Zion National Park	Act of July 11, 1956	178
Revision of boundaries of park	Act of February 20, 1960	178

An Act To include the present area of Zion National Monument within Zion National Park, in the State of Utah, and for other purposes, approved July 11, 1956 (70 Stat. 527)

Zion National Park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of combining Zion National Park and Zion National Monument, Utah, in a single national park unit, in the interest of efficient administration and to preserve adequately the features thereof, Zion National Park hereafter shall comprise the present area of the National Park and the present area of the Zion National Monument: *Provided*, That the enactment of this Act shall not affect adversely any valid rights or privileges heretofore existing within the areas hereby established as the Zion National Park. (16 U.S.C. § 346b.)

Administration.

SEC. 2. The Secretary of the Interior is authorized to administer Zion National Park as hereby established in accordance with his authority over the park heretofore granted by the Congress and in accordance with the general laws governing areas of the national park system. (16 U.S.C. § 346c.)

Funds.

SEC. 3. All funds heretofore made available for purposes of Zion National Park and Zion National Monument may be used for purposes of Zion National Park as established by this Act. (16 U.S.C. § 346d.)

An Act To revise the boundaries of the Zion National Park in the State of Utah, and for other purposes, approved February 20, 1960 (74 Stat. 4)

Zion National Park, Utah.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of the Zion National Park are hereby revised to include the following described lands:

SALT LAKE MERIDIAN

Township 39 south, range 10 west: Section 30, those portions of lots 1 to 7, inclusive, lying south of Kolob Creek and lots 8 to 32, inclusive; section 31, lots 1, 2, 3, 15, 16, 17, 18, 31 and 32.

Township 41 south, range 10 west: Section 28, northeast quarter, that portion of the northwest quarter lying east of the North Fork of the Virgin River and lot 9 of

the O. D. Gifford survey, the ownership of which is recorded on page 247 of deed book U12 in Washington County, Utah; section 29, west half; section 31; section 32 (partly surveyed), northeast quarter northwest quarter and west half northwest quarter.

Township 39 south, range 11 west: Section 13, southeast quarter southeast quarter; section 32, north half and southeast quarter.

Township 40 south, range 11 west: Section 5, lots 1 and 2 and south half northeast quarter.

Township 38 south, range 12 west: Section 29, those portions of lot 2 and of the southwest quarter lying east of the easterly right-of-way line of United States Highway 91, identified as project numbered I–01–1(1), Washington County, Utah, said line being 150 feet from and parallel the centerline of such highway, as constructed. (16 U.S.C. § 346a–1 [Supp. II].)

Acquisition of land.

SEC. 2. Privately owned land, or interests therein, within the aforesaid revised boundary may be acquired by the Secretary of the Interior by purchase, donation, with donated funds, or by such other means as the Secretary may consider to be in the public interest. When acquired, such land and interests in land shall be administered as a part of the Zion National Park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended. (16 U.S.C. § 346a–2 [Supp. II].)

16 U.S.C. 1–4.

Land conveyance.

SEC. 3. The Secretary of the Interior is authorized to convey to the Utah State Road Commission under such terms and conditions as he may deem necessary such lands or interests in land in lot 3, section 29, township 38 south, range 12 west, Salt Lake meridian, containing approximately four and one-half acres, as are required by the Commission for the realinement and construction of United States Highway 91: *Provided*, That in exchange, the State of Utah constructs an interchange of design, type, and location acceptable to the Secretary which will provide vehicular access between the said highway and Zion National Park. Such conveyed lands shall thereafter be considered as excluded from the Zion National Park and the easterly right-of-way line of United States Highway 91, identified as project numbered I–01–1(1), Washington County, Utah, shall become the westerly boundary of the Zion National Park in lot 3, section 29, township 38 south, range 12 west, Salt Lake meridian. (16 U.S.C. § 346a–3 [Supp. II].)

III. LEGISLATION RELATING TO NATIONAL HISTORICAL PARKS

1. Appomattox Court House National Historical Park

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Authorization for inspection of battlefields and surrender grounds in and around Appomattox Court House	Act of February 25, 1926	181
Commemoration of termination of the War between the States at Appomattox Court House, Virginia, authorized	Act of June 18, 1930	182
Provision for plan and design of monument authorized by Act of June 18, 1930, to be approved by National Commission of Fine Arts	Excerpt from Act of February 23, 1931	182
Exchange of lands for non-Federal lands authorized	Act of July 17, 1953	182
Monument redesignated as "Appomattox Court House National Historical Park"	Act of April 15, 1954	183

An Act To provide for the inspection of the battle fields and surrender grounds in and around old Appomattox Court House, Virginia, approved February 25, 1926 (44 Stat. 9)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created, to be composed of the following members, who shall be appointed by the Secretary of War:

Appomattox Court House, Va., battlefields. Commission created.

(1) A commissioned officer of the Corps of Engineers, United States Army;

Army Engineer officer.

(2) A veteran of the Civil War who served honorably in the military forces of the United States; and

United States Civil War veteran.

(3) A veteran of the Civil War who served honorably in the military forces of the Confederate States of America.

Confederate States Civil War veteran.

SEC. 2. In appointing the members of the commission created by section 1 of this Act the Secretary of War shall, as far as practicable, select persons familiar with the terrain of the battle fields and surrender grounds of old Appomattox Court House, Virginia, and the historical events associated therewith.

Qualifications of commission.

SEC. 3. It shall be the duty of the commission, acting under the direction of the Secretary of War, to inspect the battle fields and surrender grounds in and around old Appomattox Court House, Virginia, in order to ascertain the feasibility of preserving and marking for historical and professional military study such fields. The commission shall submit a report of its findings to the Secretary of War not later than December 1, 1926.

Inspection and report on feasibility of preserving, for historical study, etc.

SEC. 4. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $3,000 in order to carry out the provision of this Act.

Amount authorized for expenses.
Post, p. 878.

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)

Appomattox Court House, Va. Acquisition of land at, for monument in commemoration of surrender of Confederate Army, etc.

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.

Post, p. 1305.

Sums authorized. To carry out provisions of Act.

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.

Maintenance.

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. (16 U.S.C. §§ 450b–450d as amended. See p. 147, *Laws Relating to the National Park Service*, Supp. I.)

Excerpt from "An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes," approved February 23, 1931 (46 Stat. 1277, 1305)

Appomattox Court House, Va. Memorial, etc.

Monument, Appomattox Court House, Virginia: For every expenditure requisite for or incident to the work of securing a design and the preparation of plans and estimate of cost for a monument at Appomattox Court House, Virginia, to commemorate the termination of the War between the States, in accordance with 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 (46 Stat., p. 777), $2,500: *Provided*, That the plan and design of such monument shall be subject to the approval of the National Commission of Fine Arts.

Ante, p. 777.

Proviso. Subject to approval.

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 Na-

tional 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. (16 U.S.C. § 450d–1.)

An Act To change the name of the Appomattox Court House National Historical Monument to the "Appomattox Court House National Historical Park," approved April 15, 1954 (68 Stat. 54)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the historical site known as the "Appomattox Court House National Historical Monument", located near Appomattox, Virginia, shall hereafter be known and designated as the "Appomattox Court House National Historical Park". Any law, regulation, document, or record of the United States in which such site is designated or referred to by the name of the "Appomattox Court House National Historical Monument" shall be held and considered to refer to such site by the name of the "Appomattox Court House National Historical Park". (16 U.S.C. § 450d–1 note.)

Appomattox Court House National Historical Park.

2. Chalmette National Historical Park

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Battle of New Orleans Sesquicentennial Celebration Commission established; land acquisition authorized—Joint Resolution of October 9, 1962	187

An Act Providing for the completion by the Secretary of War of a monument to the memory of the American soldiers who fell in the Battle of New Orleans at Chalmette, Louisiana, and making the necessary appropriation therefor, approved March 4, 1907 (34 Stat. 1411)

Chalmette, La. Appropriation for monument at, to soldiers who fell at battle of New Orleans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty-five thousand dollars be, and the same is hereby, appropriated, or so much thereof as may be necessary, out of any money in the Treasury of the United States not otherwise appropriated, for the completion of a monument to the memory of the soldiers who fell in the battle of New Orleans in the war of eighteen hundred and twelve, said monument to be completed under the direction and approval of the Secretary of War: *Provided*, That the State of Louisiana shall cede and transfer its jurisdiction to the property on which said monument is to be completed in accordance with the provisions of act numbered forty-one of the legislature of that State, approved July nineteenth, nineteen hundred and two: *Provided further*, That when said monument is completed the responsibility of maintaining the same and keeping the grounds surrounding it shall remain with the United Daughters of Seventeen hundred and seventy-six and Eighteen hundred and twelve, free of any expense or responsibility on the part of the Government of the United States. (16 U.S.C. § 450a as amended. See p. 186.)

Provisos. State to furnish site.

Maintenance, etc.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1910, and for other purposes," approved March 4, 1909 (35 Stat. 945, 1002)

Chalmette, La. Conveyance of lands, etc.

Chalmette National Cemetery, Louisiana: The Secretary of War is hereby authorized to accept a conveyance of the lands and servitudes described in articles of agreement entered into the thirty-first day of July, nineteen hundred and five, between J. B. Bellinger, major and quartermaster, United States Army, acting for and on behalf of the United States of America, of the first part, and the New Orleans Terminal Company, a corporation existing under the laws of the State of Louisiana, of the second part, for the enlargement of the Chalmette National Cemetery, and in consideration thereof to permit the closing of the roadway to said cemetery, known as the "River road," which was constructed and maintained by the United States, upon the terms and conditions specified in said articles of agreement.

For inclosing and otherwise improving addition to be made to the Chalmette (Louisiana) National Cemetery, five thousand five hundred dollars.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1911, and for other purposes," approved June 25, 1910 (36 Stat. 703, 723)

Chalmette, La. Title recognized.

Chalmette National Cemetery, Louisiana: The act of sale by the New Orleans Terminal Company, dated July twenty-fourth, nineteen hundred and nine, conveying certain lands and servitudes to the United States for the enlargement of the Chalmette National Cemetery, Louisiana, in exchange for the right to close the river road, be, and the same is hereby, accepted as sufficient title to the premises described therein, for the purpose of the expenditure of any moneys appropriated, or which may be appropriated, for the improvement and maintenance of the same.

An Act In reference to a national military park on the plains of Chalmette, below the city of New Orleans, approved November 19, 1921 (42 Stat. 221)

Chalmette Military Park. Investigation for establishing, the site of battle of New Orleans, La., 1815.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, directed to investigate the feasibility of establishing a national military park on the plains of Chalmette, below the city of New Orleans, where was fought on January 8, 1815, the Battle of New Orleans, and to prepare plans of such park and estimate of the cost therefor, and obtain such further information as may enable Congress to act upon the matter after being fully advised.

677-347—63——13

Expenses from Army contingencies. *Ante*, p. 68.

SEC. 2. That the expenses of the investigation herein directed to be made shall be paid from the appropriation "Contingencies of the Army."

An Act Authorizing an appropriation for the construction of a roadway and walk leading to and around the Chalmette Monument, Chalmette, Louisiana, approved March 3, 1927 (44 Stat. 1381)

Chalmette Monument, La. Roadway, etc., authorized on grounds of. Vol. 42, p. 221.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $15,000, or so much thereof as may be necessary, be, and the same is hereby, authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of constructing a roadway and walk on grounds owned by the United States to and around the Chalmette Monument, at Chalmette, Louisiana, to be expended under the direction of the Secretary of War: *Provided*, That the construction of the said roadway and walk shall not be commenced until the Secretary of War has received assurances satisfactory to him that the said roadway and walk will be extended by the State of Louisiana or the local authorities, and in a substantial manner, from the boundary of the Government lands to the Saint Bernard Avenue road.

Proviso. Extension by State, etc., required.

An Act Authorizing the Secretary of War to grant a right of way for a levee through the Chalmette National Cemetery, approved May 29, 1928 (45 Stat. 997)

Chalmette National Cemetery, La. Right of way through, granted Lake Borgne Basin Levee Board, for a levee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to grant the Lake Borgne Basin Levee Board, an agency of the State of Louisiana, a right of way through the Chalmette National Cemetery Reservation, Saint Bernard Parish, Louisiana, in such location as may be designated by him, for the purpose of constructing and maintaining a new levee to replace the existing levee in front of said reservation.

An Act To authorize the Secretary of War to assume the care, custody, and control of the monument to the memory of the soldiers who fell in the Battle of New Orleans, at Chalmette, Louisiana, and to maintain the monument and grounds surrounding it, approved June 2, 1930 (46 Stat. 489)

Chalmette, La. Monument in memory of Battle of New Orleans, at. Vol. 34, p. 1411.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the Act entitled "An Act providing for the completion by the Secretary of War of a monument to the memory of the American soldiers who fell in the Battle of New Orleans, at Chalmette, Louisiana, and making the necessary appropriation therefor," approved March 4, 1907, as provides that the responsibility of maintaining the monument and keeping the grounds surrounding it shall remain with the United

Daughters of 1776 and 1812, free of any expense or responsibility on the part of the United States, is hereby amended to provide that hereafter the responsibility for maintaining the monument and keeping the grounds surrounding it shall rest with the Government of the United States; and there is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for such expenses. (16 U.S.C. § 450a and note. See p. 184.)

Maintenance, etc.

Appropriations authorized.

An Act To provide for the study, investigation, and survey, for commemorative purposes, of the battle field of Chalmette, Louisiana, approved January 31, 1931 (46 Stat. 1045)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to have made a study, investigation, and survey of the battle field of Chalmette, in the State of Louisiana, for the purpose of preparing and submitting to Congress a general plan and such detailed project as may be required for properly commemorating such battle field and other adjacent points of historical and military interests, in accordance with the classification set forth in House Report Numbered 1071, Sixty-ninth Congress, first session.

Chalmette, La., battle field. Study, etc., of, for commemorative purposes.

Detailed report to be made.

Vol. 44, p. 726.

SEC. 2. To enable the Secretary of War to carry out the provisions of this Act, including the payment of mileage of officers of the Army and actual expenses of civilian employees traveling on duty in connection with the study, investigation, and survey, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $300, or so much thereof as may be necessary, to be expended for the purposes of this Act.

Amount authorized for expenses.
Post, p. 1304.

Joint Resolution To establish the sesquicentennial commission for the celebration of the Battle of New Orleans, to authorize the Secretary of the Interior to acquire certain property within Chalmette National Historical Park, and for other purposes, approved October 9, 1962 (76 Stat. 755)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a commission to be known as the "Battle of New Orleans Sesquicentennial Celebration Commission" (hereinafter referred to as the "Commission") which shall be composed of twenty-three members as follows:

Battle of New Orleans Sesquicentennial Celebration Commission. Establishment.

(1) Eight members who shall be Members of the Senate, to be appointed by the President of the Senate (two each from Louisiana, Kentucky, Mississippi, and Tennessee);

(2) Eight members who shall be Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives (two each from Louisiana, Kentucky, Mississippi, and Tennessee);

(3) One representative of the Department of the Interior who shall be the Director of the National Park Service, or his designee, and who shall serve as executive officer of the Commission; and

(4) Six members to be appointed by the President.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman. The members of the Commission shall receive no salary.

Function.

SEC. 2. The function of the Commission shall be to develop and to execute plans for the observance in December 1964 and January 1965 of the one hundred and fiftieth anniversary of the Battle of Chalmette, or New Orleans. In carrying out these functions, the Commission is authorized to cooperate with and to assist such groups as the State of Louisiana and the city of New Orleans may establish to celebrate the sesquicentennial of the Battle of New Orleans.

Employees, compensation. 63 Stat. 954. 5 U.S.C. 1071 note.

SEC. 3. The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions: *Provided, however*, That no employee whose position would be subject to the Classification Act of 1949, as amended, if said Act were applicable to such position, shall be paid a salary at a rate in excess of the rate payable under said Act for positions of equivalent difficulty or responsibility. Such rates of compensation may be adopted by the Commission as may be authorized by the Classification Act of 1949, as amended, as of the same date such rates are authorized for positions subject to said Act. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee.

Acceptance of donations, etc.

SEC. 4. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with patriotic and historical societies and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this resolution. The Commission, to such extent as it finds to be necessary, may procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this resolution: *Provided, however*, That all expenditures of the Commission shall be made from donated funds only.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep

complete records of such expenditures and who shall account also for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress within one year following the celebration as prescribed by this resolution. The Commission shall terminate upon submission of its report to the Congress.

Report to Congress.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

Property, use.

SEC. 5. Within the boundaries of Chalmette National Historical Park as designated by the Secretary of the Interior on March 20, 1958, pursuant to the Act of August 10, 1939 (53 Stat. 1342), and depicted on drawing numbered NHP–CHAL–7008, said Secretary, notwithstanding the proviso in section 3 of said Act, is hereby authorized to acquire the following lands and interests in lands with funds heretofore appropriated and otherwise available for such purpose:

Lands, acquisition. 16 U.S.C. 231–231d.

Beginning at the point of intersection of the west line of Fazendeville Road with a line 50 feet south of southerly boundary of right-of-way of the Louisiana Southern Railway at coordinate point X—2,425,730.76 and Y—467,506.11; (the bearings and coordinates herein stated are in accord with the Louisiana geodetic survey plane grid system); and running thence south 66 degrees 32 minutes 46 seconds east, parallel to said southerly boundary of right-of-way of Louisiana Southern Railway, a distance of 30 feet to coordinate point X—2,425,758.28 and Y—467,494.17; thence south 23 degrees 45 minutes 21 seconds west for a distance of 917.90 feet along the east right-of-way of Fazendeville Road to a point;

Thence south 66 degrees 14 minutes 39 seconds east for a distance of 161.83 feet to a point; thence south 23 degrees 45 minutes 21 seconds west on a line parallel to Fazendeville Road for a distance of 1,406.51 feet to a point; thence north 64 degrees 19 minutes 9 seconds west for a distance of 161.92 feet to a point on the east right-of-way of Fazendeville Road; thence south 23 degrees 45 minutes 21 seconds west along the east right-of-way of Fazendeville Road for a distance of 19.41 feet to a point;

Thence south 64 degrees 19 minutes 9 seconds east for a distance of 95.70 feet to a point; thence south 23 degrees 45 minutes 21 seconds west on a line

parallel to Fazendeville Road for a distance of 54.90 feet to a point; thence north 64 degrees 19 minutes 9 seconds west for a distance of 95.70 feet to a point on the east right-of-way of Fazendeville Road; thence south 23 degrees 45 minutes 21 seconds along the east right-of-way of Fazendeville Road for a distance of 279.44 feet to a point;

Thence crossing Fazendeville Road on a line running north 49 degrees 02 minutes 49 seconds west for a distance of 31.40 feet to a point on the west right-of-way of Fazendeville Road; thence north 23 degrees 45 minutes 21 seconds east along the west right-of-way of Fazendeville Road for a distance of 2,663.28 feet to a point which is the point of beginning; containing 7.02 acres more or less, including 1.83 acres more or less within the right-of-way of the Fazendeville Road; and excluding lot 15, as shown on a map of survey by F. C. Gandolfo, Junior, dated January 9, 1953, and being in section 10 of township 13 south, range 12 east, parish of Saint Bernard, State of Louisiana, and known locally as Fazendeville.

U.S. Constitution, anniversary. 74 Stat. 508.

SEC. 6. The joint resolution of July 14, 1960 (Public Law 86–650), is amended to read as follows:

"DECLARATION OF POLICY

"SECTION 1. It is hereby declared to be the policy of the Congress to authorize appropriate activities on the part of the Federal Government in celebration of the one hundred and seventy-fifth anniversary of the formation of the Constitution of the United States and to provide a means whereby similar activities by the States and by the people may be encouraged and coordinated in a comprehensive national observance to the end that our citizens may gain a deeper appreciation of the priceless national heritage represented by the Constitution as a living document and a renewed zeal for the perpetuation and advancement of the ideals of government of which it is the embodiment.

"ESTABLISHMENT OF THE COMMISSION

"United States Constitution One Hundred and Seventy-fifth Anniversary Commission."

"SEC. 2. (a) For the purpose of carrying out the policy set forth in section 1 of this Act, there is hereby established a commission, to be known as the 'United States Constitution One Hundred and Seventy-fifth Anniversary Commission' (hereinafter referred to as the 'Commission') for the celebration of the one hundred and seventy-fifth anniversary of the existence of the Constitution, and to be composed of twelve Commissioners, as follows: The President of the United States;

the President of the Senate and the Speaker of the House of Representatives, ex officio; three persons to be appointed by the President of the United States; three Senators to be appointed by the President of the Senate; and three Representatives by the Speaker of the House of Representatives.

"(b) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of sections 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99). Conflict of interest.

"(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

"(d) A person appointed to the Commission in the status of a Member of Congress, but who thereafter ceases to have such status, shall nevertheless continue as a member of the Commission.

"COMPENSATION OF THE COMMISSION

"SEC. 3. The members of the Commission shall serve without compensation, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

"ORGANIZATION AND STAFF OF THE COMMISSION

"SEC. 4. (a) The Commission shall select a Chairman from among its members.

"(b) The Chairman may appoint an Executive Director, to serve at his pleasure, whose compensation shall be fixed by the Commission.

"(c) The Executive Director, with the approval of the Chairman, may appoint and fix the compensation of such assistants and subordinates as he deems necessary.

"(d) The Commission may procure temporary and intermittent services to the same extent as is authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates not to exceed $50 per diem for individuals. 60 Stat. 810.

"(e) Neither the civil service laws nor the Classification Act of 1949, as amended, shall apply to any exercise of the authority conferred by subsection (b), (c), or (d) of this section: *Provided, however*, That no employee whose position would be subject to the Classification Act of 1949, as amended, if said Act were applicable to such position, shall be paid a salary at a rate in excess of the 63 Stat. 954. 5 U.S.C. 1071 note.

rate payable under said Act for positions of equivalent difficulty or responsibility. Such rates of compensation may be adopted by the Commission as may be authorized by the Classification Act of 1949, as amended, as of the same date such rates are authorized for positions subject to said Act. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee.

"(f) Mail matter sent by the Commission as penalty mail or franked mail shall be accepted for mail subject to Section 4156 of title 39, United States Code, as amended.

74 Stat. 661.

"OFFICE SPACE FOR THE COMMISSION

"SEC. 5. The Secretary of the Interior, after consultation with the Commission, shall make available to it such office space in a building or buildings in the Independence National Historical Park as, in the judgment of the Secretary, it may require for performance of its functions.

"DUTIES OF THE COMMISSION

"SEC. 6. (a) The Commission shall request the cooperation of appropriate officials in all branches, departments, and agencies of the United States in planning ceremonies or other activities in their respective components of the Federal Government in observance of the one hundred and seventy-fifth anniversary of the formation of the Constitution, and all such officials are authorized and requested to consult with the Commission.

"(b) The Commission shall request the appointment by the Governors of each of the fifty States of individuals or committees to consult with the Commission and to assist in coordinating the activities of the Federal Government, the governments of the States, and private individuals and organizations in carrying out the purposes of this Act.

"(c) The Commission shall take appropriate action to encourage, assist, and coordinate activities by municipal, county, and other local governmental units in carrying out the purposes of this Act.

"(d) The Commission shall make its assistance available to public and private schools in planning programs, ceremonies, and other activities, and obtaining written and audiovisual materials for use in such activities in connection with the anniversary.

"(e) The Commission shall solicit the cooperation of colleges, universities, and other institutions of higher education in encouraging the study and understanding of the Constitution by suitable recognition through scholarships or otherwise of promising students who display an interest in it.

"(f) The Commission shall solicit the cooperation of, and make its assistance available to, civic, patriotic, and religious organizations undertaking any activities in connection with the anniversary.

"(g) The Commission shall endeavor to promote worldwide understanding of the United States Constitution by encouraging, and if practicable assisting in, student exchange programs and any other means by which citizens of foreign countries may be afforded opportunities to learn about our constitutional processes.

"(h) The Commission is authorized to accept on behalf of the United States such gifts of money or other property as in its judgment may be appropriate to carry out the purposes of this Act, but shall be accountable therefor in the same manner as for appropriated funds or property purchased with appropriated funds.

"PROCLAMATIONS BY THE PRESIDENT

"SEC. 7. The President is hereby authorized and requested to issue proclamations—

"(1) designating September 17, 1962, as Constitution Day and calling upon the people of the United States to observe such day with special ceremonies and other activities in celebration of the one hundred and seventy-fifth anniversary of the formation of the Constitution; Constitution Day.

"(2) designating December 15, 1962, as Bill of Rights Day and calling upon the people of the United States to observe such day with appropriate ceremonies and activities; and Bill of Rights Day.

"(3) designating the period from September 17, 1962, to July 4, 1963, inclusive, as a period dedicated to a renewal of national awareness of the priceless heritage which the Constitution represents, and calling upon the people of the United States to engage in such educational and inspirational activities as will deepen their understanding of the Constitution and strengthen their devotion to it.

"DISTRIBUTION OF COPIES OF THE CONSTITUTION

"SEC. 8. The Attorney General, acting through the Immigration and Naturalization Service, is hereby authorized and directed to make available a suitable copy of the Constitution of the United States and the amendments thereto to each person entering the United States during the one-year period which begins on September 17, 1962.

"DISPOSAL OF PROPERTY OF THE COMMISSION

"SEC. 9. (a) After the Commission has discharged all its functions pursuant to this Act except for those under

this section and section 10, it shall transfer to the Secretary of the Interior such of its records and other property as in his judgment are appropriate for permanent preservation or display in the Independence National Historical Park.

"(b) The Commission shall transfer the remainder of its records and property to the Administrator of General Services, who shall hold and dispose of such records and property in accordance with the Federal Property and Administrative Services Act of 1949.

63 Stat. 377.
40 U.S.C. 471 note.

"FINAL REPORT OF COMMISSION

"SEC. 10. The Commission shall make a final report of its activities to the Congress on or before the first day of the second session of the Eighty-eighth Congress, and upon the filing of such report, the Commission shall cease to exist.

"EXPENDITURES OF THE COMMISSION

"SEC. 11. All expenditures of the Commission shall be made from donated funds only."

SEC. 7. Nothing contained in this joint resolution shall affect the validity of actions heretofore lawfully taken under authority of the joint resolution of July 14, 1960 (Public Law 86–650).

74 Stat. 508.

3. City of Refuge National Historical Park

	Page
Establishment of park authorized.....Act of July 26, 1955	195

An Act To authorize the establishment of the City of Refuge National Historical Park, in the Territory of Hawaii, and for other purposes, approved July 26, 1955 (69 Stat. 376)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to such lands located on the island of Hawaii, within the following-described area, as shall be designated by the Secretary of the Interior, in the exercise of his judgment and discretion as necessary and suitable for the purpose, shall have been vested in the United States, said lands shall be set apart as the City of Refuge National Historical Park, in the Territory of Hawaii, for the benefit and inspiration of the people:

City of Refuge National Historical Park, Hawaii.

PARCEL 1

Being all of R.P. 3306, L.C. Aw. 7219, Apana 2 to Kaliae, all of L.C. Aw. 9470 to Muki, and portions of R.P. 7874, L.C. Aw. 11216 Apana 34 to M. Kekauonohi (Ahupuaa of Honaunau), and R.P. 6852, L.C. Aw. 7712 Apana 1 to M. Kekuanaoa (Ahupuaa of Keokea).

Beginning at a one and one-half-inch pipe in concrete monument called "Kalani", at the southeast corner of this parcel, the northeast corner of parcel 3, and on the common boundary of the lands of Keokea and Kiilae, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Lae-O-Kanoni" being seven thousand four hundred forty-four and eight-tenths feet south and five thousand three and two-tenths feet east, and running by azimuths measured clockwise from true south:

1. Seventy-nine degrees thirty-three minutes fifteen seconds six hundred and eighty feet along the land of Kiilae, L.C. Aw. 8521–B to G. D. Hueu and passing over a rock called "Kuwaia", marked K + K at six hundred seventy-three and two-tenths feet to high-water mark; thence along high-water mark, along seacoast for the next three courses, the direct azimuths and distances between points at seacoast being:

2. One hundred and thirty-five degrees fifty-one minutes three thousand nine hundred seventy-six and one-tenth feet;

3. One hundred and fifty-two degrees twenty-five minutes one thousand and seventy-eight feet;

4. Two hundred and forty degrees fifty-five minutes one thousand two hundred four and four-tenths feet;

5. Three hundred and fifty-four degrees nine minutes two hundred twenty four and one-tenth feet along the remainder of L.C. Aw. 11216 : 34 to M. Kekauonohi, along stone wall and old trail;

6. Two hundred and sixty degrees fifty-four minutes one hundred seventy-five and nine-tenths feet across old trail along stone wall to a "+" on rock;

7. One hundred and fifty-eight degrees six minutes seventy-two feet along L.C. Aw. 7296 to Puhi, along stone wall;

8. Two hundred and sixty degrees thirty-six minutes ninety and seven-tenths feet along stone wall;

9. One hundred and ninety-four degrees ten minutes sixty-two and nine-tenths feet along stone wall along L.C. Aw. 7295 and 6979–B : 2 to Keolewa;

10. One hundred and seventy-five degrees fifty-four minutes twenty-six and nine-tenths feet along stone wall;

11. Two hundred and fifteen degrees thirty-seven minutes forty-seven and four-tenths feet along stone wall along remainder of L.C. Aw. 11216 : 34 to M. Kekauonohi;

12. One hundred and seventy-two degrees twenty-eight minutes forty-eight and one-tenth feet along same;

13. Two hundred and twenty-six degrees twenty-three minutes two hundred twenty-eight and eight-tenths feet along remainder of L.C. Aw. 11216 : 34 to M. Kekauonohi to the south side of fifty-foot road;

14. Two hundred and sixty-four degrees fifty-one minutes one hundred fifteen and two-tenths feet along the south side of fifty-foot road;

15. Two hundred and fifty-two degrees thirteeen minutes two hundred and two-tenths feet along same;

16. Two hundred and eighty-six degrees thirty minutes one hundred seventy and nine-tenths feet along same;

17. Two hundred and thirty-eight degrees twenty-five minutes ninety-two and eight-tenths feet along same;

18. Two hundred and twenty-three degrees one minute one hundred fourteen and four-tenths feet along same;

19. Three hundred and thirty-eight degrees forty-nine minutes thirty seconds four thousand nine hundred eighty and three-tenths feet along the remainder of L.C. Aw. 11216 : 34 to M. Kekauonohi and L.C. Aw. 7712 : 1 to M. Kekuanaoa and passing over a one and one-fourth-inch pipe in concrete monument at one thousand four hundred eighty-one and six-tenths feet to the point of beginning.

Area, one hundred sixty-six and ninety one-hundredths acres.

PARCEL 2

Being portions of L.C. Aw. 11216 Apana 34 to M. Kekauonohi, R.P. 7874 (Ahupuaa of Honaunau).

Beginning at a pipe in concrete at the northeast corner of this parcel, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Lae-O-Kanoni" being two thousand one hundred thirty-nine feet south and eleven thousand six hundred seventeen and nine-tenths feet east and running by azimuths measured clockwise from true south:

1. Three hundred fifty-eight degrees twenty-three minutes two hundred sixty and four-tenths feet along the remainder of L.C. Aw. 11216:34 to M. Kekauonohi;
2. Ninety-three degrees thirty minutes two hundred and sixty-nine feet along the same, along stone wall, along lot 2 of the subdivision by B. P. Bishop estate;
3. Eighty-two degrees no minutes three hundred and eighteen feet along same to the east side of fifty-foot road;
4. Thence along the east side of fifty-foot road, the direct azimuth and distance being: one hundred seventy-one degrees twenty minutes two hundred ninety-one and five-tenths feet;
5. Two hundred and seventy degrees no minutes six hundred and twenty feet along the remainder of L.C. Aw. 11216:34 to M. Kekauonohi to the point of beginning.

Area, three and seventy one-hundredths acres.

Together with an easement six feet wide for a pipeline right-of-way extending from the Government road to parcel 1, the south side of said right-of-way being described as follows:

Beginning at the east end of this right-of-way on the common boundary of the lands of Honaunau and Keokea, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Lae-O-Kanoni" being three thousand one hundred ninety and eight-tenths feet south and eleven thousand seventy-eight and eight-tenths feet east, and running by azimuths measured clockwise from true south:

1. Eighty degrees thirty-six minutes five seconds one hundred and seventeen feet along L.C. Aw. 7712:1 to M. Kekuanaoa, to the Triangulation Station "Ahupuaa" of the B. P. Bishop estate;
2. Eighty-two degrees twenty minutes seven thousand two hundred eighty-nine and one-tenth feet along same to a one and one-fourth-inch pipe in concrete monument on the east boundary of parcel 1 the coordinates of said point of the end of this six-foot right-of-way referred to Government Triangulation Station "Lae-O-Kanoni" being four thousand one hundred eighty-two and four-

tenths feet south and three thousand seven hundred thirty-nine and four-tenths feet east.

Area, one and two one-hundredths acres.

PARCEL 3

Being portion of L.C. Aw. 8521–B to G. D. Hueu, being portion of the Ahupuaa of Kiilae.

Beginning at a one and one-half-inch pipe in concrete monument called "Kalani" at the northeast corner of this parcel, the southeast corner of parcel 1, on the common boundary of the land of Keokea and Kiilae, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Lae-O-Kanoni" being seven thousand four hundred forty-four and eight-tenths feet south and five thousand three and two-tenths feet east and running by azimuths measured clockwise from true south:

1. Three hundred thirty-eight degrees forty-nine minutes thirty seconds five hundred ninety-five and four-tenths feet along the remainder of L.C. Aw. 8521–B to G. D. Hueu to the eight thousand foot south coordinates line referred to Government Survey Triangulation Station "Lae-O-Kanoni";

2. Ninety degrees no minutes one thousand ninety-nine and seven-tenths feet along same and along said eight thousand foot south coordinates line and across school grant 7 Apana 6 to high-water mark;

3. Thence along high-water mark, along sea, the direct azimuth and distance being: two hundred six degrees thirty-three minutes thirty seconds four hundred eighty-two and nine-tenths feet;

4. Two hundred fifty-nine degrees thirty-three minutes fifteen seconds six hundred eighty feet along L.C. Aw. 7712:1 to M. Kekuanaoa and passing over a rock called Kuwaia, marked K+K at six and eight-tenths feet to the point of beginning.

Area, ten and twenty-five one-hundredths acres. (16 U.S.C. § 397.)

Establishment.

SEC. 2. Upon the vesting of title in the United States to such lands as may be designated by the Secretary of the Interior as necessary and suitable for historical park purposes in accordance with the provisions of section 1 of this Act, the City of Refuge National Historical Park shall be established by order of the said Secretary, which shall be published in the Federal Register. Any other lands within the area described above shall become a part of the national historical park upon the vesting of title thereto in the United States and upon publication of an appropriate supplemental order by the said Secretary in the Federal Register. (16 U.S.C. § 397a.)

Publication in F.R.

Procurement of lands.

SEC. 3. The Secretary of the Interior is authorized to procure, by donation or purchase, with any funds that

may be available for that purpose, lands and interests in lands which may be needed for the City of Refuge National Historical Park within the area described in section 1 hereof. (16 U.S.C. § 397b.)

SEC. 4. In order to cooperate with the Secretary of the Interior in consolidating in Federal ownership lands within the area described above, and to facilitate acquisition of the lands needed for the national historical park, the Governor of the Territory of Hawaii is also authorized to acquire lands for said park, at the expense of the Territory of Hawaii by exchange or otherwise, in accordance with procedure prescribed by the Act of February 27, 1920 (41 Stat. 452). (16 U.S.C. § 397c.)

16 U.S.C. 392.

SEC. 5. The City of Refuge National Historical Park shall be administered by the Secretary of the Interior subject to the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C., 1946 edition, secs. 1–4), as amended and supplemented, and such additional authority compatible therewith as is contained in the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C., 1946 edition, secs. 461–467), with regard to preservation of historic sites and objects of national significance. (16 U.S.C. § 397d.)

Administration.

4. Colonial National Historical Park

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Sewage-disposal system to serve Yorktown area of park, preparation of plans and estimates authorized	Act of March 5, 1948	201
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Exchange of land with York County School Board authorized	Acts of September 23, 1950	202
	and May 13, 1953	203
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Sewage-disposal system to serve Yorktown area of park, construction authorized	Act of March 29, 1956	204

An Act To authorize the transfer of certain lands within the Colonial National Historical Park, Yorktown, Virginia, to the Secretary of the Navy, approved December 23, 1944 (58 Stat. 923)

Colonial National Historical Park, Va. Transfer of jurisdiction over certain lands.

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 be, and he is hereby, authorized and directed to transfer to the Secretary of the Navy complete control and juridiction over a parcel of land within the Colonial National Historical Park, Yorktown, Virginia, described as follows:

Beginning at a point on the existing property line between the United States naval mine depot and the Colonial National Monument Parkway properties, said point being a fence corner seven hundred and sixty-five feet, more or less, southeast of the marine barracks gate; thence south fifty-six degrees thirty-eight minutes east fifty-three and fifteen one-hundredths feet, more or less; thence south fifty degrees sixteen minutes east three hundred and twelve feet, more or less; thence south thirty-nine degrees forty-four minutes west one hundred and twenty-five and seven one-hundredths feet, more or less, to the property line between the United States naval mine depot and the Colonial National Monument Parkway; thence along the said property line north thirty-nine degrees fifty-four minutes west one hundred and twenty-eight and ninety-six one-hundredths feet, more or less; thence continuing along said property line north twenty-eight degrees eighteen minutes west two hundred and fifty-six and fifty-nine one-hundredths feet, more or less, to the point of beginning; containing six hundred and twenty-one one-thousandths of an acre, more or less. (16 U.S.C. § 81j.)

An Act To authorize the Secretary of the Interior to prepare plans and estimates for a sewage-disposal system to serve the Yorktown area of the Colonial National Historical Park, Virginia, and for other purposes, approved March 5, 1948 (62 Stat. 70)

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, through the National Park Service, is hereby authorized and directed to make a study of sewage conditions in the Yorktown area of the Colonial National Historical Park, Virginia, and to prepare construction plans and estimates for an adequate sewage-disposal system for said area, including disposal of sewage from privately owned property in the locality of and within the said park. Such construction plans and estimates shall include an equitable basis for payment by private owners, who may use the sewage-disposal system, of a fair and reasonable proportionate share of the cost of construction of the said system and of the annual costs incidental to its maintenance and operation.

Colonial National Historical Park, Va.

Sewage-disposal system.

SEC. 2. The Secretary of the Interior shall transmit to the Congress a full and comprehensive report on this matter within one year from the date of appropriation of funds to carry out the provisions of this Act.

Report to Congress.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000 to carry out the provisions of this Act. (See p. 204.)

Appropriation authorized.

An Act To authorize a bridge, roads and approaches, supports and bents, or other structures, across, over, or upon lands of the United States within the limits of the Colonial National Historical Park at or near Yorktown, Virginia, approved May 12, 1948 (62 Stat. 232)

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, upon such terms and conditions as to location, type, or design of the structure or otherwise as to him and to the Secretary of the Navy may appear proper to protect the interests of the United States, is authorized to grant to the Commonwealth of Virginia or to its agency the Highway Commission of said Commonwealth right-of-way or other easement as may be proper to enable a highway bridge the level and design of which shall be subject to the approval of the Secretary of the Interior and the Secretary of the Navy, such bridge to be erected, operated, and maintained across the York River in the State of Virginia at or near Yorktown, Virginia, and for the purpose of permitting such portions of said bridge, the roads and approaches thereto, together with

Colonial National Historical Park, Va.

Right-of-way.

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any necessary structures connected therewith as may be necessary for the construction, maintenance, and operation of said bridge, and for safe, reasonable, and proper ingress thereto or egress therefrom, to be located and erected across, over, or upon the property of the United States forming a part of the Colonial National Historical Park.

Payment.

The Secretary of the Interior is directed and authorized to secure and accept payment in cash or by land exchange as compensation to the United States for any lands used for such right-of-way and any moneys received may in turn be used by the Secretary of the Interior for the purchase of other privately owned historical lands within the boundaries of Colonial National Historical Park. Any lands so received or so purchased shall become part of Colonial National Historical Park.

Determination of value of land.

The value of the park lands to be conveyed to the Commonwealth of Virginia as herein provided shall be determined by a committee of three appraisers, one each to be selected by the Governor of Virginia and the Secretary of the Interior, with the third appraiser to be mutually satisfactory to them. The Secretary may, in his discretion, approve the value agreed upon by a majority of the appraisers or he may require a new appraisal to be made in a similar manner. The decision of the Secretary shall be final and conclusive as to the value of the easement lands conveyed pursuant to the provisions of this Act.

Nothing in this Act or in any grant of right-of-way or other easement issued pursuant to this Act shall be construed to affect the provisions of the General Bridge Act of 1946 (60 Stat. 847).

33 U.S.C. §§ 525–533. *Post*, p. 267.

An Act To authorize the exchange of certain land for purposes of the Colonial National Historical Park, and for other purposes, approved September 23, 1950 (64 Stat. 979)

Colonial National Historical Park. Exchange of lands.

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, in his discretion, to accept on behalf of the United States, from the York County School Board, State of Virginia, title to approximately one-half acre of land in Nelson District, York County, Virginia, situated within the authorized boundaries of the Colonial National Historical Park, and in exchange therefor to convey by deed, on behalf of the United States, to the school board approximately one-half acre of land of approximately equal value situated within the Colonial National Historical Park. (16 U.S.C. § 81k.)

An Act Authorizing the acceptance, for purposes of Colonial National Historical Park, of school board land in exchange for park land, and for other purposes, approved May 13, 1953 (67 Stat. 27)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to consolidate Federal holdings in, and to improve, Colonial National Historical Park, the Secretary of the Interior, when he finds that the public interest will be served thereby, is authorized to accept on behalf of the United States from the York County School Board, State of Virginia, the conveyance of any land or interests in land located within the authorized area of the Colonial National Historical Park, together with the structures situated upon such properties, as may be agreed upon by the Secretary and the school board; and, in exchange therefor, to convey on behalf of the United States to the school board not more than fifty-five acres of land or interests in land situated within the Colonial National Historical Park. (16 U.S.C. § 81l.)

Colonial National Historical Park. Exchange of lands.

An Act To authorize land exchanges for purposes of Colonial National Historical Park, in the State of Virginia; to authorize the transfer of certain lands of Colonial National Historical Park, in the State of Virginia, to the Commonwealth of Virginia; and for other purposes, approved March 29, 1956 (70 Stat. 61)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of preserving more effectively for the public benefit the historic properties within Colonial National Historical Park, Virginia, the Secretary of the Interior is authorized to consummate desirable land exchanges, as hereafter prescribed, and thereby to reduce and adjust the boundaries of the park. Any lands eliminated from the park hereunder shall not subsequently be added to the park except by Act of Congress.

Colonial National Historical Park, Va. Land exchanges.

In furtherance of these purposes, the Secretary is authorized on behalf of the United States to accept from grantors title to non-Federal land and interests in land, together with the improvements thereon, situated within the authorized park boundaries, and in exchange therefor, to convey by deed on behalf of the United States to the aforesaid grantors land or interests therein, together with the improvements thereon, situated within Colonial National Historical Park that may be used advantageously for exchange purposes. The aforesaid exchanges are authorized to be made without additional compensation by either party to the exchange when the properties to be exchanged are of approximately equal value. When, however, the properties are not of approximately equal value, as may be determined by the Secretary, an additional payment of funds shall be re-

quired by the Secretary or by the grantor of non-Federal properties, as the case may be, in order to make an equal exchange. The Secretary is authorized to use any land acquisition funds relating to the National Park System for such purposes. The Secretary may consummate land exchanges herein authorized upon such terms, conditions, and procedures as he may find to be necessary or desirable in carrying out the purposes of this Act; and in evaluating non-Federal properties to be acquired hereunder, he is authorized to make such allowance as he may find to be equitable for the value of any residential properties that may be situated upon land to be acquired pursuant to this Act. If expedient and in the public interest to do so, he may assist in the removal of structures from property to be acquired hereunder through the exchange procedure, and he may cooperate with public or private agencies and persons in the securing of housing for the aforesaid grantors who may require new housing accommodations or facilities as a result of the land exchanges herein authorized. (16 U.S.C. § 81m.)

Transfer.

SEC. 2. The Secretary is further authorized to transfer without compensation up to fifteen acres of the Colonial National Historical Park, Virginia, to the Commonwealth of Virginia for use by agencies of the Commonwealth in the establishment of a State Park in furtherance of the purposes of the Colonial National Historical Park. (16 U.S.C. § 81n.)

An Act To authorize the construction of a sewage-disposal system to serve the Yorktown area of the Colonial National Historical Park, Virginia, and for other purposes, approved March 29, 1956 (70 Stat. 64)

Yorktown area, Va. Sewage-disposal system.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of modernizing the sanitary facilities in the Yorktown area of Colonial National Historical Park, and in anticipation of the increased need for such facilities in connection with the Jamestown-Williamsburg-Yorktown celebration to be held in 1957, the Secretary of the Interior is authorized to construct, operate, and maintain, in such manner as he shall consider to be in the public interest, a sewage-disposal system to serve Federal and non-Federal properties in the said Yorktown area: *Provided*, That non-Federal users of the system shall be charged rates sufficient to recover a pro rata share of depreciation and costs of operation and maintenance of the system. Funds obtained from such non-Federal users of the system shall be deposited in the Treasury of the United States as miscellaneous receipts, with the exception that the Secretary may consider as appropriation reimbursements, to be credited to the appropriation current at the time received, such amount of the aforesaid collections as may be neces-

sary to reimburse, on a pro rata basis, appropriated operating funds expended for maintenance and operation costs of the system.

SEC. 2. There are hereby authorized to be appropriated for the construction of these facilities the sum of not to exceed $250,000. (16 U.S.C. § 81j note.) Appropriation.

5. Cumberland Gap National Historical Park

		Page
Appointment of two United States commissioners authorized	Act of July 25, 1956	206
Land acquisition authorized	Act of July 26, 1961	206

An Act To amend title 28 of the United States Code to authorize the appointment of two United States commissioners for Cumberland Gap National Historical Park, approved July 25, 1956 (70 Stat. 642)

Cumberland Gap National Historical Park. 62 Stat. 916.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 631(a) of title 28 of the United States Code is amended by inserting after the third paragraph of such section the following new paragraph:

"Two United States commissioners may be appointed for Cumberland Gap National Historical Park. One, whose jurisdiction shall be limited to the portion of the park situated in Kentucky, shall be appointed by the District Court for the Eastern District of Kentucky; the other, whose jurisdiction shall be limited to the portion of the park situated in Tennessee and Virginia, shall be appointed by joint action of the District Courts for the Eastern District of Tennessee and the Western District of Virginia." (28 U.S.C. § 631.)

An Act To authorize the Secretary of the Interior to acquire approximately nine acres of land for addition to Cumberland Gap National Historical Park, and for other purposes, approved July 26, 1961 (75 Stat. 224)

Cumberland Gap National Historical Park, Ky. Additional lands.

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 may acquire for addition to Cumberland Gap National Historical Park the following described land and interests in land, located in Bell County, Kentucky: *Provided*, That appropriated funds may not be used to pay more than one-half the cost of such acquisition.

Beginning at a concrete marker on the west boundary of Cumberland Gap National Historical Park and being on the south margin of Avondale Avenue in the city of Middlesboro, Kentucky, and also on the south bank of Davis Branch; thence along the park boundary the following courses and distances:

South 24 degrees 50 minutes west, 196.79 feet; thence south 30 degrees 02 minutes west, 129.95 feet to a stake; thence south 12 degrees 22 minutes west, 31.82 feet; thence south 80 degrees 38 minutes west, 143.36 feet; thence south 88 degrees 04 minutes west, 100 feet; thence north 86 degrees 14 minutes west, 100 feet; thence north 80

degrees 33 minutes west, 100 feet; thence north 77 degrees 42 minutes west, 186.40 feet;

Thence north 82 degrees 51 minutes west, 271.55 feet; thence leaving the park boundary and following along the south right-of-way of Clydesdale Avenue south 71 degrees 39 minutes west, 310 feet, more or less, to the north right-of-way of United States Highway 25E;

Thence along the said highway right-of-way south 82 degrees 09 minutes west, 317 feet, more or less, to its intersection with the north right-of-way of Clydesdale Avenue; thence along the north right-of-way of Clydesdale Avenue north 70 degrees 09 minutes east, 423 feet, more or less, to a point on the park boundary;

Thence with the park boundary the following courses and distances: south 86 degrees 39 minutes west, 261.44 feet; thence south 81 degrees 26 minutes west, 147.66 feet; thence north 6 degrees 55 minutes west, 49.23 feet; thence south 83 degrees 04 minutes west, 980 feet; thence north 6 degrees 55 minutes west, 135 feet, more or less, to a point in the middle of Little Yellow Creek;

Thence leaving the park boundary and up the center of the meanders of Little Yellow Creek, 2,562 feet, more or less, to a point in the middle of Little Yellow Creek which is also a point in the middle of Davis Branch;

Thence leaving Little Yellow Creek and along the center of Davis Branch, 400 feet, more or less, to the south margin of Avondale Avenue; thence with the south right-of-way of Avondale Avenue south 55 degrees 44 minutes east, 5 feet, more or less, to the point of beginning, said tract containing 9.0 acres, more or less. (16 U.S.C. § 265.)

Appropriation.

SEC. 2. There are hereby authorized to be appropriated such sums, but not more than $30,000, as are necessary to carry out the provisions of this Act. (16 U.S.C. § 265 note.)

6. Independence National Historical Park [1]

		Page
Investigation for establishment of a national park in Philadelphia authorized	Act of August 9, 1946	208
Establishment of park and acquisition of lands authorized	Act of June 28, 1948	211
Establishment act of June 28, 1948, amended to provide for operation and demolition of federally acquired properties following acquisition and before establishment of park	Act of October 26, 1951	214
Establishment act of June 28, 1948, amended to authorize permission for American Philosophical Society to construct and maintain a building in the park	Act of July 10, 1952	214
Designation of Mikveh Israel Cemetery as a unit of park	Act of August 6, 1956	215
Acquisition of certain land for the Deshler-Morris House authorized	Act of August 21, 1958	216
Development of park authorized	Act of August 27, 1958	216
Acquisition of lands adjacent to St. George's Methodist Church property authorized	Act of June 23, 1959	217
Acquisition of lands adjacent to Old Saint Joseph's Church property authorized	Act of September 14, 1959	217

An Act To provide for investigating the matter of the establishment of a national park in the old part of the city of Philadelphia, for the purpose of conserving the historical objects and buildings therein, approved August 9, 1946 (60 Stat. 972)

Philadelphia.

Whereas thousands of residents of the city of Philadelphia, comprising part of the Third Congressional District of Pennsylvania, have petitioned their representatives in the Congress of the United States upon the matters more fully hereinafter set forth; and

Whereas the petition of the residents of the city of Philadelphia calls attention to the existence of many shrines hallowed in American history, as well as several modern buildings owned by the Federal Government, in the area of the city of Philadelphia, beginning at the southeast corner of Sixth Street and Chestnut Street and proceeding southwardly to the northeast corner of Sixth Street and Walnut Street; thence proceeding eastwardly to the northwest corner of Fifth Street and Walnut Street; thence proceeding northwardly to a point on the west side of Fifth Street which would be made by extending the north line of Sansom Street to the east side of Fifth Street; thence proceeding eastwardly along the north line of the said Sansom Street to a point in the east side of Fourth Street which would be made by extending the north line of the said Sansom Street to the east side of the said Fourth Street; thence southwardly to the northeast corner of Harmony and Fourth Streets; thence eastwardly to the northwest corner of Harmony and Third Streets; thence northwardly to a point at which a line extended perpendicularly from the east side of

[1] See also pp. 190–194.

Third Street would meet the angle created by the lines forming the northeast corner of Third and Dock Streets; thence eastwardly along the northerly line of said Dock Street to the northeast corner of Dock, South American and Moravian Streets; thence eastwardly to the northwest corner of Moravian and Second Streets; thence northwardly to the southwest corner of Second and Chestnut Streets; thence westwardly to the southeast corner of Sixth and Chestnut Streets, to the place of beginning; and calls attention to the fact that much of the area above described is run down, some properties are demolished, and others are in such dilapidated condition as to constitute a serious fire hazard of such proportions as to endanger Independence Hall, Carpenters' Hall, the Old Custom House, and the First Bank of the United States, as well as other landmarks and shrines of patriotism, and that such unsightly condition is not conducive to a proper respect and reverence for those American ideals which are symbolized by those shrines; and recommends that the Federal Government establish a national park in the above vicinity and also in the area bounded by Fifth Street on the east, Race Street on the north, Sixth Street on the west, and Chestnut Street on the south, which will assure at once a beautiful setting for those shrines and maximum protection against fire or other disaster: and

Whereas during these troubled times it is desirable to augment the defense effort of our Nation not only with arms but with proper emphasis on spiritual values; and

Whereas an attractive and inspiring setting will create a stronger sense of reverence for American institutions, laws and orders, which had their beginnings, in large part, in this group of shrines in the formative years around 1776; and

Whereas it is proper, fitting, and desirable that the United States of America should properly enshrine these jewels of democracy, so that all who visit these hallowed places from the far corners of this glorious democracy and the four corners of the world may be stirred with a feeling of patriotic reverence: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created for the purpose of investigating the matter of the establishment in the city of Philadelphia, in the Commonwealth of Pennsylvania, of a Federal area to be called Philadelphia National Shrines Park, or by some other appropriate name, to encompass within its area the buildings of historical significance in the old part of the city of Phil-

Philadelphia National Shrines Park.

adelphia, and to be operated and maintained by the National Park Service, for the purpose of conserving the historical objects and buildings in the said area and to provide for the enjoyment and appreciation thereof in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

Commission.

SEC. 2. The Commission shall be known as the Philadelphia National Shrines Park Commission, and shall be composed of seven individuals, who shall serve without compensation, to be appointed as follows: One Member of the United States Senate, to be appointed by the President of the Senate; one Member of the United States House of Representatives, to be appointed by the Speaker of the House; one member to be appointed by the Secretary of the Interior, and four persons, one of whom shall be a resident of the city of Philadelphia, to be appointed by the President of the United States. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

Meeting for organizing.

SEC. 3. The Commission shall meet for the purpose of organizing within thirty days after the enactment of this Act. Rooms shall be provided for the use of the Commission in the New Custom House at Philadelphia. The Commission shall elect a Chairman and executive secretary from among its members.

Study of historic area, etc.

SEC. 4. The Commission shall make a study of the historic area and the area surrounding and contiguous to the locality involved, the buildings now in existence there, comparative real-estate costs, the advisability of condemnation of all or any part of the said locality and area, which of the present buildings should remain privately owned, if any, and shall prepare a report on all phases of the problem. Such report shall be transmitted to the Congress by the Secretary of the Interior not later than January 3, 1947.[1] Upon submission of the report to Congress, the Commission shall cease to exist.

Report.

Termination of Commission.

Functions, etc., of Commission.

SEC. 5. The Commission, or any member thereof, may, for the purpose of carrying out the provisions of this Act, hold hearings and sit and act at such places and times, require by subpena the attendance of such witnesses other than persons engaged in essential war industries as defined by the War Manpower Commission, and the production of such books, papers, and documents, administer such oaths, and take such testimony, as the Commission or such member deems advisable. Subpenas shall be issued under the signature of the Chairman of the Commission and shall be served by any person designated by him. For purposes of the exercise of the functions, powers, and duties conferred or imposed by this Act, the provisions of sections 9 and 10 (relating to the

[1] Extended to January 3, 1948, by Joint Resolution approved March 7, 1947 (61 Stat. 8).

attendance and testimony of witnesses and the production of evidence) of the Federal Trade Commission Act of September 16, 1914, as amended (U.S.C., 1940 edition, title 15, secs. 49 and 50), are hereby made applicable so far as is consistent with the provisions of this Act.

38 Stat. 722, 723.

SEC. 6. (a) The Secretary of the Interior may appoint and fix the compensation, in accordance with the provisions of the civil-service laws and the Classification Act of 1923, as amended, of such experts, advisers, and other employees, and may make such expenditures, including expenditures for actual travel and subsistence expense of members, employees, and witnesses (not exceeding $15 for subsistence expense for any one person for any one calendar day), for personal services at the seat of government and elsewhere, and for printing and binding, as are necessary for the efficient execution of the functions, powers, and duties of the Commission under this Act. The Commission is authorized to utilize voluntary and uncompensated services for the purposes of this Act. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000 to carry out the provisions of this Act.

Employees, expenditures, etc.

42 Stat. 1488. 5 U.S.C. §§ 661–674; Supp. V, § 661 *et seq.*

Ante, pp. 216, 219.

Voluntary services.

Appropriation authorized.

(b) The Commission shall have the same privilege of free transmission of official mail matter as is granted by law to officers of the United States Government.

Free transmission of mail.

An Act To provide for the establishment of the Independence National Historical Park, and for other purposes, approved June 28, 1948 (62 Stat. 1061)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of preserving for the benefit of the American people as a national historical park certain historical structures and properties of outstanding national significance located in Philadelphia, Pennsylvania, and associated with the American Revolution and the founding and growth of the United States, the Secretary of the Interior, following the consummation of agreements with the city of Philadelphia and the Carpenters' Company of Philadelphia as prescribed in section 2 of this Act, is authorized to acquire by donation or with donated funds, or to acquire by purchase, any property, real or personal, within the following-described areas, such park to be fully established as the "Independence National Historical Park" when, in the opinion of the Secretary, title to sufficient of the lands and interests in lands within such areas, shall be vested in the United States: *Provided*, That the park shall not be established until title to the First United States Bank property, the Merchants' Exchange property, the Bishop White house, the Dilworth-Todd-Moylan house, and the

Independence National Historical Park, Pa.

Infra.

Acquisition of property.

Restriction.

site of the Benjamin Franklin house, together with two-thirds of the remaining lands and interests in lands within the following-described areas, shall have been vested in the United States:

"Project A." (a) An area of three city blocks bounded generally by Walnut Street, Fifth Street, Chestnut Street, and Second Street, but excluding the new United States customhouse at the southeast corner of Second and Chestnut Streets, identified as "project A", as described in the report of the Philadelphia National Shrines Park Commission, dated December 29, 1947.

"Project B." (b) A memorial thoroughfare, or mall, extending generally from the south side of Walnut Street to the north side of Manning Street, identified as part of "project B" in the report of the Commission.

"Project C." (c) The site of the residence of Benjamin Franklin, and related grounds, comprising approximately a one-hundred-foot-wide strip, extending southward from Market Street approximately three hundred feet between Third and Fourth Streets, and encompassing a portion of Orianna Street, identified as "project C" in the report of the Commission.

"Project E." (d) Certain land and buildings immediately adjacent to Christ Church, situated on the west side of Second Street, and north of Market Street, identified as "project E" in the report of the Commission: *Provided*, That the Secretary of the Interior first enter into an agreement with the proprietor or proprietors of said property (Christ Church), said agreement to contain the usual and customary provisions for the protection of the property, assuring its physical maintenance as a national shrine, without any limitation or control over its use for customary church purposes. (16 U.S.C. § 407m as amended. See pp. 214, 216–217.)

Agreement with proprietors of Christ Church.

Cooperative agreements.

SEC. 2. In furtherance of the general purposes of this Act as prescribed in section 1 hereof, the Secretary of the Interior is authorized to enter into cooperative agreements with the city of Philadelphia to assist in the preservation and interpretation of the property known as the Independence Hall National Historic Site and with the Carpenters' Company of Philadelphia to assist in the preservation and interpretation of Carpenters' Hall, in connection with the Independence National Historical Park. Such agreements shall contain, but shall not be limited to, provisions that the Secretary of the Interior, through the National Park Service, shall have right of access at all reasonable times to all public portions of the property now within Independence Hall National Historic Site and to Carpenters' Hall for the purpose of conducting visitors through such buildings and grounds and interpreting them to the public, that no changes or alterations shall be made in the property within the Independence Hall National Historic Site, including its

buildings and grounds, or in Carpenters' Hall, except by mutual agreement between the Secretary of the Interior and the other parties to the contracts. (16 U.S.C. § 407n.)

Construction of offices, etc.

SEC. 3. The Secretary of the Interior, in his discretion, is authorized to construct upon a portion of the land described in section 1 of this Act, or upon other land that may be donated for such purpose, which property he is hereby authorized to accept, such offices and administration buildings as he may deem advisable, together with a suitable auditorium for the interpretation of the historical features of the national historical park.

Acceptance of donations.

The Secretary of the Interior is also authorized to accept donations of property of national historical significance located in the city of Philadelphia which the Secretary may deem proper for administration as part of the Independence National Historical Park. Any property donated for the purposes of this section shall become a part of the park, following its establishment, upon acceptance by the United States of title to such donated property. (16 U.S.C. § 407o as amended. See p. 215.)

Advisory commission.

SEC. 4. The Secretary of the Interior is authorized, in his discretion, to establish a suitable advisory commission of not to exceed eleven members. The members of the advisory commission shall be appointed by the Secretary of the Interior, with three members to be recommended by the Governor of Pennsylvania, three by the mayor of Philadelphia, and one each by the Carpenters' Company of Philadelphia and the Independence Hall Association.

Functions.

The functions of the advisory commission shall be to render advice to the Secretary of the Interior, from time to time, upon matters which the Secretary of the Interior may refer to them for consideration. (16 U.S.C. § 407p.)

SEC. 5. The administration, protection, and development of the park 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 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented, and the Historic Sites Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467). (16 U.S.C. § 407q.)

Appropriation authorized.

SEC. 6. For the purpose of acquiring the property described in section 1 of this Act, there is hereby authorized to be appropriated not to exceed the sum of $4,435,000. Funds appropriated pursuant to this Act shall be available for any expenses incidental to acquisition of property as prescribed by this Act, including the employment of the necessary services in the District of Columbia, and including to the extent deemed necessary by the Secretary of the Interior, the employment without regard to

42 Stat. 1488. 5 U.S.C. §§ 661–674.

the civil-service laws or the Classification Act of 1923, as amended, of such experts and other officers and employees as are necessary to carry out the provisions of this Act efficiently and in the public interest. (16 U.S.C. § 407r as amended. See pp. 215, 217.)

An Act To amend the Act of June 28, 1948 (62 Stat. 1061), to provide for the operation, management, maintenance, and demolition of federally acquired properties following the acquisition of such properties and before the establishment of the Independence National Historical Park, and for other purposes, approved October 26, 1951 (65 Stat. 644)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 28, 1948 (62 Stat. 1061), is hereby amended to add thereto the following section:

Independence National Historical Park.

Administration, etc., of properties.

"SEC. 7. Following the acquisition by the Federal Government of properties pursuant to this Act and until such time as the buildings thereon are demolished or the properties and buildings thereon are devoted to purposes of the Independence National Historical Park as provided herein, the Secretary is authorized, with respect to the said properties, to administer, operate, manage, lease, and maintain such properties, and lease, demolish,

Funds.

or remove buildings, or space in buildings thereon, in such manner as he shall consider to be in the public interest. Any funds received from leasing the said properties, buildings thereon, or space in buildings thereon, shall be deposited to the credit of a special receipt account and expended for purposes of operating, maintaining, and managing the said properties and demolishing or re-

Contracts.

moving the buildings thereon. The Secretary, in his discretion and notwithstanding other requirements of law, may exercise and carry out the functions authorized herein by entering into agreements or contracts with public or private agencies, corporations, or persons, upon such terms and conditions as he deems to be appropriate in carrying out the purposes of this Act." (16 U.S.C. § 407s.)

An Act To amend the Act of June 28, 1948 (62 Stat. 1061), relating to the establishment of the Independence National Historical Park, approved July 10, 1952 (66 Stat. 575)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 1 of the Act of June 28, 1948 (62 Stat. 1061), is hereby amended by the addition to that subsection of the following sentence: "The properties identified generally as 269, 271, 273, and 275 South Fifth Street in 'project B' in the report of the Commission." (16 U.S.C. §407m. See p. 212.)

Independence National Historical Park, Pa.

SEC. 2. Section 3 of the Act of June 28, 1948, is hereby amended by the addition thereto of the following sentence:

Library of American Philosophical Society.

"The Secretary of the Interior is authorized to permit the American Philosophical Society, a nonprofit corporation, without cost to the United States, to construct, operate, and maintain in the park a building to be located on approximately the original site of historic Library Hall to house the library of the American Philosophical Society and any additions to said library, such permission to be granted the society pursuant to a lease, contract, or authorization without charge, on such terms and conditions as may be approved by the Secretary and accepted by the society, and for such length of time as the society shall continue to use the said building for the housing, display, and use of a library and scientific and historical collections:

Provided, That the plans for the construction of the building and any additions thereto shall be approved by the Secretary of the Interior." (16 U.S.C. § 407o. See p. 213.)

Appropriation.

SEC. 3. The first sentence of section 6 of the Act of June 28, 1948, is hereby amended to read as follows: "For the purpose of acquiring the property described in section 1 of this Act, there is hereby authorized to be appropriated not to exceed the sum of $7,700,000. (16 U.S.C. § 407r. See p. 213.)

An Act To provide for the designation of Mikveh Israel Cemetery, in Philadelphia, Pennsylvania, as a unit of the Independence National Historical Park, approved August 6, 1956 (70 Stat. 1074)

Mikveh Israel Cemetery.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon compliance with the provisions of section 2 of this Act, the Mikveh Israel Cemetery, located in Philadelphia, Pennsylvania, and containing the graves of Haym Salomon and other outstanding patriots of the Revolutionary War who played important parts in the early history of the United States, shall be declared to be a unit of the Independence National Historical Park: *Provided*, That the United States shall not thereby assume any responsibility to provide for the administration, care, or maintenance of said Mikveh Israel Cemetery.

SEC. 2. This Act shall become effective if and when the Mikveh Israel Congregation, through its duly authorized representatives, has executed an agreement in terms and conditions satisfactory to the Secretary of the Interior, providing for the continuing administration, care, and maintenance, without expense to the United States, of

the Mikveh Israel Cemetery, whereupon said Secretary shall issue a notice declaring that said requirement has been met and that Mikveh Israel Cemetery is formally designated a unit of the Independence National Historical Park. (16 U.S.C. § 407m note.)

An Act To authorize the Secretary of the Interior to acquire certain land for the Deshler-Morris House, Independence National Historical Park, approved August 21, 1958 (72 Stat. 701)

Independence National Historical Park, Pa. Acquisition of land. 16 U.S.C. 407o.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of placing in Government ownership a small strip of land encroached upon by the Deshler-Morris House, which was donated to the United States and accepted as a part of Independence National Historical Park pursuant to section 3 of the Act of June 28, 1948 (62 Stat. 1061), the Secretary of the Interior is authorized to acquire the following land:

Beginning at a point on the southwesterly side of Germantown Avenue at the distance of 165 feet 7½ inches southeastwardly from the southeasterly side of School House Lane, in the 22d ward of the city of Philadelphia; thence extending south 41 degrees 50 minutes 46 seconds west 44 feet to a point; thence extending north 48 degrees 58 minutes 40 seconds west 6 feet 1 inch to a point; thence extending south 42 degrees 8 minutes 17 seconds west 106 feet 4 inches to a point of corner; thence extending south 48 degrees 58 minutes 40 seconds east 12 feet 1½ inches to a point of corner; thence extending north 41 degrees 50 minutes 46 seconds east 150 feet 3⅞ inches to the southwesterly side of Germantown Avenue; thence extending north 48 degrees 58 minutes 40 seconds west along the southwesterly side of Germantown Avenue 5 feet 6 inches to the first mentioned point and place of beginning. (16 U.S.C. § 407o note.)

An Act To provide for the development by the Secretary of the Interior of Independence National Historical Park, and for other purposes, approved August 27, 1958 (72 Stat. 861)

Independence National Historical Park. 16 U.S.C. 407m–407r.

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 hereby authorized to proceed with the development of Independence National Historical Park, the establishment of which was authorized by the Act of June 28, 1948 (62 Stat. 1061). The development hereby authorized shall be in accordance with plans to be approved by the Secretary.

Appropriation.

SEC. 2. There is hereby authorized to be appropriated for the development of said park pursuant to this Act the sum of $7,250,000: *Provided*, That all funds authorized to be appropriated under this Act shall be expended by June 30, 1963. (16 U.S.C. §407q note.)

SEC. 3. (a) Subsection (d) of section 1 of the Act of June 28, 1948 (16 U.S.C. 407m), is hereby amended by striking out the colon and inserting in lieu thereof immediately before the proviso the following: ", and certain land and buildings adjoining 'project E', being known and numbered as 8, 10, and 12 North Second Street and 201, 203, 205, 207, 209, 211–213, 215, 217, 219, and 221 Market Street:". (16 U.S.C. § 407m. See p. 212.) 62 Stat. 1061.

(b) The first sentence of section 6 of such Act of June 28, 1948 (16 U.S.C. 407r), is amended by striking out "$7,700,000" and inserting in lieu thereof "$7,950,000". (16 U.S.C. § 407r. See pp. 213, 215.) 66 Stat. 575.

An Act To authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historical Park, approved June 23, 1959 (73 Stat. 88)

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 acquire by donation or with donated funds, or to acquire by purchase, the land and buildings immediately adjacent to, but not including, the St. George's Methodist Church property, which land and buildings are identified generally as 318, 320, and 322 New Street, for inclusion in the Independence National Historical Park: *Provided*, That the Secretary shall first enter into an agreement with the proprietor or proprietors of the St. George's Methodist Church property, such agreement to contain the usual and customary provisions for the protection and physical maintenance of said church property, without expense to the United States, in keeping with, but not as a part of, the nearby Independence National Historical Park and providing for its continued use, without limitation or control, for customary church purposes. (16 U.S.C. § 407m–1 [Supp. II].) Independence National Historical Park. Appropriation.

SEC. 2. There are hereby authorized to be appropriated such sums, not exceeding $25,000, as may be necessary to carry out the purposes of section 1 of this Act. (16 U.S.C. § 407m–1 note [Supp. II]).

An Act To authorize the Secretary of the Interior to acquire certain additional property to be included within the Independence National Historical Park, approved September 14, 1959 (73 Stat. 556)

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 acquire by donation or with donated funds, or to acquire by purchase, from the Redevelopment Authority of the City of Philadelphia the land and interests in land immediately adjacent to, but not including, the Old Saint Joseph's Church property in the city of Philadel- Independence National Historical Park. Additional land.

phia, Pennsylvania, which land and interests in land are identified on the records of the city of Philadelphia as 324, 326, 328, 330, 332, 334 and 336 Walnut Street, for inclusion in the Independence National Historical Park: *Provided*, That the Secretary shall first enter into an agreement with the proprietor or proprietors of the Old Saint Joseph's Church property, such agreement to contain the usual and customary provisions for the protection and physical maintenance of such church property, without expense to the United States, in keeping with, but not as a part of the nearby Independence National Historical Park and providing for its continued use, without limitation or control, for customary church purposes. (16 U.S.C. § 407m–2 [Supp. II].)

Appropriation. SEC. 2. There are hereby authorized to be appropriated such sums, not exceeding $46,200 as may be necessary to carry out the purposes of section 1 of this Act. (16 U.S.C. § 407m note [Supp. II].)

7. Minute Man National Historical Park

		Page
Establishment of park authorized	Act of September 21, 1959	219

An Act To provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes, approved September 21, 1959 (73 Stat. 590)

Whereas the outbreak of the War of the American Revolution was essential and prerequisite to the achievement of American independence and the creation of a Federal Government; and

Whereas the events relating to the beginning of Revolutionary hostilities on the 18th and 19th of April 1775, and associated with Paul Revere, the Minute Men, and the British are of great importance in American history; and

Whereas a number of historic properties, buildings, sites, and objects in Boston, Massachusetts, and the vicinity, thereof, including the road and roadsites between Lexington and Concord, are intimately connected with the events that opened the war, and consequently, merit preservation and interpretation in the public interest as prime examples of the Nation's historical heritage: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for the benefit of the American people certain historic structures and properties of outstanding national significance associated with the opening of the War of the American Revolution, Minute Man National Historical Park is hereby authorized to be established in the Commonwealth of Massachusetts. **Minute Man National Historical Park. Establishment.**

The park shall comprise not more than seven hundred and fifty acres as may be designated by the Secretary of the Interior from within the area beginning at Fiske Hill and thence lying along Massachusetts Avenue, Marrett Road and Marrett Street in the town of Lexington, along Nelson Road, Virginia Road, Old Bedford Road, and North Great Road or State Route 2–A in the town of Lincoln, and along Lexington Road, Monument Street, Liberty Street and Lowell Road in the town of Concord to and including the North Bridge and properties on both sides of the Concord River in the vicinity of the North Bridge. (16 U.S.C. § 410s [Supp. II].)

SEC. 2. The Secretary of the Interior is authorized to acquire by donation or with donated funds, or with funds **Acquisition of land.**

hereby authorized to be appropriated, lands and interests in lands within the area designated for the park. Administrative jurisdiction of Federal lands lying within the area designated for the park shall, with the concurrence of the Federal agency involved, be transferred to the Secretary of the Interior for administration as a part of the park.

Notice in F.R.

The park shall be established as Minute Man National Historical Park by notice in the Federal Register when the Secretary of the Interior finds that sufficient lands within the designated area have been acquired to warrant such establishment. (16 U.S.C. § 410t [Supp. II].)

Preservation of historic sites.

SEC. 3. To provide further for the preservation and interpretation of historic sites, structures, and properties lying along the entire route or routes where significant events occurred on the 18th and 19th of April 1775, in the cities of Boston, Cambridge, Medford, and Somerville, and the towns of Arlington, Brookline, Concord, Lexington, and Lincoln, including the area generally described in section 1 as lying between Fiske Hill and the North Bridge, the Secretary of the Interior is authorized, in accordance with the purposes of this Act, to enter into cooperative agreements with the Commonwealth of Massachusetts, political subdivisions thereof, corporations, associations, or individuals, and to erect and maintain tablets or markers, in accordance with provisions contained in the Act approved August 21, 1935, entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes" (49 Stat. 666). (16 U.S.C. § 410u [Supp. II].)

16 U.S.C. 461–468e.

Advisory commission.

SEC. 4. The Secretary of the Interior is authorized to appoint an advisory commission of five members to advise him on the development of Minute Man National Historical Park, to consist of one member to be recommended by the selectmen of each of the towns of Concord, Lexington, and Lincoln, Massachusetts; one member to be recommended by the Governor of the Commonwealth of Massachusetts; and one member to be designated by the Secretary. (16 U.S.C. § 410v [Supp. II].)

Administration.

SEC. 5. When established pursuant to this Act, the park shall be administered, protected, and developed by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented, and the Historic Sites Act of August 21, 1935 (49 Stat. 666; U.S.C. 461–467). (16 U.S.C. § 410w [Supp. II].)

Appropriation.

SEC. 6. There are hereby authorized to be appropriated such sums, but not more than $8,000,000, as may be needed for the acquisition of lands and interests in lands

and for development of the Minute Man National Historical Park, of which not more than $5,000,000 shall be used for acquisition purposes, and in addition thereto, such sums as may be needed for its administration and maintenance. (16 U.S.C. § 410x [Supp. II].)

8. Morristown National Historical Park

Reconveyance of certain land in park to Morristown, New Jersey, authorized.....Act of June 6, 1953 Page 222

An Act Providing for the reconveyance to the town of Morristown of certain land included within the Morristown National Historical Park, in the State of New Jersey, approved June 6, 1953 (67 Stat. 53)

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 convey to the town of Morristown, a municipal corporation of the State of New Jersey, without consideration, for public use, and under such terms and conditions as the Secretary may deem advisable, the following described property comprising a part of the Morristown National Historical Park:

Morristown, New Jersey. Conveyance.

That certain parcel of land comprising a part of the Fort Nonsense area of Morristown National Historical Park, bounded and described as follows:

Beginning at the twelfth corner of the eleventh tract which was conveyed by town of Morristown to the United States of America by deed dated July Fourth, One Thousand Nine Hundred and Thirty-Three, which has been recorded at the Morris County clerk's office in book of deeds Q–33, page 433; thence—

(1) following the twelfth course therein south forty-nine degrees forty-six minutes east ninety-nine and fifty one-hundredths feet, to the thirteenth corner thereof, thence

(2) following the thirteenth course therein north forty-two degrees fourteen minutes east seventy and seventy one-hundredths feet, to the fourteenth corner thereof, thence

(3) following the fourteenth course therein north eight degrees ten minutes east one hundred eight and twenty one-hundredths feet, to the fifteenth corner thereof, thence

(4) following the fifteenth course therein north forty-seven degrees eighteen minutes west ninety-seven feet, to the sixteenth corner thereof, thence

(5) South twenty-two degrees forty-six minutes twenty seconds west one hundred seventy-four and fifty-eight one-hundredths feet to the point and place of beginning, containing approximately eighteen thousand square feet.

The above described land, upon conveyance to the town of Morristown, shall thereupon cease to be a part of the Morristown National Historical Park.

9. Saratoga National Historical Park

	Page
Secretary of War authorized to have a study made of Saratoga battlefield and submit to Congress a plan for commemorating such battlefield and adjacent points of historical interest.....Act of June 2, 1930	223
Establishment of park and acquisition of additional lands authorized.....Act of June 22, 1948	223

An Act To provide for the study, investigation, and survey, for commemorative purposes, of the battle field of Saratoga, New York, approved June 2, 1930 (46 Stat. 490)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to have made a study, investigation, and survey of the battle field of Saratoga, in the State of New York, for the purpose of preparing and submitting to Congress a general plan and such detailed project as may be required for properly commemorating such battle field and other adjacent points of historical and military interest, in accordance with the classification set forth in House Report Numbered 1071, Sixty-ninth Congress, first session.

Saratoga, N.Y., battlefield. Study, etc., of, authorized. *Post*, p. 910.

SEC. 2. To enable the Secretary of War to carry out the provisions of this Act, including the payment of mileage of officers of the Army and actual expenses of civilian employees traveling on duty in connection with the study, investigation, and survey, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $4,400 or so much thereof as may be necessary, to be expended for the purpose of this Act.

Sum authorized for personnel and travel, etc., expenses.

An Act To establish the Saratoga National Historical Park, in the State of New York, from the lands that have been acquired by the Federal Government for that purpose pursuant to the Act of June 1, 1938 (52 Stat. 608), and for other purposes, approved June 22, 1948 (62 Stat. 570)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of completing the establishment of Saratoga National Historical Park, and to provide adequately for its future development, all lands and other property which have been acquired by the Federal Government pursuant to the Saratoga National Historical Park Act of June 1, 1938 (52 Stat. 608; 16 U.S.C, secs. 159–159b), are hereby established as the Saratoga National Historical Park, and shall be administered as provided in section 3 of that Act. (16 U.S.C. § 159c.)

Saratoga National Historical Park, N.Y. Establishment.

Acceptance of Gen. Philip Schuyler Mansion property.

SEC. 2. The Secretary of the Interior is authorized to accept all or any portion of the General Philip Schuyler Mansion property, real and personal, situated at Schuylerville, New York, comprising approximately fifty acres, and also donations of additional land, interests in land, buildings, structures, and other property in Saratoga County. The authority to acquire property, contained in section 2 of the Act of June 1, 1938, may be utilized by the Secretary of the Interior in carrying out the purposes of this Act. These properties, upon acquisition by the United States, shall become a part of Saratoga National Historical Park, the total area of which however, shall not exceed five thousand five hundred acres. (16 U.S.C. § 159d.)

52 Stat. 609.

IV. LEGISLATION RELATING TO NATIONAL MILITARY PARKS

1. Vacancies on Commissions in Charge of National Military Parks

Page

Secretary of War to become ex officio member of commission on which vacancy occurs by death or resignation----------Excerpt from Act of August 24, 1912 225

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes," approved August 24, 1912 (37 Stat. 417, 441, 442)

NATIONAL MILITARY PARKS

Military parks.

* * * * * * *

Park commissions. Vacancies occurring in, not to be filled.

Hereafter vacancies occurring by death or resignation in the membership of the several commissions in charge of national military parks shall not be filled, and the duties of the offices thus vacated shall devolve upon the remaining commissioners or commissioner for each of said parks: *Provided*, That as vacancies occur hereunder the Secretary of War shall become ex officio a member of the commission effected with full authority to act with the remaining commissioners or commissioner, and in case of the vacation of all the offices of commissioner in any one park hereunder the duties of such commission shall thereafter be performed under the direction of the Secretary of War. (16 U.S.C. § 421.)

Proviso. Secretary of War to be member of commission, etc.

2. Approach Roads to National Cemeteries and National Military Parks

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Conveyance to States of approach roads to national cemeteries and military parks	Act of March 3, 1925	226

An Act To authorize the Secretary of War to convey to the States in which located Government owned or controlled approach roads to national cemeteries and national military parks, and for other purposes, approved March 3, 1925 (43 Stat. 1104)

National cemeteries and parks. Conveyance to State, etc., of approach roads to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, authorized in his discretion, subject to such conditions as may seem to him proper, to convey by proper quitclaim deed to any State, county, municipality, or proper agency thereof, in which the same is located, all the right, title, and interest of the United States in and to any Government owned or controlled approach road to any national cemetery or national military park: *Provided*, That prior to the delivery of any conveyance under this Act the State, county, or municipality to which the conveyance herein authorized is to be made shall notify the Secretary of War in writing of its willingness to accept and maintain the road or roads included in such conveyance: *Provided further*, That upon the execution and delivery of any conveyance herein authorized, the jurisdiction of the United States of America, which has been heretofore ceded to the United States by a State over the roads conveyed, shall thereby cease and determine and shall thereafter vest and be in the particular State in which such roads are located. (Repealed, see 16 U.S.C. § 418. See 16 U.S.C. § 8e for same delegation of power to Secretary of the Interior, p. 16.)

Provisos. Notification of acceptance, etc., required.

Jurisdiction of United States to cease on execution of deed.

3. Chickamauga and Chattanooga National Military Park

		Page
Establishment	Act of August 19, 1890	227
Provision for Secretary of War to confine limits of park to such reduced area as may be sufficient for purposes of act	Excerpt from Act of March 3, 1891	232
Provision for Secretary of War to lease lands of park at his discretion for agricultural purposes	Excerpt from Act of August 5, 1892	232
Secretary of War authorized to accept donations of land for road purposes	Excerpt from Act of March 3, 1893	233
Board of Commissioners of park empowered to authorize State Boards or organizations building monuments in park to use materials in park	Joint Resolution of October 2, 1893	233
Purchase of north end of Missionary Ridge and monument sites in vicinity of Glass's Mill	Excerpt from Act of August 18, 1894	234
Dedication of park authorized	Act of December 15, 1894	234
Additional land purchases to complete establishment of park	Excerpt from Act of March 2, 1895	235
Participation of Congress in dedication of park authorized	Concurrent Resolution of March 2, 1895	235
Provision that no monuments may be erected or allowed to remain on lands purchased for park except on ground occupied by troops in course of battle	Excerpt from Act of February 26, 1896	236
Improvement of Lafayette Road and purchase of additional land	Excerpt from Act of June 4, 1897	236
Chattanooga Rapid Transit Company granted right to cross with its track Dry Valley Road to park	Act of May 7, 1898	237
Road to connect Lookout Mountain battlefield with Missionary and Chickamauga fields authorized	Excerpt from Act of May 27, 1908	237
Establishment act of August 19, 1890, amended to designate compensation for commissioners	Act of April 8, 1910	238
Sale of certain land in Hamilton County, Tennessee, authorized	Excerpt from Act of March 4, 1911	239
Report on cost of improving and maintaining Government boulevard on Missionary Ridge in park authorized	Act of February 2, 1921	239
Authorization for Secretary of War to permit erection of monuments to commemorate encampments of Spanish War organizations	Excerpt from Act of March 2, 1923	240
Additional land purchase to complete establishment of park	Excerpt from Act of April 15, 1926	241
Secretary of War authorized to accept, for park purposes, tract of land on Signal Mountain in Hamilton County, Tennessee	Act of July 1, 1932	241
Addition of certain surplus Government lands authorized	Act of June 24, 1948	241
Addition of certain donated land authorized	Act of August 3, 1950	242

An Act To establish a national military park at the battle-field of Chickamauga, approved August 19, 1890 (26 Stat. 333)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of preserving and suitably marking for historical and professional military study the fields of some of the most remarkable maneuvers and most brilliant fighting in the war of the rebellion, and upon the ceding of jurisdiction to the United States by the States of Tennessee and Georgia, respectively, and the report of the Attorney General of the United States that

Chickamauga and Chattanooga National Military Park established. Purpose. Conditions. Jurisdiction.

Title.

Highways declared approaches to and parts of park.

Description of roads.

the title to the lands thus ceded is perfect, the following described highways in those States are hereby declared to be approaches to and parts of the Chickamauga and Chattanooga National Military Park as established by the second section of this act, to wit: First. The Missionary Ridge Crest road from Sherman Heights at the north end of Missionary Ridge, in Tennessee, where the said road enters upon the ground occupied by the Army of the Tennessee under Major-General William T. Sherman, in the military operations of November twenty-fourth and twenty-fifth, eighteen hundred and sixty-three; thence along said road through the positions occupied by the army of General Braxton Bragg on November twenty-fifth, eighteen hundred and sixty-three, and which were assaulted by the Army of the Cumberland under Major-General George H. Thomas on that date, to where the said road crosses the southern boundary of the State of Tennessee, near Rossville Gap, Georgia, upon the ground occupied by the troops of Major-General Joseph Hooker, from the Army of the Potomac, and thence in the State of Georgia to the junction of said road with the Chattanooga and Lafayette or State road at Rossville Gap; second, the Lafayette or State road from Rossville, Georgia, to Lee and Gordon's Mills, Georgia; third, the road from Lee and Gordon's Mills, Georgia, to Crawfish Springs, Georgia; fourth, the road from Crawfish Springs, Georgia, to the crossing of the Chickamauga at Glass' Mills, Georgia; fifth, the Dry Valley road from Rossville, Georgia, to the southern limits of McFarland's Gap in Missionary Ridge; sixth, the Dry Valley and Crawfish Springs road from McFarland's Gap to the intersection of the road from Crawfish Springs to Lee and Gordon's Mills; seventh, the road from Ringold, Georgia, to Reed's Bridge on the Chickamauga River; eighth, the roads from the crossing of Lookout Creek across the northern slope of Lookout Mountain and thence to the old Summertown Road and to the valley on the east slope of the said mountain, and thence by the route of General Joseph Hooker's troops to Rossville, Georgia, and each and all of these herein described roads shall, after the passage of this act, remain open as free public highways, and all rights of way now existing through the grounds of the said park and its approaches shall be continued.

To remain free public highways. Rights of way.

Conditions. Jurisdiction.

SEC. 2. That upon the ceding of jurisdiction by the legislature of the State of Georgia, and the report of the Attorney-General of the United States that a perfect title has been secured under the provisions of the act approved August first, eighteen hundred and eighty-eight, entitled "An act to authorize condemnation of land for sites of public buildings, and for other purposes," the lands and roads embraced in the area bounded as herein

Title.

Vol. 25, p. 357.

Condemnation of lands and roads.

described, together with the roads described in section one of this act, are hereby declared to be a national park, to be known as the Chickamauga and Chattanooga National Park; that is to say, the area inclosed by a line beginning on the Lafayette or State road, in Georgia, at a point where the bottom of the ravine next north of the house known on the field of Chickamauga as the Cloud House, and being about six hundred yards north of said house, due east to the Chickamauga River and due west to the intersection of the Dry Valley road at McFarland's Gap; thence along the west side of the Dry Valley and Crawfish Springs roads to the south side of the road from Crawfish Springs to Lee and Gordon's Mills; thence along the south side of the last named road to Lee and Gordon's Mills; thence along the channel of the Chickamauga River to the line forming the northern boundary of the park, as hereinbefore described, containing seven thousand six hundred acres, more or less.

Supra.

Name, etc.

Description of condemned area.

Post, p. 978.

Acreage.

SEC. 3 That the said Chickamauga and Chattanooga National Park, and the approaches thereto, shall be under the control of the Secretary of War, and it shall be his duty, immediately after the passage of this act to notify the Attorney General of the purpose of the United States to acquire title to the roads and lands described in the previous sections of this act under the provisions of the act of August first, eighteen hundred and eighty-eight; and the said Secretary, upon receiving notice from the Attorney-General of the United States that perfect titles have been secured to the said lands and roads, shall at once proceed to establish and substantially mark the boundaries of the said park.

Park and approaches to be under control of Secretary of War.

Proceedings in condemnation.

Vol. 25, p. 357.

Establishment and marking of boundaries.

SEC. 4. That the Secretary of War is hereby authorized to enter into agreements, upon such nominal terms as he may prescribe, with such present owners of the land as may desire to remain upon it, to occupy and cultivate their present holdings, upon condition that they will preserve the present buildings and roads, and the present outlines of field and forest, and that they will only cut trees or underbrush under such regulations as the Secretary may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority.

Agreements with present land owners to remain, etc.

Conditions of occupancy.

SEC. 5. That the affairs of the Chickamauga and Chattanooga National Park shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, each of whom shall have actively participated in the battle of Chickamauga or one of the battles about Chattanooga, two to be appointed from civil life by the Secretary of War, and a third, who shall be detailed by the Secretary of War from among those officers of the Army best acquainted with the details of the

Appointment of park commissioners.

Composition, etc., of commission.

Secretary of commission. Office.

battles of Chickamauga and Chattanooga, who shall act as Secretary of the Commission. The said commissioners and Secretary shall have an office in the War Department building, and while on actual duty shall be paid such compensation, out of the appropriation provided in this act, as the Secretary of War shall deem reasonable and just.

Commissioners' compensation.

Duties of commission.

SEC. 6 That it shall be the duty of the commissioners named in the preceding section, under the direction of the Secretary of War, to superintend the opening of such roads as may be necessary to the purposes of the park, and the repair of the roads of the same, and to ascertain and definitely mark the lines of battle of all troops engaged in the battles of Chickamauga and Chattanooga, so far as the same shall fall within the lines of the park as defined in the previous sections of this act, and, for the purpose of assisting them in their duties and in ascertaining these lines, the Secretary of War shall have authority to employ, at such compensation as he may deem reasonable and just, to be paid out of the appropriation made by this act, some person recognized as well informed in regard to the details of the battles of Chickamauga and Chattanooga, and who shall have actively participated in one of those battles, and it shall be the duty of the Secretary of War from and after the passage of this act, through the commissioners, and their assistant in historical work, and under the act approved August first, eighteen hundred and eighty-eight, regulating the condemnation of land for public uses, to proceed with the preliminary work of establishing the park and its approaches as the same are defined in this act, and the expenses thus incurred shall be paid out of the appropriation provided by this act.

Employment of assistant, expert. Compensation.

Vol. 25, p. 357.

Preliminary work of establishing park, etc. Expenses.

Location of regular troops within park.

SEC. 7. That it shall be the duty of the commissioners, acting under the direction of the Secretary of War, to ascertain and substantially mark the locations of the regular troops, both infantry and artillery, within the boundaries of the park, and to erect monuments upon those positions as Congress may provide the necessary appropriations; and the Secretary of War in the same way may ascertain and mark all lines of battle within the boundaries of the park and erect plain and substantial historical tablets at such points in the vicinity of the Park and its approaches as he may deem fitting and necessary to clearly designate positions and movements, which, although without the limits of the Park, were directly connected with the battles of Chickamauga and Chattanooga.

Monuments, designating.

Lines of battle, within.

Erection of historical tablets.

Positions and movements, without.

Certain States, etc., may ascertain and mark lines of battle, etc.

SEC. 8. That it shall be lawful for the authorities of any State having troops engaged either at Chattanooga or Chickamauga, and for the officers and directors of the Chickamauga Memorial Association, a corporation char-

tered under the laws of Georgia, to enter upon the lands and approaches of the Chickamauga and Chattanooga National Park for the purpose of ascertaining and marking the lines of battle of troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise shall be submitted to the Secretary of War, and shall first receive the written approval of the Secretary, which approval shall be based upon formal written reports, which must be made to him in each case by the commissioners of the park.

Proviso.

Secretary of War to first approve lines, etc.

Written reports.

SEC. 9. That the Secretary of War, subject to the approval of the President of the United States, shall have the power to make, and shall make, all needed regulations for the care of the park and for the establishment and marking of the lines of battle and other historical features of the park.

Care of park, etc.

Regulations, etc.

SEC. 10. That if any person shall willfully destroy, mutilate, deface, injure, or remove any monument, column, statues, memorial structure, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall willfully destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall willfully destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree or trees growing or being upon such park, except by permission of the Secretary of War, or shall willfully remove or destroy any breast-works, earth-works, walls, or other defenses or shelter, on any part thereof, constructed by the armies formerly engaged in the battles on the lands or approaches to the park, any person so offending and found guilty thereof, before any justice of the peace of the county in which the offense may be committed, shall for each and every such offense forfeit and pay a fine, in the discretion of the justice, according to the aggravation of the offense, of not less than five nor more than fifty dollars, one-half to the use of the park and the other half to the informer, to be enforced and recovered, before such justice, in like manner as debts of like nature are now by law recoverable in the several counties where the offense may be committed.

Punishment for injury, etc., to monuments, etc.

Trees, etc.

Exception.

Breast-works, etc.

Conviction.

Fine.

Distribution of fines in moieties.

How recoverable.

SEC. 11. That to enable the Secretary of War to begin to carry out the purposes of this act, including the condemnation and purchase of the necessary land, marking the boundaries of the park, opening or repairing necessary roads, maps and surveys, and the pay and expenses of the commissioners and their assistant, the sum of one hundred and twenty-five thousand dollars, or such por-

Appropriation for preliminary work and pay, etc., of commission, etc.

tion thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, and disbursements under this act shall require the approval of the Secretary of War, and he shall make annual report of the same to Congress. (16 U.S.C. § 424 as amended.)

Approved disbursements. Report.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1892, and for other purposes," approved March 3, 1891 (26 Stat. 948, 978)

Chickamauga and Chattanooga National Park.

Chickamauga and Chattanooga National Park: To enable the Secretary of War to complete the establishment of the Chickamauga and Chattanooga National Park according to the terms of the act entitled "An act to establish a national military park at the battle field of Chickamauga," approved August nineteenth, eighteen hundred and ninety, two hundred thousand dollars: *Provided*, That the Secretary of War, upon the recommendation of the Chickamauga Park Commissioners, may confine the limits of the park to such reduced area, within the bounds fixed by the said act, as may be sufficient for the purposes of the said act, and the acquisition of title for the United States to such reduced area shall be held to be a compliance with the terms of said act, and such title shall be procured by the Secretary of War and under his direction in accordance with the methods prescribed in sections four, five, and six of the act approved February twenty-second, eighteen hundred and sixty-seven, entitled "An act to establish and protect national cemeteries," which procurement of title shall be held to be a compliance with the act establishing the said Park, and the Secretary of War shall proceed with the establishment of the park as rapidly as jurisdiction over the roads of the park and its approaches and title to the separate parcels of land which compose it may be obtained for the United States. (16 U.S.C. § 424 as amended.)

Ante, p. 333.

Proviso.

Reduced area.

Title.

Vol. 14, pp. 400, 401.

Establishment, jurisdiction, etc.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes," approved August 5, 1892 (27 Stat. 349, 376)

Chickamauga and Chattanooga National Park.

Chickamauga and Chattanooga National Park: To enable the Secretary of War to complete the establishment of the Chickamauga and Chattanooga National Military Park according to the terms of existing laws, including surveys, maps, models in relief, the purchase of Orchard Knob and Sherman's Earthworks, and for observation towers and the purchase of sites for two of them, one hundred and fifty thousand dollars: *Provided*, That the Secretary of War may lease the lands of the park at his discretion, either to former owners or other persons, for agricultural purposes, the proceeds to be applied by the Secretary of War to the repairs of roads

Proviso Lease of lands.

and the care of the park; and from this appropriation the Secretary of War is authorized to pay the disbursing officer of the War Department the sum of five hundred dollars for disbursing this and former appropriations for said Park. Disbursements.

That the Secretary of War and the Secretary of the Navy are hereby authorized to deliver to the Commissioners of the Chickamauga and Chattanooga National Military Park, at the park, such number of condemned cannon and cannon balls as their judgment may approve, for the purpose of their work of indication and marking locations on the battlefields of Chickamauga, Missionary Ridge and Lookout Mountain. Donation of condemned cannon, etc.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes," approved March 3, 1893 (27 Stat. 572, 598)

Chickamauga and Chattanooga National Park: To enable the Secretary of War to complete the establishment of the Chickamauga and Chattanooga National Military Park, according to the terms of existing laws, including the construction of roads, surveys, maps, iron gun carriages, administration building, the purchase of land within the legal area of the park and the north point of Lookout Mountain, and for widening roads, for bronze historical tablets, repairs to bridges, one observation tower on Orchard Knob, compensation of the park commissioners and their historical assistant, continuing the restoration of the field, labor, clerical assistance, and office expenses; in all, one hundred thousand dollars. And the Secretary of War is hereby authorized to accept on behalf of the United States donations of land for road purposes. Chickamauga and Chattanooga National Park. Donations of land.

Joint Resolution Empowering the National Board of Commissioners of the Chickamauga and Chattanooga National Park to authorize the State Boards, or organizations building monuments in the Park, to use the materials in said Park, agreeably to such regulations as it may adopt, approved October 2, 1893 (28 Stat. 12)

Whereas the National Board of Commissioners of the Chickamauga and Chattanooga National Park are in doubt as to their power in the matter of the disposition of certain material, the natural product of said Park; and Preamble.

Whereas it is desirable that the several states, who through their commissions, are about to build monuments pursuant to the original purpose of the legislation creating said Park; should have authority to use certain material found within the boundaries of said Park; and

Whereas it will save to said boards of State Commissioners a large amount of the expense of the construc-

tion of said monuments, if they can procure the necessary stone for the foundations within the territory owned by the United States, in said Park; Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the said Board of Commissioners heretofore appointed pursuant to the Statute creating said Park, is hereby empowered to authorize the boards or representatives of the several States building monuments upon said battle field, to take and use, under such rules and regulations, and upon such terms as said National Commission may direct, such stone and other material, including sand and gravel, as may be necessary to construct the foundation for any such monuments, and which may be found within the territory of said National Park, and the roads and highways leading thereto.

Chickamauga and Chattanooga National Park.

Use of material for State monuments authorized. Vol. 26, p. 333.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes," approved August 18, 1894 (28 Stat. 373, 403)

Chickamauga and Chattanooga National Park.

Chickamauga and Chattanooga National Park: To enable the Secretary of War to complete the establishment of the Chickamauga and Chattanooga National Military Park in accordance with the terms of existing laws, including road construction, maps, tablets, surveys, continuing the restoration of the field, foundations for State monuments, the purchase of the north end of Missionary Ridge, and monument sites in the vicinity of Glass's Mill, compensation of two civilian commissioners and their assistant in historical work, labor, clerical and other assistance, and office expenses; in all, seventy-five thousand dollars.

An Act Providing for the dedication of the Chickamauga and Chattanooga National Park, approved December 15, 1894 (28 Stat. 595)

Chickamauga and Chattanooga National Park. Dedication September 19 and 20, 1895. Secretary of War to direct exercises.

Invitations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a national dedication of the Chickamauga and Chattanooga National Military Park shall take place on the battlefields of Chickamauga and Chattanooga September nineteenth and twentieth, eighteen hundred and ninety-five, under the direction of the Secretary of War, who is hereby authorized to fix upon and determine the arrangements, ceremonies, and exercises connected with the dedication; to request the participation of the President, Congress, the Supreme Court, the heads of executive departments, the General of the Army and the Admiral of the Navy therein; to invite the governors of States and their staffs, and the survivors of the several armies there engaged, and have direction and

full authority in all matters which he may deem necessary to the success of the dedication. He shall have authority to procure such supplies and services, and to call upon the heads of the several staff departments of the Army for such material and stores as he may deem necessary in connection with the dedication.

Supplies, etc.

SEC. 2. That to carry out the purposes of this Act the sum of twenty thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, which shall be expended under the direction of the Secretary of War: *Provided*, That the total expenses to carry out the provisions of this Act, including the supplies furnished, shall not exceed the sum herein named.

Appropriation.

Proviso. Limit to expenses.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1896, and for other purposes," approved March 2, 1895 (28 Stat. 910, 945)

Chickamauga and Chattanooga National Park: To enable the Secretary of War to complete the establishment of the Chickamauga and Chattanooga National Military Park in accordance with existing laws, including road work, memorial gateway and designs therefor, maps, surveys, iron and bronze tablets, gun carriages, land the purchase of which has heretofore been authorized by law, sites for monuments in Lookout Valley, not to exceed three hundred dollars in all, foundations for State monuments, compensation of two civilian commissioners and their assistant in historical work, labor, clerical and other assistance, and office expenses; in all, seventy-five thousand dollars, to be immediately available.

Chickamauga and Chattanooga National Park.

Concurrent Resolution To arrange for participation in dedication ceremonies for Chickamauga and Chattanooga National Military Park, passed the House of Representatives and the Senate March 2, 1895 (28 Stat. p. 21 Appendix)

Chickamauga Park

Resolved by the House of Representatives (the Senate concurring), That the Congress will participate in the dedication of the Chickamauga and Chattanooga National Military Park on September nineteenth and twentieth next, through the presiding officers of the respective Houses; the Joint Committee on Park Dedication; such Senators and Representatives as served in the campaign for Chattanooga, such as may be named by the presiding officers of the respective Houses as representatives of other armies and the Navy, or as speakers to represent Congress at the dedicatory exercises. The Sergeant-at-Arms of the Senate is hereby directed to make suitable arrangements for such participation, the expense of the same not to exceed five thousand dollars, to be equally divided and paid out of the fund of twenty thousand

Chickamauga and Chattanooga Park. Arrangements for participating in dedication ceremonies.

dollars appropriated by act of Congress approved December fifteenth, eighteen hundred and ninety-four, to be audited and paid by the Secretary of War upon certificates signed by the Sergeant-at-Arms of the Senate, and said sum as aforesaid is hereby made available for said purpose; and a report of the dedicatory exercises shall be made to Congress by the Joint Committee on Park Dedication.

Excerpt from "An Act Making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes," approved February 26, 1896 (29 Stat. 17, 21)

Chickamauga and Chattanooga National Park. Current work. Vol. 28, p. 595.

Chickamauga and Chattanooga National Park: That the unexpended balance of the appropriation made by the Act approved December fifteenth, eighteen hundred and ninety-four, for the expenses of the Government's participation in the dedication of the Chickamauga and Chattanooga National Park, is hereby made available for the current work of establishing said park: *Provided*,

Proviso. Restriction of monuments.

That no monuments or memorials shall be erected upon any lands of the park, or remain upon any lands which may be purchased for the park, except upon ground actually occupied in the course of the battle by troops of the State which the proposed monuments are intended to commemorate, except upon those sections of the park set apart for memorials to troops which were engaged in the campaigns, but operated outside of the legal limits of the park; and the regulations of the commissioners of the park, as approved by the Secretary of War, promulgated December fourteenth, eighteen hundred and ninety-five, are hereby affirmed. (16 U.S.C. § 424 as amended.)

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes," approved June 4, 1897 (30 Stat. 11, 43)

Chickamauga and Chattanooga. Expenses.

Chickamauga and Chattanooga National Park: For compensation and expenses of two civilian commissioners and the assistant in historical work; maps, surveys, clerical and other assistance, messenger, office expenses and all other necessary expenses. Foundations for State monuments, wire fencing, cutting out underbrush and mowing; historical tablets, iron and bronze; and iron gun carriages; for roads and their maintenance, and for the purchase of land already authorized by law; in all, seventy-five thousand dollars, to be immediately available. And State memorials shall be placed on brigade lines of battle under the direction of the Park Commission. (16 U.S.C. § 424.)

Lafayette or State road, Georgia, improvement.

To enable the Secretary of War, through the Commissioners of the Chickamauga and Chattanooga National Park, to improve the Lafayette or State road

in Georgia from Lee and Gordon's Mill, in that State, to the town of Lafayette, eighteen thousand dollars.

An Act Granting to the Chattanooga Rapid Transit Company the right to cross with its track the Dry Valley road to the Chickamauga and Chattanooga National Park, approved May 7, 1898 (30 Stat. 399)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized, at his discretion, and upon the favorable recommendation of the Chickamauga and Chattanooga National Park Commission, to grant a right of way to the Chattanooga Rapid Transit Company to lay a single track across the Dry Valley road at such point or place thereon as said commission may determine upon; and also, upon like recommendation of said commission, may grant such other concessions as may be necessary to permit the said Chattanooga Rapid Transit Company to extend its lines to the Chickamauga and Chattanooga National Park: *Provided*, That such grant or grants shall only become or be operative on the condition that the track and tracks and roadbed of said company, and the right of way for any and all extensions of its road to said park from the point of crossing said Dry Valley road shall first be definitely fixed and located upon a line or lines which shall be satisfactory to and approved by said commission; and no part of said line or lines of road, after being so located, established, built, or constructed, shall be changed, moved, or extended without the consent in writing of said commission thereto being first had and obtained, and upon the further condition that an agreement satisfactory to said commission and approved by it shall be entered into on the part of said company for the proper maintenance of the crossing of said Dry Valley road, and at all times keeping the same in proper repair and condition.

Chattanooga Rapid Transit Company may cross Dry Valley road.

Proviso. Chickamauga and Chattanooga National Park Commission to determine location, etc.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1909, and for other purposes," approved May 27, 1908 (35 Stat. 317, 365)

Chickamauga and Chattanooga National Park: For continuing the establishment of the Chickamauga and Chattanooga National Park; for the compensation and expenses of two civilian commissioners, maps, surveys, clerical and other assistance, messenger, office expenses, and all other necessary expenses; foundations for State monuments; mowing, historical tablets, iron and bronze; iron gun carriages; for roads and their maintenance; completing the inclosing of Point Park; the purchase of small tracts of lands heretofore authorized by law, including twenty thousand dollars for improving the road

Military parks. Chickamauga and Chattanooga.

owned by the Government from Stevens Gap by way of Davis's Cross Roads to Crawfish Springs in the Park; in all, fifty-five thousand dollars.

For nine thousand feet of fencing on the eastern and southern boundaries of the Park, one thousand one hundred and fifty dollars.

Bridge, Chickamauga Creek.

For the construction of a steel bridge over Chickamauga Creek at Lee and Gordon's, six thousand dollars.

Repairing cyclone damages.

For the repair and restoration of buildings and removal of fallen trees at the Chickamauga and Chattanooga National Park damaged and destroyed by the cyclone storm of April twenty-fourth, nineteen hundred and eight, to be immediately available, twenty-six thousand dollars.

Constructing road on Hooker's line of march.

For constructing a road about five miles or less in length from Lookout Mountain, in Hamilton County, Tennessee, to Rossville, in Walker County, Georgia, on the line known as Hooker's route (or line of march), beginning at a point on Lookout Mountain, to be selected by the Chickamauga and Chattanooga National Park Commission, and continuing on such line as they may select, following as nearly as practicable the Hooker route to Rossville, so as to connect the Lookout Mountain battlefield with the Missionary and Chickamauga fields and complete the connection of the National Park in its various parts in accordance with the original plan and the organic Act, approved August nineteenth, eighteen hundred and ninety, twenty-five thousand dollars; which sum shall not be available until the right of way is first given and deeded to the United States for the full width and length of said road and until the Commission is assured that the necessary gravel to gravel and top dress said road is given, when graded, to the United States. The Chickamauga and Chattanooga National Park Commission may, if deemed in the public interest, make any and all necessary changes in the route or course of said road, observing as nearly as possible the Hooker route from Saint Elmo, at the foot of Lookout Mountain, to Rossville, and may construct a bridge if deemed advisable over Chattanooga Creek if the same can be done within this appropriation.

Vol. 26, p. 333.

Changes.

An Act To amend an Act approved August 19, 1890, entitled "An Act to establish a national military park at the battlefield of Chickamauga," approved April 8, 1910 (36 Stat. 293)

Chickamauga and Chattanooga National Military Park. Vol. 26, p. 334, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section five of the Act approved August nineteenth, eighteen hundred and ninety, entitled "An Act to establish a national military park at the battlefield of Chickamauga," be so amended as to read as follows:

"SEC. 5. That the affairs of the Chickamauga and Chattanooga National Military Park shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, to be appointed by the Secretary of War, each of whom shall have actively participated in the battle of Chickamauga, or in one of the battles about Chattanooga; one of whom, upon designation by the Secretary of War, shall act as chairman and another as secretary of the commission. The said commissioners shall have an office in Chattanooga, Tennessee, and shall receive compensation at the rate of three hundred dollars per month."

Commissioners. Appointment, etc.

Office at Chattanooga, Tenn. Pay.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1912, and for other purposes," approved March 4, 1911 (36 Stat. 1363, 1401)

Chickamauga and Chattanooga National Park: For continuing the establishment of the Chickamauga and Chattanooga National Park; for the compensation and expenses of three civilian commissioners, maps, surveys, clerical and other assistance, including three hundred dollars for necessary clerical labor under direction of the chairman of the commission, office expenses, and all other necessary expenses; foundations for State monuments; mowing; historical tablets, iron and bronze; iron gun carriages; for roads and their maintenance; the purchase of small tracts of lands heretofore authorized by law, including eight thousand dollars for completing the improvement and maintenance of the road owned by the Government from Stevens Gap by way of Davis's Cross Roads to Crawfish Springs in the park; in all, sixty thousand dollars: *Provided*, That the Secretary of War is hereby authorized to convey to N. C. Steele, of Chattanooga, Tennessee, the north five feet of the lot conveyed by him to the United States in nineteen hundred and two, situated in Hamilton County, Tennessee, upon the payment by him of two hundred dollars as consideration therefor.

Chickamauga and Chattanooga.

Proviso. Conveyance of strip of land to N. C. Steele.

An Act Providing for a report on the cost of improving and maintaining the Government boulevard on Missionary Ridge, in the Chickamauga and Chattanooga National Military Park, approved February 2, 1921 (41 Stat. 1095)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of ascertaining the cost of improvement and maintaining in proper condition for travel the Government boulevard on Missionary Ridge, in the Chickamauga and Chattanooga National Military Park, from the north end of said road, near East Chattanooga, in Hamilton County, Tennessee, to Rossville, in Walker County, Georgia (a distance of

Chickamauga and Chattanooga National Military Park. Examination of cost of improving. Government boulevard on Missionary Ridge in, directed.

seven or eight miles), the Secretary of War is hereby authorized and directed to cause an examination of said road to be made, and a report to be made by the Chickamauga and Chattanooga National Military Park Commission of the approximate cost of such improvement and the manner in which it can be and should be done.

Details to be submitted.

The said commission shall report estimates of the cost of said improvement by concrete surface, and other proper methods. The cost of concrete surface, gutters, excavations, and fills wherever necessary shall be reported, and the cost of graveling excavations and fills, if that method shall be deemed best; and the maintenance of such road, per annum, by oiling and other means shall also be reported.

Restriction on changes, etc.

No material change shall be made in the line of the road as now established, nor shall the cost of any excavations or fills be considered except where it may be absolutely necessary for a first-class boulevard; but estimates for the cost of widening the road wherever it shall be necessary shall be made.

Report based on present condition.

It shall also report what the cost of concreting the road in its present condition, without additional fills or excavations will be; and the cost of graveling and maintenance per annum would be, including oiling and the difference between the cost and maintenance of a concrete road per annum and the graveled and oiled road.

Transmittal, etc., of report.

The commission shall report to the Secretary of War, as herein provided, within four months from the passage of this Act, and the Secretary of War shall transmit this report to Congress with his recommendations in the premises.

Appropriation for expenses.

The cost of such examination and report shall not exceed $500, and so much of said sum as is necessary to make such examination and report is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated.

Excerpt from "An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1924, and for other purposes," approved March 2, 1923 (42 Stat. 1377, 1421)

Chickamauga and Chattanooga.

Chickamauga and Chattanooga National Military Park

* * * * * * *

Memorials, etc., allowed Spanish War veterans who were encamped therein. Vol. 29, p. 21.

Notwithstanding the restrictive provisions of the Act of February 26, 1896 (Twenty-ninth Statutes, page 21), the Secretary of War is authorized in his discretion to permit without cost to the United States the erection of monuments or memorials to commemorate encampments of Spanish War organizations which were encamped in said park during the period of the Spanish-American War. (16 U.S.C. § 424.)

Excerpt from "An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes," approved April 15, 1926 (44 Stat. 254, 289)

Chickamauga and Chattanooga. Continuing establishment of, etc.

Chickamauga and Chattanooga National Military Park: For continuing the establishment of the park; compensation and expenses of the superintendent, maps, surveys, clerical and other assistance; maintenance, repair, and operation of one motor-propelled and one horse-drawn passenger-carrying vehicle; office and all other necessary expenses; foundations for State monuments; mowing; historical tablets, iron and bronze; iron gun carriages; roads and their maintenance, including not exceeding $5,000 for posts and guard rails on highways; repair or removal of towers; purchase of small tracts of lands heretofore authorized by law, $78,265.

An Act To authorize the Secretary of War to accept on behalf of the United States a tract or parcel of land for park purposes, to the Chickamauga-Chattanooga National Military Park, approved July 1, 1932 (47 Stat. 564)

Chickamauga-Chattanooga National Military Park. Acceptance of Signal Mountain Park for addition to, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to accept on behalf of the United States, for park purposes, as a part of Chickamauga-Chattanooga National Military Park, a certain tract or parcel of land not less than two acres in area lying and being in the third civil district of Hamilton County, Tennessee, on Signal Mountain; being the property of the town of Signal Mountain, and situated within the limits of said town, and known as Signal Mountain Park.

Marker authorized.

SEC. 2. The Secretary of War is empowered, within his discretion, to permit the erection on said property of any marker, monument, or ornamental design by the citizens of the town of Signal Mountain at their expense.

An Act To provide for the addition of certain surplus Government lands to the Chickamauga and Chattanooga National Military Park, in the States of Georgia and Tennessee, and for other purposes, approved June 24, 1948 (62 Stat. 646)

Chickamauga and Chattanooga National Military Park. Additional land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective upon publication of notice, as hereinafter provided, there shall be added to the Chickamauga and Chattanooga National Military Park, a strip of land, comprising not more than one hundred acres, lying generally north of the present south line of Fort Oglethorpe and westward from the southeast corner thereof. The exact boundaries of the area added to the park shall be agreed upon by the Administrator, War Assets Administration, and the Director of the National Park Service.

When the boundaries of the aforesaid area have been agreed upon, the War Assets Administration shall furnish to the National Park Service a legal description of the lands to be added to the park, together with a map showing the boundaries and the acreage of the area.

Publication in Federal Register.

Upon the receipt by the National Park Service of such legal description and map of the area, public notice that such lands are to become a part of the Chickamauga and Chattanooga National Military Park, effective on the date of publication of such notice, shall be given in the Federal Register. (16 U.S.C. § 424a–3.)

An Act To authorize the addition of certain land to Chickamauga and Chattanooga National Military Park in the State of Tennessee, approved August 3, 1950 (64 Stat. 405)

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 hereby authorized to accept, as an addition to Chickamauga and Chattanooga National Military Park, donations of not to exceed one thousand and four hundred acres of land and interests in land situated generally within the Moccasin Bend of the Tennessee River lying west of the city of Chattanooga.

SEC. 2. All property acquired pursuant to this Act shall become a part of the national military park upon the issuance of an appropriate order, or orders, by the Secretary of the Interior setting forth the revised boundaries of the park, such order or orders to be effective upon publication in the Federal Register. Lands so added to the park shall thereafter be subject to all laws and regulations applicable to the park. (16 U.S.C. § 424a–4.)

4. Fort Donelson National Military Park

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Revision of boundaries and change of name of park authorized	Act of September 8, 1960	246

An Act To establish a national military park at the battle field of Fort Donelson, Tennessee, approved March 26, 1928 (45 Stat. 367)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created, to be composed of the following members, who shall be appointed by the Secretary of War:

Fort Donelson, Tenn., battle field. Commission created.

(1) A commissioned officer of the Corps of Engineers, United States Army;

Army Engineer officer.

(2) A veteran of the Civil War who served honorably in the military forces of the United States; and

United States Civil War veteran.

(3) A veteran of the Civil War who served honorably in the military forces of the Confederate States of America. (16 U.S.C. § 428.)

Confederate States Civil War veteran.

SEC. 2. In appointing the members of the commission created by section 1 of this Act the Secretary of War shall, as far as practicable, select persons familiar with the terrain of the battle field of Fort Donelson, Tennessee, and the historical events associated therewith. (16 U.S.C. § 428a.)

Qualifications of commission.

SEC. 3. It shall be the duty of the commission, acting under the direction of the Secretary of War, to inspect the battle field of Fort Donelson, Tennessee, and to carefully study the available records and historical data with respect to the location and movement of all troops which engaged in the Battle of Fort Donelson, and the important events connected therewith, with a view of preserving and marking such field for historical and professional military study. The commission shall submit a report of its findings and recommendations to the Secretary of War not later than December 1, 1928. Such report shall describe the portion or portions of land within the area of the battle field which the commission thinks should be acquired and embraced in a national park and the price at which such land can be purchased and its reasonable market value; the report of the commission shall also embrace a map or maps showing the lines of battle and the locations of all troops engaged in the Battle of Fort Donelson and the location of the land which it recommends be acquired for the national park; the report of the commission shall contain recommendations

Duty of commission, to inspect battle field, etc.

Report of findings to Secretary of War.

Subjects to be considered.

for the location of historical tablets at such points on the battle field, both within and without the land to be acquired for the park, as they may deem fitting and necessary to clearly designate positions and movements of troops and important events connected with the Battle of Fort Donelson. (16 U.S.C. § 428b, in part.)

Assignment of officials.

SEC. 4. The Secretary of War is authorized to assign any officials of the War Department to the assistance of the commission if he deems it advisable. He is authorized to pay the reasonable expenses of the commission and their assistants incurred in the actual performance of the duties herein imposed upon them. (16 U.S.C. § 428c.)

Expenses authorized.

Acquiring lands by purchase or condemnation.

SEC. 5. That, upon receipt of the report of said commission, the Secretary of War be, and he is hereby, authorized and directed to acquire, by purchase, when purchasable at prices deemed by him reasonable, otherwise by condemnation, such tract or tracts of lands as are recommended by the commission as necessary and desirable for a national park; to establish and substantially mark the boundaries of the said park; to definitely mark all lines of battle and locations of troops within the boundaries of the park and erect substantial historical tablets at such points within the park and in the vicinity of the park and its approaches as are recommended by the commission, together with such other points as the Secretary of War may deem appropriate: *Provided*, That the entire cost of acquiring said land, including cost of condemnation proceedings, if any, ascertainment of title, surveys, and compensation for the land, the cost of marking the battle field, and the expenses of the commission, shall not exceed the sum of $50,000. (16 U.S.C. § 428d as amended. See p. 246.)

Establishment, etc., as a national military park.

Proviso. Cost limitation.

Upon cession of jurisdiction by Tennessee, etc., to be Fort Donelson National Park.

SEC. 6. That, upon the ceding of jurisdiction by the Legislature of the State of Tennessee and the report of the Attorney General of the United States that a perfect title has been acquired, the lands acquired under the provisions of this Act, together with the area already inclosed within the national cemetery at the battle field of Fort Donelson, are hereby declared to be a national park to be known as the Fort Donelson National Park. (16 U.S.C. § 428e.)

Control of Secretary of War.

SEC. 7. That the said Fort Donelson National Park shall be under the control of the Secretary of War, and he is hereby authorized to make all needed regulations for the care of the park. The superintendent of the Fort Donelson National Cemetery shall likewise be the superintendent of and have the custody and care of the Fort Donelson National Park, under the direction of the Secretary of War. (16 U.S.C. § 428f.)

Superintendent.

Agreements with present holders of lands, for protection thereof, etc.

SEC. 8. That the Secretary of War is hereby authorized to enter into agreements, upon such nominal terms as he may prescribe, with such present owners of the land as may desire to remain upon it, to occupy and cultivate their present holdings, upon condition that they will preserve the present buildings and roads, and the present outlines of field and forest, and that they will only cut trees or underbrush under such regulations as the Secretary may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority. (16 U.S.C. § 428g.)

States may mark lines of battle of their troops.

SEC. 9. That it shall be lawful for the authorities of any State having troops engaged in the Battle of Fort Donelson to enter upon the lands and approaches of the Fort Donelson National Park for the purpose of ascertaining and marking the lines of battle of troops engaged therein: *Provided*, That before any such lines are permanently designated, the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise shall be submitted to the Secretary of War and shall first receive the written approval of the Secretary. (16 U.S.C. § 428h.)

Proviso. Marking, etc., subject to approval of Secretary of War.

Penalty for destroying, injuring, etc., property.

SEC. 10. That if any person shall willfully destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall willfully destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall willfully destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree, or trees growing or being upon such park, except by permission of the Secretary of War, or shall willfully remove or destroy any breastworks, earthworks, walls, or other defenses or shelter, or any part thereof, constructed by the armies formerly engaged in the battle on the lands or approaches to the park, any person so offending shall be guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction shall for each and every such offense be fined not less than $5 nor more than $100. (16 U.S.C. § 428i.)

Amount authorized to be expended. *Post*, pp. 929, 1666.

SEC. 11. That the sum of $50,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended for the purposes of this Act. (See 16 U.S.C. § 428j.)

An Act To amend section 5 of the Act entitled "An Act to establish a national military park at the battle field of Fort Donelson, Tennessee," approved March 26, 1928, approved February 18, 1930 (46 Stat. 69)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act to establish a national military park at the battle field of Fort Donelson, Tennessee," approved March 26, 1928, be, and the same is hereby, amended so that the said section will read as follows:

Fort Donelson Military Park, Tenn. Vol. 45, p. 368, amended.

Acquiring lands for, by purchase or condemnation.

Established as national military park.

Roads, restoration of old fort, etc., directed.

Proviso. Cost limitation.

"That upon receipt of the report of said commission the Secretary of War be, and he is hereby, authorized and directed to acquire, by purchase, when purchasable at prices deemed by him reasonable, otherwise by condemnation, such tract or tracts of lands as are recommended by the commission as necessary and desirable for a national military park; to establish and substantially mark the boundaries of the said park; to definitely mark all lines of battle and locations of troops within the boundaries of the park and erect substantial historical tablets at such points within the park and in the vicinity of the park and its approaches as are recommended by the commission, together with such other points as the Secretary of War may deem appropriate; to construct the necessary roads and walks, plant trees and shrubs, restore and care for the grounds, including the restoration and maintenance of those portions of old Fort Donelson, and of the Confederate water batteries that are located on the present engineer reservation: *Provided*, That the entire cost of acquiring said land, including cost of condemnation proceedings, if any, ascertainment of title, surveys, and compensation for the land, the cost of marking the battle field, the expenses of the commission, and the establishment of the national military park shall not exceed the sum of $50,000." (16 U.S.C. § 428d. See p. 244.)

An Act To revise the boundaries and change the name of Fort Donelson National Military Park, and for other purposes, approved September 8, 1960 (74 Stat. 875)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the purposes of the Act entitled "An Act to establish a national military park at the battlefield of Fort Donelson, Tennessee", approved March 26, 1928 (16 U.S.C. 428 and the following), and to facilitate an appropriate observance of the one hundredth anniversary of the Battle of Fort Donelson, the Secretary of the Interior is authorized to designate for addition to the present Fort Donelson National Military Park such lands and interests in lands adjacent to said park as in his discretion are necessary to preserve and

Fort Donelson National Military Park, Tenn. 45 Stat. 367.

Additional lands.

interpret this historic battleground, including the nearby historic Surrender House and the land upon which it is situated on Spring Street in the town of Dover, Tennessee, but the total area commemorating the battle of Fort Donelson shall not exceed 600 acres. (16 U.S.C. § 428k [Supp. II].)

SEC. 2. Within the area designated for addition to such park under the first section of this Act, the Secretary is authorized to acquire non-Federal lands and interests in lands by purchase, by donation, by purchase with donated funds, or in such other manner and by such means as he may deem to be in the public interest, except that the Surrender House and land upon which it is situated shall be acquired only by donation or by purchase with donated funds. Administrative jurisdiction and control over lands administered by the Corps of Engineers, Department of the Army, above contour elevation 369 and which, under authority of the first section of this Act, are designated for inclusion in the park, shall, upon agreement of the administering agency, be transferred to the Secretary of the Interior without a transfer of funds. (16 U.S.C. § 428l [Supp. II].)

Appropriation.

SEC. 3. There is hereby authorized to be appropriated the sum of not to exceed $226,000 for the purpose of acquiring lands, interests in lands, and improvements thereon as may be necessary for carrying out this Act. (16 U.S.C. § 428m [Supp. II].)

Change of name. Publication in F.R.

SEC. 4. Upon acquisition of the additional lands pursuant to authority contained in this Act, the Fort Donelson National Military Park shall be redesignated by the Secretary of the Interior as the Fort Donelson National Battlefield, notice thereof shall be published in the Federal Register, and any remaining balance of funds appropriated for purposes of the Fort Donelson National Military Park shall be available for the purposes of the Fort Donelson National Battlefield. (16 U.S.C. § 428n [Supp. II].)

SEC. 5. The administration, protection, and development of the Fort Donelson National Battlefield shall be exercised by the Secretary of the Interior in accordance with 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. (16 U.S.C. § 428o [Supp. II].)

16 U.S.C. 1.

5. Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park

	Page
Provision for inspection of battlefields in and around Fredericksburg and Spotsylvania Court House, Virginia—Act of June 7, 1924	248
Establishment—Act of February 14, 1927	248

An Act To provide for the inspection of the battle fields in and around Fredericksburg and Spotsylvania Court House, Virginia, approved June 7, 1924 (43 Stat. 646)

Fredericksburg and Spotsylvania, Va., battlefields. Commission created.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created, to be composed of the following members, who shall be appointed by the Secretary of War:

Composition.

(1) A commissioned officer of the Corps of Engineers, United States Army;

(2) A veteran of the Civil War who served honorably in the military forces of the United States; and

(3) A veteran of the Civil War who served honorably in the military forces of the Confederate States of America.

Basis for selecting members.

SEC. 2. In appointing the members of the commission created by section 1 of this Act the Secretary of War shall, as far as practicable, select persons familiar with the terrain of the battle fields in and around Fredericksburg and Spotsylvania Court House, Virginia, and the historical events associated therewith.

Duty of commission.

SEC. 3. It shall be the duty of the commission, acting under the direction of the Secretary of War, to inspect the battle fields in and around Fredericksburg and Spotsylvania Court House, Virginia, in order to ascertain the feasibility of preserving and marking for historical and professional military study such fields. The commission shall submit a report of its findings to the Secretary of War not later than December 1, 1924.

Report of findings.

Amount authorized for expenses. *Post*, p. 1345.

SEC. 4. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $3,000 in order to carry out the provisions of this Act. (See 16 U.S.C. § 425 note.)

An Act To establish a national military park at and near Fredericksburg, Virginia, and to mark and preserve historical points connected with the battles of Fredericksburg, Spotsylvania Court House, Wilderness, and Chancellorsville, including Salem Church, Virginia, approved February 14, 1927 (44 Stat. 1091)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-

sembled, That in order to commemorate the Civil War battles of Fredericksburg, Spotsylvania Court House, Wilderness, and Chancellorsville, including Salem Church, all located at or near Fredericksburg, Virginia, and to mark and preserve for historical purposes the breastworks, earthworks, gun emplacements, walls, or other defenses or shelters used by the armies in said battles, so far as the marking and preservation of the same are practicable, the land herein authorized to be acquired, or so much thereof as may be taken, and the highways and approaches herein authorized to be constructed, are hereby declared to be a national military park to be known as the Fredericksburg and Spotsylvania County Battle Fields Memorial whenever the title to the same shall have been acquired by the United States, the said land so to be acquired being the land necessary for a park of the plan indicated on the index map sheet filed with the report of the Battle Field Commission appointed pursuant to an Act entitled "An Act to provide for the inspection of the battle fields in and around Fredericksburg and Spotsylvania Court House, Virginia," approved on the 7th day of June, 1924, said index map sheet being referred to in said report, and particularly in the "Combined Plan—Antietam system," described in said report, the first of the plans mentioned in said report under the heading "Combined Plan—Antietam system" being the plan which is hereby adopted, the said land herein authorized to be acquired being such land as the Secretary of War may deem necessary to establish a park on the combined plan, Antietam system, above referred to, the particular boundaries of such land to be fixed by surveys made previous to the attempt to acquire the same, and authority is hereby given to the Secretary of War to acquire for the purposes of this Act the land above mentioned, or so much thereof as he may deem necessary, together with all such existing breastworks, earthworks, gun emplacements, walls, defenses, shelters, or other historical points as the Secretary of War may deem necessary, whether shown on said index map sheet or not, and together also with such additional land as the Secretary of War may deem necessary for monuments, markers, tablets, roads, highways, paths, approaches, and to carry out the general purposes of this Act. As title is acquired to parts of the land herein authorized to be acquired, the Secretary of War may proceed with the establishment of the park upon such portions so acquired, and the remaining portions of the lands desired shall be respectively brought within said park as titles to said portions are severally acquired. (16 U.S.C. § 425.)

Fredericksburg and Spotsylvania County Battle Fields Memorial, Va. Established as a national military park when title to land, etc., acquired.

Description of plan. Vol. 43, p. 646.

Authority to acquire land, etc.

SEC. 2. The Secretary of War is hereby authorized to cause condemnation proceedings to be instituted in the name of the United States under the provisions of the

Condemnation proceedings to acquire land. Vol. 25, p. 357.

Act of August 1, 1888, entitled "An Act to authorize condemnation of lands for sites for public buildings, and for other purposes" (Twenty-fifth Statutes at Large, page 357), to acquire title to the lands, interests therein, or rights pertaining thereto within the said Fredericksburg and Spotsylvania County Battle Fields Memorial, herein above authorized to be acquired, and the United States shall be entitled to immediate possession upon the filing of the petition in condemnation in the United States District Court for the Eastern District of Virginia: *Provided*, That when the owner of such lands, interests therein, or rights pertaining thereto shall fix a price for the same, which in the opinion of the commission, hereinafter referred to, and the Secretary of War, shall be reasonable, the Secretary may purchase the same without further delay: *Provided further*, That the Secretary of War is hereby authorized to accept on behalf of the United States, donations of lands, interests therein or rights pertaining thereto required for the said Fredericksburg and Spotsylvania County Battle Fields Memorial: *And provided further*, That no public money shall be expended for title to any lands until a written opinion of the Attorney General shall be had in favor of the validity of title thereto. (16 U.S.C. § 425a.)

Provisos. Purchases from owners.

Acceptance of donations.

Payment to await approval of title.

Leases with owners for lands unnecessary to purchase.

SEC. 3. The Secretary of War is hereby authorized to enter into leases with the owners of such of the lands, works, defenses, and buildings thereon within the said Fredericksburg and Spotsylvania County Battle Fields Memorial, 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 War may prescribe, and may contain options to purchase, subject to later acceptance if in the judgment of the Secretary of War it is as economical to purchase as condemn title to the property: *Provided*, That the Secretary of War 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 that they will preserve the present breastworks, earthworks, walls, defenses, shelters, buildings, and roads, and the present outlines of the battle fields, and that they will only cut trees or underbrush or disturb or remove the soil, under such regulations as the Secretary of War may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority: *Provided further*, That if such agreements to lease cover any lands the title to which shall have been acquired by the United States, the proceeds from such agreements shall be applied by the Secretary of War toward the maintenance of the park. (16 U.S.C. § 425b.)

Provisos. Cultivation, etc., of holdings.

Condition.

Proceeds from leases of acquired lands.

Commission to have charge of affairs of park.

SEC. 4. The affairs of the said Fredericksburg and Spotsylvania County Battle Fields Memorial shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, consisting of Army officers, civilians, or both, to be appointed by the Secretary of War, one of whom shall be designated as chairman and another as secretary of the commission. (16 U.S.C. § 425c.)

Duties prescribed.

SEC. 5. It shall be the duty of the commissioners, under the direction of the Secretary of War, to survey, locate, and preserve the lines of the opposing armies in said battles, to open, construct, and repair such roads, highways, paths, and other approaches as may be necessary to make the historical points accessible to the public and to students of said battles and for the purposes of the park, to ascertain and mark with historical monuments, markers, tablets, or otherwise, as the Secretary of War may determine, all breastworks, earthworks, gun emplacements, walls, or other defenses or shelters, lines of battle, location of troops, buildings, and other historical points of interest within the park or in its vicinity, and to establish and construct such observation towers as the Secretary of War may deem necessary for said park, and the said commission in establishing the park shall have authority, under the direction of the Secretary of War, to employ such labor and services at rates to be fixed by the Secretary of War, and to obtain such supplies and materials as may be necessary to carry out the provisions of this Act. (16 U.S.C. § 425d.)

Acceptance of gifts, etc., authorized.

SEC. 6. The commission, acting through the Secretary of War, is authorized to receive gifts and contributions from States, Territories, societies, organizations, and individuals for the said Fredericksburg and Spotsylvania County Battle Fields Memorial: *Provided*, That all contributions of money received shall be deposited in the Treasury of the United States and credited to a fund to be designated "Fredericksburg and Spotsylvania County Battle Fields Memorial fund," which fund shall be applied to and expended under the direction of the Secretary of War for carrying out the provisions of this Act. (16 U.S.C. § 425e.)

Proviso. Moneys to be deposited to credit of special fund.

States may mark lines of battle of their troops.

SEC. 7. It shall be lawful for the authorities of any State having had troops engaged in said battles of Fredericksburg, Spotsylvania Court House, Wilderness, and Chancellorsville, including Salem Church, or in any of said battles, to enter upon the lands and approaches of the Fredericksburg and Spotsylvania County Battle Fields Memorial for the purposes of ascertaining and marking the lines of battle of troops engaged therein: *Provided*, That before any such lines are permanently designated, the position of the lines and the proposed methods of marking them by monuments, tablets, or

Provisos. Approval of marking, etc., by the Secretary of War.

otherwise, including the design and inscription for the same, shall be submitted to the Secretary of War, and shall first receive written approval of the Secretary, which approval shall be based upon formal written reports to be made to him in each case by the commissioners of the park; *Provided*, That no discrimination shall be made against any State as to the manner of designing lines, but any grant made to any State by the Secretary of War may be used by any other State. (16 U.S.C. § 425f.)

No discrimination in designating lines.

Penalty for destroying, injuring, etc., property.

SEC. 8. If any person shall, except by permission of the Secretary of War, destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree or trees growing or being upon said park, or hunt within the limits of the park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter or any part thereof constructed by the armies formerly engaged in the battles on the lands or approaches to the park, any person so offending and found guilty thereof before any justice of the peace of the county in which the offense may be committed, or any court of competent jurisdiction, shall for each and every such offense forfeit and pay a fine, in the discretion of the justice, according to the aggravation of the offense, of not less than $5 nor more than $50, one-half for the use of the park and the other half to the informer, to be enforced and recovered before such justice in like manner as debts of like nature are now by law recoverable in the several counties where the offense may be committed. (16 U.S.C. § 425g.)

Recovery.

Rules, etc., to be prescribed.

SEC. 9. The Secretary of War, subject to the approval of the President, shall have the power to make and shall make all needful rules and regulations for the care of the park, and for the establishment and marking of lines of battle and other historical features of the park. (16 U.S.C. § 425h.)

Report to Congress on acquisition of land.

SEC. 10. Upon completion of the acquisition of the land and the work of the commission, the Secretary of War shall render a report thereon to Congress, and thereafter the park shall be placed in charge of a superintendent at a salary to be fixed by the Secretary of War and paid out of the appropriation available for the maintenance of the park. (16 U.S.C. § 425i.)

Superintendent to be appointed.

Authorization for expenses.

SEC. 11. To enable the Secretary of War to begin to carry out the provisions of this Act, including the condemnation, purchase, or lease of the necessary lands, surveys, maps, marking the boundaries of the park, opening, constructing, or repairing necessary roads, pay and expenses of commissioners, salaries for labor and services, traveling expenses, supplies and materials, the sum of $50,000 is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, to remain available until expended, and such additional sums are hereby authorized to be appropriated from time to time as may be necessary for the completion of the project and for the proper maintenance of said park. All disbursements under this Act shall be annually reported by the Secretary of War to Congress. (16 U.S.C. § 425j.)

6. Gettysburg National Military Park

		Page
Secretary of War authorized to furnish the Gettysburg Battlefield Memorial Association with specimens of arms, accouterments, etc., for preservation at the Gettysburg Museum	Act of July 27, 1892	254
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Exchange of lands with Evergreen Cemetery Association authorized	Act of January 31, 1948	262
Authorization for conveyance of Federal land in park to State of Pennsylvania for public school purposes	Act of July 31, 1953	262

An Act To furnish the Gettysburg Battlefield Memorial Association, at Gettysburg, Pennsylvania, with specimens of arms, accouterments, and so forth, used by the armies in the battle of Gettysburg, for exhibition and preservation at the Gettysburg Museum, approved July 27, 1892 (27 Stat. 276)

Gettysburg Battlefield Memorial Association.

Specimens of arms, etc., used in battle to be furnished.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to deliver to the Gettysburg Battlefield Memorial Association, at Gettysburg, Pennsylvania, specimens of the arms, equipments, projectiles, uniforms, and other material of war used by the armies in that battle (so far as may be practicable), for the purpose of exhibiting and preserving them for historical purposes in the museum at the house used by Major-General Meade for headquarters, now owned by the said association, or at such other place as the directors of the association may deem proper. And that the transportation to Gettysburg be furnished by the Quartermaster's Department of the United States from the appropriation for the transportation of army supplies.

An Act To establish a national military park at Gettysburg, Pennsylvania, approved February 11, 1895 (28 Stat. 651)

Gettysburg National Park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to receive from the Gettysburg Battlefield Memorial As-

sociation, a corporation chartered by the State of Pennsylvania, a deed of conveyance to the United States of all the lands belonging to said association, embracing about eight hundred acres, more or less, and being a considerable part of the battlefield of Gettysburg, together with all rights of way over avenues through said lands acquired by said association, and all improvements made by it in and upon the same. Upon the due execution and delivery to the Secretary of War of such deed of conveyance, the Secretary of War is authorized to pay to the said Battlefield Memorial Association the sum of two thousand dollars, or so much thereof as may be necessary to discharge the debts of said association, the amount of such debts to be verified by the officers thereof, and the sum of two thousand dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated to meet and defray such charges.

Acceptance of land from Battlefield Memorial Association.

Appropriation.

SEC. 2. That as soon as the lands aforesaid shall be conveyed to the United States the Secretary of War shall take possession of the same, and such other lands on the battlefield as the United States have acquired, or shall hereafter acquire, by purchase or condemnation proceedings; and the lands aforesaid, shall be designated and known as the "Gettysburg National Park."

Secretary of War to take possession, etc.

Designation.

SEC. 3. That the Gettysburg national park shall, subject to the supervision and direction of the Secretary of War, be in charge of the commissioners heretofore appointed by the Secretary of War for the location and acquisition of lands at Gettysburg, and their successors; the said commissioners shall have their office at Gettysburg, and while on duty shall be paid such compensation out of the appropriation provided in this Act as the Secretary of War shall deem reasonable and just. And it shall be the duty of the said commissioners, under the direction of the Secretary of War, to superintend the opening of such additional roads as may be necessary for the purposes of the park and for the improvement of the avenues heretofore laid out therein, and to properly mark the boundaries of the said park, and to ascertain and definitely mark the lines of battle of all troops engaged in the battle of Gettysburg, so far as the same shall fall within the limits of the park.

Commissioners to be appointed.

Compensation.

Duty.

SEC. 4. That the Secretary of War is hereby authorized and directed to acquire, at such times and in such manner as he may deem best calculated to serve the public interest, such lands in the vicinity of Gettysburg, Pennsylvania, not exceeding in area the parcels shown on the map prepared by Major-General Daniel E. Sickles, United States Army, and now on file in the office of the Secretary of War, which were occupied by the infantry, cavalry and artillery on the first, second and third days of July, eighteen hundred and sixty-three, and such

Acquiring additional land, etc.

other adjacent lands as he may deem necessary to preserve the important topographical features of the battlefield: *Provided*, That nothing contained in this Act shall be deemed and held to prejudice the rights acquired by any State or by any military organization to the ground on which its monuments or markers are placed, nor the right of way to the same.

Proviso. Rights not prejudiced.

Commissioners to acquire lands designated.

SEC. 5. That for the purpose of acquiring the lands designated and described in the foregoing section not already acquired and owned by the United States, and such other adjacent land as may be deemed necessary by the Secretary of War for the preservation and marking of the lines of battle of the Union and Confederate armies at Gettysburg, the Secretary of War is authorized to employ the services of the commissioners heretofore appointed by him for the location, who shall proceed, in conformity with his instructions and subject in all things to his approval, to acquire such lands by purchase, or by condemnation proceedings, to be taken by the Attorney-General in behalf of the United States, in any case in which it shall be ascertained that the same can not be purchased at prices deemed reasonable and just by the said commissioners and approved by the Secretary of War. And such condemnation proceedings may be taken pursuant to the Act of Congress approved August first, eighteen hundred and eighty-eight, regulating the condemnation of land for public uses, or the Joint Resolution authorizing the purchase or condemnation of land in the vicinity of Gettysburg, Pennsylvania, approved June fifth, eighteen hundred and ninety-four.

Condemnation proceedings. Vol. 25, p. 357.

Ante, p. 584.

Regulations, etc.

SEC. 6. That it shall be the duty of the Secretary of War to establish and enforce proper regulations for the custody, preservation, and care of the monuments now erected or which may be hereafter erected within the limits of the said national military park; and such rules shall provide for convenient access by visitors to all such monuments within the park, and the ground included therein, on such days and within such hours as may be designated and authorized by the Secretary of War.

Penalty for destroying columns, etc.

SEC. 7. That if any person shall destroy, mutilate, deface, injure, or remove, except by permission of the Secretary of War, any column, statue, memorial structure, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said park or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree or trees, growing or being upon said park, or hunt within the

limits of the park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter or any part thereof constructed by the armies formerly engaged in the battles on the land or approaches to the park, or shall violate any regulation made and published by the Secretary of War for the government of visitors within the limits of said park, any person so offending and found guilty thereof, before any justice of the peace of the county in which the offense may be committed, shall, for each and every such offense, forfeit and pay a fine, in the discretion of the justice, according to the aggravation of the offense, of not less than five nor more than five hundred dollars, one-half for the use of the park and the other half to the informer, to be enforced and recovered before such justice in like manner as debts of like nature are now by law recoverable in the county where the offense may be committed.

Bronze tablet containing Lincoln's address, etc.

SEC. 8. That the Secretary of War is hereby authorized and directed to cause to be made a suitable bronze tablet, containing on it the address delivered by Abraham Lincoln, President of the United States, at Gettysburg on the nineteenth day of November, eighteen hundred and sixty-three, on the occasion of the dedication of the national cemetery at that place, and such tablet, having on it besides the address a medallion likeness of President Lincoln, shall be erected on the most suitable site within the limits of said park, which said address was in the following words, to wit:

Medallion.

Inscription.

"Four score and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty and dedicated to the proposition that all men are created equal.

"Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

"But, in a larger sense, we can not dedicate, we can not consecrate, we can not hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract. The world will little note, nor long remember, what we say here; but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us; that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall

not have died in vain; that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, for the people, shall not perish from the earth."

Appropriation for tablet and medallion.

And the sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the cost of said tablet and medallion and pedestal.

Appropriation for expenses, etc.

SEC. 9. That, to enable the Secretary of War to carry out the purposes of this Act, including the purchase or condemnation of the land described in sections four and five of this Act, opening, improving, and repairing necessary roads and avenues, providing surveys and maps, suitably marking the boundaries of the park, and for the pay and expenses of the commissioners and their assistants, the sum of seventy-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated; and all disbursements made under this Act shall require the approval of the Secretary of War, who shall make annual report of the same to Congress. (16 U.S.C. § 430g as amended.)

An Act To authorize the Secretary of War to improve and maintain the public roads within the limits of the national park at Gettysburg, Pennsylvania, approved June 10, 1896 (29 Stat. 384)

Gettysburg National Park. Roads to be under Secretary of War.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized in his discretion to improve and maintain the public roads within the limits of the national park at Gettysburg, Pennsylvania, over which jurisdiction has been or may hereafter be ceded to the United States: *Provided*, That nothing contained in this Act shall be deemed and held to prejudice the rights acquired by any State or by any military organization to the ground on which its monuments or markers are placed nor the right of way to the same. (16 U.S.C. § 430g.)

Proviso.

Rights not affected.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes," approved June 4, 1897 (30 Stat. 11, 44)

Gettysburg. Expenses.

Gettysburg National Park: For continuing the work of establishing the National Park at Gettysburg, Pennsylvania; for the acquisition of lands, surveys and maps; constructing, improving, and maintaining avenues, roads, and bridges thereon; making fences and gates, marking the lines of battle with tablets and guns, each tablet bearing a brief legend giving historic facts and compiled without censure and without praise; preserving

the features of the battlefield and the monuments thereon; providing for a suitable office for the commissioners in Gettysburg; compensation of three civilian commissioners, clerical and other services; expenses, and labor; the purchase and preparation of tablets and gun carriages and placing them in position, and all other expenses incidental to the foregoing, fifty thousand dollars. And the Secretary of War may lease the lands of the park at his discretion either to former owners or other persons for agricultural purposes, the proceeds to be applied by the Secretary of War, through the proper disbursing officer, to the maintenance of the park.

Leases.

An Act Authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, Pennsylvania, to commemorate the valorous deeds of certain regiments and batteries of the United States Army, approved February 18, 1903 (32 Stat. 838)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Gettysburg National Park Commission be, and hereby are, authorized and directed, under the supervision of the Secretary of War, to erect such monuments and markers of granite and bronze upon the battlefield of Gettysburg, in the State of Pennsylvania, as will fittingly designate the positions, indicate the movements, and commemorate the valorous services of the following batteries and regiments of United States Regulars upon the battlefield: Batteries E, G, H, I, and K, First United States Artillery; A, B, D, G, L, and M, Second United States Artillery; C, F, and K, Third United States Artillery; A, B, C, F, G, and K, Fourth United States Artillery; C, D, F, I, and K, Fifth United States Artillery; Second, Third, Fourth, Sixth, Seventh, Eighth, Tenth, Eleventh, Twelfth, Fourteenth, and Seventeenth Regiments of United States Infantry; First, Second, Fifth, and Sixth Regiments of Cavalry; and United States Engineers Detachment.

Gettysburg National Park. Erection of monuments to Regular Army regiments, etc.

The Secretary of War shall, so far as practicable, procure the appointment of committees of the survivors of these regiments and batteries, with whom the said Commission shall consult, and, with the approval of the Secretary of War, determine the designs and positions of said monuments and markers and the incriptions they shall bear, and for the purpose of carrying out the provisions of this Act, sixty-one thousand five hundred dollars is hereby appropriated, out of any moneys not otherwise appropriated, and the disbursements under this Act shall be made on the approval of the Secretary of War.

Appointment of consulting committees.

Appropriation.

An Act To amend an Act authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, Pennsylvania, to commemorate the valorous deeds of certain regiments and batteries of the United States Army, approved March 3, 1905 (33 Stat. 980)

Gettysburg National Park. Erection of monuments to Regular Army regiments, etc. Vol. 32, p. 838, amended. Battery E, Fourth Artillery, added. Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, in the State of Pennsylvania, to commemorate the valorous deeds of certain regiments and batteries of the United States Army, approved the eighteenth of February, nineteen hundred and three, be, and hereby is, amended by adding to the names of batteries therein mentioned Battery E, Fourth United States Artillery. And for the purpose of carrying out the provisions of said Act as hereby amended the sum of one thousand five hundred dollars is hereby appropriated out of any money not otherwise appropriated.

Excerpt from "An Act Making appropriations to supply deficiencies in appropriations for the fiscal year 1912 and for prior years, and for other purposes," approved August 26, 1912 (37 Stat. 595, 625)

Fiftieth anniversary of Battle of Gettysburg. *Post*, p. 1457. Provision for supply of drinking water.

SEC. 4. That, within the limits of the appropriation hereinafter made and the sum furnished by the Commonwealth of Pennsylvania for such purposes, the Secretary of War be authorized and directed: First, To make all necessary and proper detail of officers of the United States Army to make such surveys, measurements, and estimates as may be necessary in providing a sufficient supply of good water for public use upon the first, second, third, and fourth days of July, nineteen hundred and thirteen, upon the battle field of Gettysburg, in the Commonwealth of Pennsylvania, upon the commemoration of the fiftieth anniversary of the Battle of Gettysburg, and to make all necessary provisions and perform all necessary acts in connection with bringing upon said battle field upon said occasion such sufficient supply of good water fit for drinking and other purposes connected with and incidental to such occasion.

Sewerage, etc., service.

Second. To provide for all necessary sewerage, sanitation, and hospital service necessary for the health and accommodation of persons attending upon such occasion.

Equipment, rations, etc., to veterans.

Third. To provide and furnish all necessary camp and garrison equipment for visiting veterans of the Civil War, together with all necessary rations and supplies for such veterans during said celebration.

Action to be completed by July 1, 1913.

The steps authorized in this section to be taken by the War Department shall be fully completed before the first day of July, nineteen hundred and thirteen, and all camp

equipment, supplies, and rations shall be fully ready for occupancy and use.

Control of exercises, etc.

The Fiftieth Anniversary of the Battle of Gettysburg Commission of the Commonwealth of Pennsylvania shall have charge of the order of exercises during the celebration; the physical control of the camp and grounds and the movements of troops and marching bodies therein shall be in the hands of the Secretary of War, under such officers as he may detail for that purpose.

Appropriation for one-half of expenses.

There is appropriated one-half of such sum as may be necessary to carry out the foregoing provisions of this section, said one-half not to exceed the sum of $150,000, to continue available during the fiscal years nineteen hundred and thirteen and nineteen hundred and fourteen: *Provided*, That out of the sum of $250,000 heretofore pledged by the Commonwealth of Pennsylvania by act of the general assembly of that Commonwealth, adopted on the fourteenth day of June, nineteen hundred and eleven, the commission appointed by the governor of Pennsylvania, in accordance with said act and having charge of such celebration, shall set aside and appropriate a sum equal to the amount above appropriated, to wit, the sum of $150,000; so much of which as may be necessary shall be expended for the purposes provided in this section, under the sole direction of the Secretary of War; *And provided further*, That until the said commission shall adopt a resolution agreeing that the Commonwealth of Pennsylvania shall bear one-half of the expenses incurred in carrying out the provisions of this section, and shall furnish to the Secretary of War a certified copy of such resolution, no part of the sum appropriated in this section shall be expended.

Provisos. Contributive share of Pennsylvania.

Condition required.

* * * * * * *

Lump sum appropriations. Restriction on salaries paid from.

SEC. 7. No part of any money contained herein or hereafter appropriated in lump sum shall be available for the payment of personal services at a rate of compensation in excess of that paid for the same or similar services during the fiscal year nineteen hundred and twelve; nor shall any person employed at a specific salary be hereafter transferred and hereafter paid from a lump-sum appropriation a rate of compensation greater than such specific salary, and the heads of departments shall cause this provision to be enforced.

Excerpt from "An Act Making appropriations for the support of the Army for the fiscal year ending June 30, 1918, and for other purposes," approved May 12, 1917 (40 Stat. 40, 59)

Gettysburg Park. Purchase of additional lands.

That the Secretary of War be, and he is hereby, authorized and directed to acquire, by purchase, for the Gettysburg National Military Park the land composing the right of way of the Gettysburg Railway Company (the rails, ties, and superstructure of same to remain the

Description.

property of the Gettysburg Railway Company and to be removed by the said company as required by the Secretary of War), said right of way embracing the tracts known as the Amos Leister tracts, the F. G. Pfeffer tracts, the Jacob Benner estate tract, the Simon J. Godori tract, the Jacob Masonheimer tract, the Annie E. Beecher tract, the Rosanna E. Wible tract, the James W. Timbers tract, the S. W. Crawford tracts, the William H. Tipton tract, the Calvin P. Krise tract, the George Bushman tract, and the Peter D. Swisher tract within the limits of the battle field of Gettysburg and within the limits of the Gettysburg National Military Park for the sum of $30,000, that being the amount awarded in condemnation proceedings in the eastern district of Pennsylvania, which sum is hereby appropriated and made immediately available for such purchase.

An Act Relating to the exchange of certain private and Federal properties within Gettysburg National Military Park, Pennsylvania, and for other purposes, approved January 31, 1948 (62 Stat. 16)

Gettysburg National Military Park, Pa. Exchange of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of consolidating Federal holdings of land within Gettysburg National Military Park, Pennsylvania, the Secretary of the Interior is hereby authorized, in his discretion, to accept, on behalf of the United States, approximately four acres of non-Federal land within the park boundaries, such land to be conveyed to the United States without cost by the Evergreen Cemetery Association, of Gettysburg. Upon acceptance of title thereto by the United States, such property shall be subject to all laws and regulations applicable to the park. In exchange for the conveyance to the United States of the aforesaid property, the Secretary of the Interior is authorized to convey to the Evergreen Cemetery Association approximately one and one-quarter acres of federally owned land within the park, such property constituting a right-of-way through the Evergreen Cemetery property: *Provided*, That the aforesaid exchange shall be consummated only upon condition that the Secretary is satisfied that such exchange is in the public interest and that the properties to be exchanged are of approximately equal value. (16 U.S.C. § 430g–1.)

Condition.

An Act To authorize the conveyance for public-school purposes of certain Federal land in Gettysburg National Military Park, and for other purposes, approved July 31, 1953 (67 Stat. 243)

Gettysburg National Military Park, Pa. Conveyance.

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 hereby authorized to have competent and disinterested appraisals made as to the value of not more than twenty-

three acres of land in Gettysburg National Military Park, in the State of Pennsylvania, such land lying generally between East Confederate Avenue and Wainwright Avenue, and being situated adjacent to the present high-school property in that area. Upon the basis of such appraisals, the Secretary is authorized to convey such property for public-school purposes to the State of Pennsylvania, or the appropriate local agency thereof, the conveyance to be made in exchange for non-Federal land of approximately equal value, which land, upon acceptance by the United States, shall become a part of Gettysburg National Military Park. (16 U.S.C. § 430g–2.)

7. Guilford Courthouse National Military Park

		Page
Authorization for erection of monument to commemorate battle of Guilford Court House	Act of February 13, 1911	264
Establishment	Act of March 2, 1917	264

An Act To provide for the erection of a monument to commemorate the battle of Guilford Court House, North Carolina, and in memory of Major-General Nathanael Greene and the officers and soldiers of the Continental Army who participated with him in the battle of Guilford Court House, North Carolina, approved February 13, 1911 (36 Stat. 899)

Guilford Court House, N.C. Appropriation authorized for battlefield memorial monument. *Post*, p. 1402.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of thirty thousand dollars be, and the same is hereby, authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the erection of a monument on the battlefield of Guilford Court House, in Guilford County, North Carolina, to commemorate the great victory won there on March fifteenth, seventeen hundred and eighty-one, by the American forces, commanded by Major-General Nathanael Greene, and in memory of Major-General Nathanael Greene and the officers and soldiers of the Continental Army who participated in the battle of Guilford Court House: *Provided*, That the money authorized to be appropriated as aforesaid shall be expended under the direction of the Secretary of War, and the plans, specifications, and designs for such monument shall be first approved by the Secretary of War, with the assistance of the officers of the Guilford Battle Ground Company, before any money so authorized to be appropriated is expended: *And provided further*, That the site for said monument within the limits of said battlefield of Guilford Court House shall be selected by the Secretary of War and donated free of cost to the United States: *And provided further*, That when said monument is erected the responsibility for the care and keeping of the same shall be and remain with the Guilford Battle Ground Company, it being expressly understood that the United States shall have no responsibility therefor; and it being further understood that said Guilford Battle Ground Company shall provide for the public use an open highway thereto.

Provisos.
Approval of plans.

Donation of site.

Future care.

An Act To establish a national military park at the battle field of Guilford Courthouse, approved March 2, 1917 (39 Stat. 996)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assem-

bled, That in order to preserve for historical and professional military study one of the most memorable battles of the Revolutionary War, the battle field of Guilford Courthouse, in the State of North Carolina, is hereby declared to be a national military park whenever the title to the same shall have been acquired by the United States; that is to say, the area inclosed by the following lines:

Guilford Courthouse Military Park, N.C. Established.

Those certain tracts or parcels of land in the county of Guilford and State of North Carolina, Morehead Township, more particularly described as follows:

Area described.

First tract: Beginning at a stone on the west side of the Greensboro macadam road; thence north eighty-six degrees five minutes west eight hundred and seventy-seven and one-tenth feet to a stone; thence north seven degrees fifty-five minutes west four hundred and eight and eight-tenths feet to a stone; thence north seven degrees five minutes east one hundred and ninety and eight-tenths feet to a stone; thence north sixty degrees forty-five minutes east two hundred and sixty-five and four-tenths feet to a stone; thence north fourteen degrees fifteen minutes west seven hundred and one and six-tenths feet to a stone; thence north eight degrees forty-five minutes west three hundred and forty-eight and one-tenth feet to a stone; thence north seventy-one degrees thirty-five minutes east nine hundred and thirty-seven and eight-tenths feet to a stone; thence south fifty degrees forty-five minutes east one hundred and fifty-seven and two-tenths feet to a stone; thence north seventy degrees forty-five minutes east eight hundred and seventy-five and five-tenths feet to a stone; thence north twenty-seven degrees twenty-eight minutes west two hundred and two and nine-tenths feet to a stone; thence north twenty-seven degrees eight minutes west two hundred and twenty-six and eight-tenths feet to a stone; thence north sixty-nine degrees forty-five minutes east two hundred and sixty-five and nine-tenths feet to a stone; thence north sixty-eight degrees fifty minutes east three hundred and seventy and eight-tenths feet to a stone; thence south fifty-three degrees fifty minutes east eight hundred and ninety-two feet to a stone; thence south eighty-three degrees twenty minutes east two hundred and ninety-one and four-tenths feet to a stone; thence south twenty-nine degrees twenty minutes west six hundred and fifty-five and seven-tenths feet to a stone; thence south twelve degrees fifty-five minutes west eight hundred and forty-three feet to a stone; thence about west ten feet to a stone; thence south six degrees five minutes west one hundred and thirty-three and four-tenths feet to a stone; thence north sixty degrees west thirty-eight feet to a stone; thence north forty-nine degrees west fifty-two and six-tenths feet to a stone; thence north eighty-seven degrees ten minutes west one thousand four hundred and twenty-

seven and three-tenths feet to a stone; thence north twelve degrees forty minutes east one hundred and ninety-six and five-tenths feet to a stone; thence south seventy-one degrees west two hundred and thirty-seven and nine-tenths feet to a stone; thence south three degrees fifty-five minutes west one thousand and eleven and three-tenths feet to the beginning.

Second tract: Beginning at a stone on the south side of Holt Avenue; thence south nine degrees forty-five minutes west one hundred and nine and eight-tenths feet to a stone; thence south eighty-four degrees forty-five minutes east two hundred and forty-nine feet to a stone; thence northeasterly to Holt Avenue; thence with Holt Avenue north eighty-seven degrees ten minutes west to the beginning, on which is located the Joe Spring.

Together with all privileges and appurtenances thereunto belonging.

The aforesaid tracts of land containing in the aggregate one hundred and twenty-five acres, more or less, and being the property of the Guilford Battle-Ground Company, according to a survey by W. B. Trogdon and W. B. Trogdon, junior, made June eighth, nineteen hundred and eleven. And the area thus inclosed shall be known as the Guilford Courthouse National Military Park.

Acceptance of conveyance.

SEC. 2. That the establishment of the Guilford Courthouse National Military Park shall be carried forward under the control and direction of the Secretary of War, who is hereby authorized to receive from the Guilford Battle-Ground Company, a corporation chartered by the State of North Carolina, a deed of conveyance to the United States of all the lands belonging to said corporation, embracing one hundred and twenty-five acres, more or less, and described more particularly in the preceding section.

Adjacent lands.

SEC. 3. That the Secretary of War is hereby authorized and directed to acquire at such times and in such manner such additional lands adjacent to the Guilford Courthouse National Military Park as may be necessary for the purposes of the park and for its improvement.

Commission created to control.

SEC. 4. That the affairs of the Guilford Courthouse National Military Park shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, one of whom shall be an actual resident of Guilford County, State of North Carolina, one an actual resident of the State of Maryland, and one an

Appointments and terms.

actual resident of the State of Delaware. They shall be appointed by the Secretary of War, the actual resident of Guilford County, State of North Carolina, so appointed to serve, unless sooner relieved, for a term of four years. The resident commissioner shall act as chairman and as secretary of the commission. One of the other commissioners so appointed shall serve for a term of three years,

and the other for a term of two years, unless sooner relieved. Upon the expiration of the terms of said commissioners the Secretary of War shall, in the manner hereinbefore prescribed, appoint their successors, to serve, unless sooner relieved, for a term of four years each from the date of their respective appointments. The office of said commissioners shall be in the city of Greensboro, North Carolina. The resident commissioner shall receive as compensation $1,000 per annum, the nonresident commissioners $100 per annum each, and they shall not be entitled to any other pay or allowances of any kind whatsoever.

Office and compensation.

SEC. 5. That it shall be the duty of the commission named in the preceding section, under the direction of the Secretary of War, to open or repair such roads as may be necessary to the purposes of the park, and to ascertain and mark with historical tablets or otherwise, as the Secretary of War may determine, all lines of battle of the troops engaged in the Battle of Guilford Courthouse and other historical points of interest pertaining to the battle within the park or its vicinity; and the said commission in establishing this military park shall also have authority, under the direction of the Secretary of War, to employ such labor and services and to obtain such supplies and material as may be necessary to the establishment of said park, under such regulations as he may consider best for the interest of the Government, and the Secretary of War shall make and enforce all needed regulations for the care of the park.

Duty and authority of commission.

Regulations for care, etc.

SEC. 6. That it shall be lawful for any State that had troops engaged in the battle of Guilford Courthouse to enter upon the lands of the Guilford Courthouse National Military Park for the purpose of ascertaining and marking the lines of battle of its troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them, by monuments, tablets, or otherwise, shall be submitted to and approved by the Secretary of War; and all such lines, designs, and inscriptions for the same shall first receive the written approval of the Secretary of War.

Marking positions of troops.

Proviso. Approval of Secretary of War.

SEC. 7. That if any person shall, except by permission of the Secretary of War, destroy, mutilate, deface, injure, or remove any monument, column, statues, memorial structures, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work for the protection or ornamentation of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, brush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree,

Penalty for mutilations, etc., of property in.

or trees growing or being upon said park, or hunt within the limits of the park, any person so offending and found guilty thereof before any justice of the peace of the county of Guilford, State of North Carolina, shall, for each and every such offense, forfeit and pay a fine, in the discretion of the justice, according to the aggravation of the offense, of not less than $5 nor more than $50, one-half for the use of the park and the other half to the informer, to be enforced and recovered before such justice in like manner as debts of like nature are now by law recoverable in the said county of Guilford, State of North Carolina. (16 U.S.C. § 430i, in part.)

Half of fine to informer.

8. Horseshoe Bend National Military Park

Page.

Establishment authorized.....Act of July 25, 1956 269

An Act To provide for the establishment of the Horseshoe Bend National Military Park, in the State of Alabama, approved July 25, 1956 (70 Stat. 651)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when not less than five hundred acres of the non-Federal lands hereinafter described (together with improvements thereon) and known as the Horseshoe Bend Battle Ground on the Tallapoosa River, in the State of Alabama, shall have been acquired and transferred free and clear of all encumbrances to the United States without expense to the Federal Government, such areas shall be, and are hereby, dedicated and set apart as a unit of the National Park System for the benefit and enjoyment of the people of the United States, under the name of the Horseshoe Bend National Military Park. (16 U.S.C. § 430ff.)

Horseshoe Bend National Military Park, Ala.

SEC. 2. The Secretary of the Interior is hereby authorized and directed to make an examination of the Horseshoe Bend Battle Ground with a view to determining the area or areas thereof deemed desirable for inclusion in the Horseshoe Bend National Military Park and which, except for not more than twenty acres of any other lands adjacent to such battleground found by the Secretary to be necessary to carry out the provisions of this Act, lie within the lands particularly described as follows: Sections 13, 14, 15, 22, and 23, all township 23 north, range 23 east, Saint Stephens meridian. (16 U.S.C. § 430gg.)

Examination of area.

SEC. 3. (a) The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop the park, subject 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.

Administration.

16 U.S.C. 1 *et seq.*

(b) In order to provide for the proper development and maintenance of the park, the Secretary of the Interior shall construct and maintain therein such roads, trails, markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors as he may deem necessary. (16 U.S.C. § 430hh.)

Roads, trails, etc.

SEC. 4. This Act shall become effective if and when the requirements of sections 1 and 2 hereof shall have been fully complied with to the satisfaction of the President of the United States, who shall then issue a notice de-

Effectivity.

claring that the requirements herein have been met, and said notice shall formally dedicate and set aside the areas transferred to the United States in accordance with the provisions of section 1 hereof. (16 U.S.C. § 430ii.)

Appropriation.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. (16 U.S.C. § 430jj.)

9. Kings Mountain National Military Park

		Page.
Authorization for erection of monument commemorative of the victory of the American forces	Act of June 16, 1906	271
Inspection of battlefield of Kings Mountain authorized	Act of April 9, 1928	271
Establishment	Act of March 3, 1931	272
Revision of boundaries and procurement and exchange of lands authorized	Act of June 23, 1959	273

An Act Providing for the erection of a monument on Kings Mountain Battle Ground commemorative of the great victory gained there during the war of the American Revolution on October 7, 1780, by the American forces, approved June 16, 1906 (34 Stat. 286)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of thirty thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the erection of a monument and inclosure for the same on Kings Mountain Battle Ground in York County, South Carolina, to commemorate the great victory won there on October seventh, seventeen hundred and eighty, by the American forces, commanded by Colonels William Campbell, John Sevier, Benjamin Cleveland, Isaac Shelby, Charles McDowell, Joseph McDowell, James Williams, and Edward Lacey, and Majors William Candler, Joseph Winston, and William Chronicle: *Provided*, That the money appropriated as aforesaid shall be expended under the direction of the Secretary of War, and the plans, specifications, and designs for such monument and inclosure for the same, before any money so appropriated is expended, shall be first approved by the Secretary of War: *And provided further*, That no part of the sum hereby appropriated shall be so expended until the Kings Mountain Centennial Association of South Carolina shall secure the title to not more than fifty acres of said battle ground, said title to be approved by the Attorney-General of the United States: *And provided further*, That when said monument is erected the responsibility for the care and keeping of the same shall be and remain with the Kings Mountain Battle Ground Association of South Carolina, it being expressly understood that the United States shall have no responsibility therefor.

Kings Mountain Battle Ground, S.C. Appropriation for monument on.

Provisos. Secretary of War to approve plans, etc.

Title.

Care of monument.

An Act To provide for the inspection of the battle field of Kings Mountain, South Carolina, approved April 9, 1928 (45 Stat. 412)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to assist in the studies and investigations

Kings Mountain, S.C., battle field.

Commission created. Vol. 44, p. 726.

of battle fields in the United States for commemorative purposes, authorized by an Act approved June 11, 1926 (Public Numbered 372, Sixty-ninth Congress), a commission is hereby created, to be composed of the following members, who shall be appointed by the Secretary of War: (1) A commissioned officer of the Corps of Engineers, United States Army; (2) a citizen and resident of York County, State of South Carolina; (3) a citizen and resident of Cleveland County, State of North Carolina; (4) and a citizen of Cherokee County, South Carolina.

Army Engineer officer.

A citizen of York, Cleveland, and Cherokee Counties.

Qualifications of commission.

SEC. 2. In appointing the members of the commission created by section 1 of this Act the Secretary of War shall, as far as practicable, select persons familiar with the terrain of the battle field of Kings Mountain, South Carolina, and the historical events associated therewith.

Inspection and report on feasibility of preserving, etc., for historical study, etc.

SEC. 3. It shall be the duty of the commission, acting under the direction of the Secretary of War, to inspect the battle field of Kings Mountain, South Carolina, in order to ascertain the feasibility of preserving and marking for historical and professional military study such field. The commission shall submit a report of its findings and an itemized statement of its expenses to the Secretary of War not later than December 1, 1928.

Amount authorized for expenses. *Post*, p. 929.

SEC. 4. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,000, or such part thereof as may be necessary, in order to carry out the provisions of this Act.

An Act To establish a national military park to commemorate the Battle of Kings Mountain, approved March 3, 1931 (46 Stat. 1508)

Kings Mountain National Military Park, N.C. Establishment of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to commemorate the Battle of Kings Mountain, which was fought on the 7th day of October, 1780, the Kings Mountain battle ground, in the State of South Carolina, including such adjacent and contiguous lands as may be useful and proper in effectually carrying out the purposes of this Act, is hereby declared to be a national military park, to be known as the Kings Mountain National Military Park, when such land including said battle ground shall become the property of the United States. (16 U.S.C. § 430.)

Purposes declared.

Location of battlefield to determine site.

Acquisition of lands by purchase or condemnation.

SEC. 2. The Secretary of War shall ascertain on what land the Battle of Kings Mountain was fought and, subject to the provisions of section 355 of the Revised Statutes, shall proceed to acquire title to such land together with such adjacent and contiguous lands as he may deem useful and proper in effectually carrying out the purposes of this Act, either by purchase or gift or by condemnation under the provisions of the Act entitled

Vol. 25, p. 357.

"An Act to authorize condemnation of land for sites of public buildings, and for other purposes," approved August 1, 1888. (16 U.S.C. § 430a.)

Control of Secretary of War. Regulations to be prescribed.

SEC. 3. Such park shall be under the control and direction of the Secretary of War. The Secretary is authorized to prescribe from time to time such regulations for the care and management of such park as he may deem necessary. (16 U.S.C. § 430b.)

Revocable permits to holders of land.

SEC. 4. Upon such terms and conditions as he may prescribe, the Secretary of War is authorized to permit any person occupying any land within the boundaries of such park to continue to occupy such land, but the Secretary may revoke such permit at any time. (16 U.S.C. § 430c.)

Road construction, etc. Historic markers.

SEC. 5. The Secretary of War shall open or repair such roads in such park as may be necessary, and ascertain and mark with tablets or otherwise, as he may determine, all lines of battle of the American troops and British troops engaged in the Battle of Kings Mountain and other historical points of interest pertaining to the battle which are within the boundaries of the park. The Secretary is authorized to employ such labor and services and to obtain such supplies and materials as may be necessary to carry out the provisions of this section. (16 U.S.C. § 430d.)

Services and supplies authorized.

State cooperation.

SEC. 6. The authorities of any State which had troops engaged in the Battle of Kings Mountain may enter the Kings Mountain National Military Park for the purpose of ascertaining and marking the lines of battle of such troops, but before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise shall be approved by the Secretary of War. Any State organization or individual may, with the approval of the Secretary of War, erect monuments or place tablets within such park. (16 U.S.C. § 430e.)

Supervision of Secretary of War.

Permission extended to individuals, etc.

SEC. 7. There is authorized to be appropriated the sum of $225,000, or so much thereof as may be necessary, in order to carry out the provisions of this Act.

An Act To revise the boundaries of the Kings Mountain National Military Park, South Carolina, and to authorize the procurement and exchange of lands, and for other purposes, approved June 23, 1959 (73 Stat. 108)

Kings Mountain National Military Park, S.C. Boundary revision.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to consolidate the Federal ownership of lands in, and to facilitate protection and preservation of, Kings Mountain National Military Park, South Carolina, the boundaries are hereby revised as follows:

(1) Federally owned lands lying west of the easterly right-of-way line of State Route P–11–123, containing

approximately two hundred acres, are excluded from the park;

(2) Privately owned lands lying east of the easterly right-of-way line of State Route P–11–123, containing approximately eighty acres, are included in the park; and

(3) Lands of the Mary Morris estate lying south of the southerly right-of-way line of the historic Yorkville-Shelbyville Road, and forming the triangle bounded by the new State Route P–11–86, the historic Yorkville-Shelbyville Road and the present park boundary (Old Houser tract), aggregating approximately sixty acres, are included in the park. (16 U.S.C. § 430a–1 [Supp. II].)

Acquisition of lands.

SEC. 2. The Secretary of the Interior is authorized to acquire lands and interests in lands within the revised boundary by purchase, donation, with donated funds, or by exchange, utilizing for such exchanges federally owned lands of approximately equal value excluded from the park pursuant to this Act. Federally owned lands so excluded which the Secretary of the Interior determines are not needed for such exchanges shall be disposed of in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, as amended. (16 U.S.C. § 430a–2 [Supp. II].)

63 Stat. 377. 40 U.S.C. 471 note.

Applicability of laws, etc.

SEC. 3. Lands and interests therein acquired pursuant to this Act shall thereupon become a part of the Kings Mountain National Military Park and be subject to all the laws and regulations applicable thereto. (16 U.S.C. § 430a–3 [Supp. II].)

10. Monocacy National Military Park Project

Page

Land acquisition and erection of marker for commemoration of Battle of Monocacy authorized----------Act of March 1, 1929 275

An Act To provide for the commemoration of the Battle of Monocacy, Maryland, approved March 1, 1929 (45 Stat. 1444)

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 Battle of Monocacy, Maryland, the Secretary of War is authorized and directed to (1) acquire not to exceed one acre of land, free of cost to the United States, at the above-named battle field, (2) fence the parcel of land so acquired, (3) build an approach to such parcel of land, and (4) erect a suitable marker on such parcel of land.

Battle of Monocacy, Maryland.

Acquiring land, etc., authorized to commemorate.

SEC. 2. There is authorized to be appropriated the sum of $5,000, or so much thereof as may be necessary, to carry out the provisions of section 1 of this Act.

Sum authorized.

SEC. 3 The parcel of 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 parcel of land, fence, approach, and marker a sum not to exceed $250 per annum.

Under control of Secretary of War.

Maintenance.

11. Moores Creek National Military Park

		Page
Establishment	Act of June 2, 1926	276
Acceptance of property of historical interest authorized	Act of September 27, 1944	278

An Act To establish a national military park at the battle field of Moores Creek, North Carolina, approved June 2, 1926 (44 Stat. 684)

Moores Creek, N.C. National Military Park established on battle field of, in Revolutionary War.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for historical and professional military study one of the most memorable battles of the Revolutionary War, the battle field of Moores Creek, in the State of North Carolina, is hereby declared to be a national military park whenever the title to the same shall have been acquired by the United States; that is to say, the area inclosed by the following lines:

Tracts of land to be acquired.

Those tracts or parcels of land in the county of Pender, and State of North Carolina, more particularly described as follows:

First tract.

First tract: Beginning at a stone at the run of Moores Creek, on the east bank of same, about twenty poles (in a straight line) above the new iron bridge, and running thence parallel to William Walker's line, south sixty-two and one-half degrees west eleven chains to a stake; thence south seven and one-half degrees east three and six-tenths chains to a stone at the south edge of the old stage road; thence along the south edge of said road south forty-six degrees east about five chains and eighty links to a stone; thence south thirty-seven and one-fourth degrees west fourteen chains and twelve links to a stone; thence north sixty-two and one-half degrees west ten chains and seventy-five links to a stone, a corner (4) of an eight-acre tract which the parties of the first part conveyed to Governor D. L. Russell, for the purposes aforesaid, by a deed dated January, 1898, and recorded in Pender County; thence with the lines of said tract north thirty-nine and one-half degrees east thirteen chains and twenty-seven links to a stake, the third corner of the said eight-acre tract; thence north fifty-one degrees west four chains to a stake about twenty feet from the old entrenchment (the second corner of the eight-acre tract); thence with the first line reversed north forty-four degrees west two chains to a sweet gum at the run of Moores Creek (the first corner of the eight-acre tract); thence up and with the run of said creek to the first station, containing twenty acres.

Second tract: Beginning at a sweet gum on the eastern edge of Moores Creek, running thence south forty-four degrees east two poles to a stake; thence south fifty-one degrees east four poles five links to a stake; thence south thirty-nine degrees west thirteen poles twenty-seven links to a stake; thence north fifty-one degrees west nine poles thirty-one links to a stake in the edge of Moores Creek; thence northerly with the creek to the beginning, containing eight acres more or less. Second tract.

Third tract: Beginning at a cypress on the edge of the run of Moores Creek about twenty feet from the west end of the old entrenchments and running thence in a line parallel to and ten feet distance from the outside or east edge of the old line of entrenchments in all the various courses of the same to a stake ten feet distant on the east side of the north end of said entrenchments; thence a direct line to the run of said Moores Creek; thence down said creek to the beginning, containing two acres, be the same more or less (the intention is to include all lands now known and designated as Moores Creek battlefield and now so recognized as such and owned by the State of North Carolina), together with all the privileges and appurtenances thereunto belonging. Third tract.

The aforesaid tracts of land containing in the aggregate thirty acres, more or less, and being the property of the State of North Carolina, and the area thus inclosed shall be known as the Moores Creek National Military Park. (16 U.S.C. § 422.) Area to be known as Moores Creek National Military Park.

SEC. 2. The establishment of the Moores Creek National Military Park shall be carried forward under the control and direction of the Secretary of War, who is hereby authorized to receive from the State of North Carolina a deed of conveyance to the United States of all the lands belonging to the said State, embracing thirty acres, more or less, and described more particularly in the preceding section. (16 U.S.C. § 422a.) Secretary of War to control, and accept conveyance of land from North Carolina.

SEC. 3. That the affairs of the Moores Creek National Military Park shall be subject to the supervision and direction of the Secretary of War, and it shall be the duty of the War Department, under the direction of the Secretary of War, to open or repair such roads as may be necessary to the purposes of the park, and to ascertain and mark with historical tablets or otherwise, as the Secretary of War may determine, all lines of battle of the troops engaged in the Battle of Moores Creek, and other historical points of interest pertaining to the battle within the park or its vicinity; and the Secretary of War in establishing this military park is authorized to employ such labor and services and to obtain such supplies and material as may be considered best for the interest of the Government, and the Secretary of War shall make and Maintenance, etc. *Post*, p. 879. Marking with historical tablets. Employment of services, etc.

enforce all needed regulations for the care of the park. (16 U.S.C. § 422b.)

Marking lines of battle by State troops.

SEC. 4. It shall be lawful for any State that had troops engaged in the battle of the Moores Creek National Military Park, to enter upon the same for the purpose of ascertaining and marking the lines of battle of its troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise, shall be submitted to and approved by the Secretary of War; and all such lines, designs, and inscriptions for the same shall first receive the written approval of the Secretary of War. (16 U.S.C. § 422c.)

Proviso. Submission for approval by the Secretary.

Defacing monuments, injuring property, etc., prohibited.

SEC. 5. If any person shall, except by permission of the Secretary of War, destroy, deface, injure, or remove any monument, column, statues, memorial structures, or work of art, which shall be placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other mark for the protection or ornamentation of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, brush, or shrubbery that may be growing upon said park, or shall cut down or remove or fell any timber, battle relic, tree, or tree growing upon said park, or hunt within the limits of the park, any person so offending and found guilty thereof before any justice of the peace of the county of Pender, State of North Carolina, shall, for each and every offense, forfeit and pay a fine, in the discretion of the justice, according to the aggravation of the offense, of not less than $5 nor more than $50, one half for the use of the park and the other half to the informer, to be enforced and recovered before such justice in like manner as fines of like nature are now by law recoverable in the said county of Pender, State of North Carolina. (16 U.S.C. § 422d.)

Penalty imposed by a justice of the peace of Pender County, N.C.

An Act To authorize the Secretary of the Interior to accept property for the Moores Creek National Military Park, and for other purposes, approved September 27, 1944 (58 Stat. 746)

Moores Creek National Military Park.

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 hereby authorized, in his discretion, to accept in behalf of the United States donations of lands, buildings, structures, and other property, or interests therein, which he may determine to be of historical interest in connection with the Moores Creek National Military Park, the title to such property or interests to be satisfactory to the Secretary of the Interior: *Provided*, That the area to be accepted pursuant to this Act shall not exceed one hun-

dred acres. All such property and interests, upon acquisition by the Federal Government, shall be a part of the Moores Creek National Military Park and shall be subject to all laws and regulations applicable thereto. (16 U.S.C § 422a–1.)

12. Pea Ridge National Military Park

		Page
Inspection of battlefield authorized	Act of June 9, 1926	280
Establishment authorized	Act of July 20, 1956	280

An Act To provide for the inspection of the battle field of Pea Ridge, Arkansas, approved June 9, 1926 (44 Stat. 715)

Pea Ridge, Ark., battlefield. Commission created.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created, to be composed of the following members, who shall be appointed by the Secretary of War:

Army Engineer officer.

(1) A commissioned officer of the Corps of Engineers, United States Army;

United States Civil War veteran.

(2) A veteran of the Civil War who served honorably in the military forces of the United States; and

Confederate States Civil War veteran.

(3) A veteran of the Civil War who served honorably in the military forces of the Confederate States of America.

Qualifications of commission.

SEC. 2. In appointing the members of the commission created by section 1 of this Act the Secretary of War shall, as far as practicable, select persons familiar with the terrain of the battle field of Pea Ridge, Arkansas, and the historical events associated therewith.

Inspection and report on feasibility of preserving, for historical study, etc.

SEC. 3. It shall be the duty of the commission, acting under the direction of the Secretary of War, to inspect the battle field of Pea Ridge, Arkansas, in order to ascertain the feasibility of preserving and marking for historical and professional military study such field. The commission shall submit a report of its findings and an itemized statement of its expenses to the Secretary of War not later than December 1, 1926.

Amount authorized for expenses. *Post*, p. 878.

SEC. 4. There is authorized to be appropriated out of any money in the Treasury not otherwise appropriated, the sum of $2,000 or such part thereof as may be necessary, in order to carry out the provisions of this Act.

An Act To provide for the establishment of the Pea Ridge National Military Park, in the State of Arkansas, approved July 20, 1956 (70 Stat. 592)

Pea Ridge National Military Park, Ark. Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when not less than one thousand two hundred acres of the non-Federal lands hereinafter described (together with improvements thereon) and known as the Pea Ridge Battlefield, near Bentonville, Arkansas, shall have been acquired and transferred free and clear of all encumbrances to the United States without expense to the Federal Government, such areas shall

be, and are hereby, dedicated and set apart as a unit of the National Park System for the benefit and enjoyment of the people of the United States, under the name of the Pea Ridge National Military Park. (16 U.S.C. § 430aa.)

Determination of desirable areas.

SEC. 2. The Secretary of the Interior is hereby authorized and directed to make an examination of the Pea Ridge Battlefield with a view to determining the area or areas thereof deemed desirable for inclusion in the Pea Ridge National Military Park and which—except for not more than twenty acres of any other lands adjacent to such battlefield found by the Secretary to be necessary to carry out the provisions of this Act—lie within the lands particularly described as follows: sections 17, 18, 19, 20, 29, 30, 31, 32, and 33, all township 21 north, range 28 west, Fifth principal meridian; sections 4, 5, 6, 7, and 8, all township 20 north, range 28 west, Fifth principal meridian; sections 13, 14, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, and 36, all township 21 north, range 29 west, Fifth principal meridian; and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, all township 20 north, range 29 west, Fifth principal meridian. (16 U.S.C. § 430bb.)

Administration.

SEC. 3. (a) The National Park Service under the direction of the Secretary of the Interior, shall administer, protect, and develop the park, subject 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.

16 U.S.C. 1 note.

Improvements.

(b) In order to provide for the proper development and maintenance of the park, the Secretary of the Interior shall construct and maintain therein such roads, trails, markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary. (16 U.S.C. § 430cc.)

Dedication.

SEC. 4. This Act shall become effective if and when the requirements of section 1 and 2 hereof shall have been fully complied with to the satisfaction of the President of the United States, who shall then issue a notice declaring that the requirements herein have been met, and said notice shall formally dedicate and set aside the areas transferred to the United States in accordance with the provisions of section 1 hereof. (16 U.S.C. § 430dd.)

Appropriation.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. (16 U.S.C. § 430ee.)

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13. Shiloh National Military Park

		Page
Establishment	Act of December 27, 1894	282
Limit set on cost of lands included in park	Excerpt from Act of March 2, 1895	285
Secretary of War authorized to deliver condemned cannon to park commissioners for purposes of park	Excerpt from Act of June 11, 1896	285
Authorization for Corinth and Shiloh Electric Railway Company to construct tracks through park and to operate electric cars thereon	Act of June 21, 1906	286
Acquisition of land authorized	Excerpt from Act of March 4, 1911	286
Authorization for acquisition of a strip of land to connect park and the Corinth, Mississippi, National Cemetery	Excerpt from Act of June 7, 1924	287
Conveyance of certain land to Shaw brothers, and land exchanges authorized	Act of June 25, 1947	288
Conveyance of certain lands to State of Tennessee for relocation of highways	Act of May 16, 1958	288

An Act To establish a national military park at the battlefield of Shiloh, approved December 27, 1894 (28 Stat. 597)

Shiloh National Military Park established at the battlefield.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order that the armies of the southwest which served in the civil war, like their comrades of the eastern armies at Gettysburg and those of the central west at Chickamauga, may have the history of one of their memorable battles preserved on the ground where they fought, the battlefield of Shiloh, in the State of Tennessee, is hereby declared to be a national military park, whenever title to the same shall have been acquired by the United States and the usual jurisdiction over the lands and roads of the same shall have been granted to the United States by the State of Tennessee; that is to say, the area inclosed by the following lines, or so much thereof as the commissioners of the park may deem necessary, to wit: Beginning at low-water mark on the north bank of Snake Creek where it empties into the Tennessee River; thence westwardly in a straight line to the point where the river road to Crumps Landing, Tennessee, crosses Snake Creek; thence along the channel of Snake Creek to Owl Creek; thence along the channel of Owl Creek to the crossing of the road to Purdy, Tennessee; thence southwardly in a straight line to the intersection of an east and west line drawn from the point where the road to Hamburg, Tennessee, crosses Lick Creek, near the mouth of the latter; thence eastward along the said east and west line to the point where the Hamburg Road crosses Lick Creek; thence along the channel of Lick Creek to the Tennessee River; then along low-water mark of the Tennessee River to the point of beginning, containing three thousand acres, more or less, and the area thus inclosed shall be known as the Shiloh National Mili-

Location.

tary Park: *Provided*, That the boundaries of the land authorized to be acquired may be changed by the said commissioners.

Proviso. Changes.

SEC. 2. That the establishment of the Shiloh National Military Park shall be carried forward under the control and direction of the Secretary of War, who, upon the passage of this Act, shall proceed to acquire title to the same either under the Act approved August first, eighteen hundred and eighty-eight, entitled "An Act to authorize the condemnation of land for sites of public buildings, and for other purposes," or under the Act approved February twenty-seventh, eighteen hundred and sixty-seven, entitled "An Act to establish and protect national cemeteries," as he may select, and as title is procured to any portion of the lands and roads within the legal boundaries of the park he may proceed with the establishment of the park upon such portions as may thus be acquired.

Secretary of War to acquire land, etc.

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SEC. 3. That the Secretary of War is hereby authorized to enter into agreements whereby he may lease, upon such terms as he may prescribe, with such present owners or tenants of the lands as may desire to remain upon it, to occupy and cultivate their present holdings upon condition that they will preserve the present buildings and roads and the present outlines of field and forest, and that they only will cut trees or underbrush under such regulations as the Secretary may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority.

Leases, etc., authorized.

SEC. 4. That the affairs of the Shiloh National Military Park shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, to be appointed by the Secretary of War, each of whom shall have served at the time of the battle in one of the armies engaged therein, one of whom shall have served in the Army of the Tennessee, commanded by General U.S. Grant, who shall be chairman of the commission; one in the Army of the Ohio, commanded by General D. C. Buell; and one in the Army of the Mississippi, commanded by General A. S. Johnston. The said commissioners shall have an office in the War Department building, and while on actual duty shall be paid such compensation out of the appropriations provided by this Act as the Secretary of War shall deem reasonable and just; and for the purpose of assisting them in their duties and in ascertaining the lines of battle of all troops engaged and the history of their movements in the battle, the Secretary of War shall have authority to employ, at such compensation as he may deem reasonable, to be paid out of the appropriations made by this Act, some person recognized as well informed concerning

Commissioners to be appointed.

Selection.

Post, p. 946.

Compensation, etc.

the history of the several armies engaged at Shiloh, and who shall also act as secretary of the commission.

Duty of commission.

SEC. 5. That it shall be the duty of the commission named in the preceding section, under the direction of the Secretary of War, to open or repair such roads as may be necessary to the purposes of the park, and to ascertain and mark with historical tablets or otherwise, as the Secretary of War may determine, all lines of battle of the troops engaged in the battle of Shiloh and other historical points of interest pertaining to the battle within the park or its vicinity, and the said commission in establishing this military park shall also have authority, under the direction of the Secretary of War, to employ such labor and services and to obtain such supplies and material as may be necessary to the establishment of the said park under such regulations as he may consider best for the interest of the Government, and the Secretary of War shall make and enforce all needed regulations for the care of the park.

Marking lines of battle, etc.

SEC. 6. That it shall be lawful for any State that had troops engaged in the battle of Shiloh to enter upon the lands of the Shiloh National Military Park for the purpose of ascertaining and marking the lines of battle of its troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise shall be submitted to and approved by the Secretary of War, and all such lines, designs and inscriptions for the same shall first receive the written approval of the Secretary, which approval shall be based upon formal written reports, which must be made to him in each case by the commissioners of the park: *Provided*, That no discrimination shall be made against any State as to the manner of designating lines, but any grant made to any State by the Secretary of War may be used by any other State.

Provisos. Approval of designs, etc.

Discriminations forbidden.

Penalty for destroying monuments, etc.

SEC. 7. That if any person shall, except by permission of the Secretary of War, destroy, mutilate, deface, injure, or remove any monument, column, statues, memorial structures, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree or trees growing or being upon said park, or hunt within the limits of the park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter on any part thereof constructed by the armies formerly engaged in the battles on the lands or approaches

to the park, any person so offending and found guilty thereof, before any justice of the peace of the county in which the offense may be committed or any court of competent jurisdiction shall for each and every such offense forfeit and pay a fine, in the discretion of the justice, according to the aggravation of the offense, of not less than five nor more than fifty dollars, one-half for the use of the park and the other half to the informer, to be enforced and recovered before such justice in like manner as debts of like nature are now by law recoverable in the several counties where the offense may be committed. (Note: Omitted in codification.)

Appropriation for expenses.

SEC. 8. That to enable the Secretary of War to begin to carry out the purpose of this Act, including the condemnation or purchase of the necessary land, marking the boundaries of the park, opening or repairing necessary roads, restoring the field to its condition at the time of the battle, maps and surveys, and the pay and expenses of the commissioners and their assistant, the sum of seventy-five thousand dollars, or such portion thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, and disbursements under this Act shall require the approval of the Secretary of War, and he shall make annual report of the same to Congress. (16 U.S.C. § 430f, in part.)

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1896, and for other purposes," approved March 2, 1895 (28 Stat. 910, 946)

Shiloh Military Park. *Ante*, p. 598.

Shiloh National Military Park: The commissioners appointed under the Act of Congress approved December twenty-seventh, eighteen hundred and ninety-four, to have charge, under the Secretary of War, of the affairs of the Shiloh National Military Park, shall have their office at Pittsburg Landing, Tennessee, or at such other point convenient to the battlefield of Shiloh, Tennessee, as the Secretary of War may direct; and the limit of cost of all the lands to be embraced in the said park is hereby fixed at not to exceed twenty thousand dollars.

Office of commissioners.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes," approved June 11, 1896 (29 Stat. 413, 442)

Shiloh. Condemned cannon.

Shiloh National Military Park: And the Secretary of War and the Secretary of the Navy are hereby authorized to deliver to the Commissioners of the Shiloh National Military Park, at the park, upon the requisition of said Commissioners, such condemned cannon, cannon balls, and shells as may be needed for the purposes of the park.

An Act Authorizing a license and permit to the Corinth and Shiloh Electric Railway Company to construct a track or tracks through the Shiloh National Park, and to operate electric cars thereon, approved June 21, 1906 (34 Stat. 388)

Shiloh National Park. Corinth and Shiloh Electric Railway Company granted right of way through.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized, at his discretion, and upon the favorable recommendation of the Shiloh National Park Commission, to permit and license the Corinth and Shiloh Electric Railway Company, to lay a track or tracks through the Shiloh National Park and operate electric cars through said park: *Provided*, That such license and permit shall only become or be operative on the condition that the track or tracks and roadbed of the said Corinth and Shiloh Railway Company, and the right of way for any and all extensions of the road of the said company to and through the said national park, shall first be definitely fixed and located upon a line or lines which shall be satisfactory to and approved by the said Shiloh National Park Commission and the Secretary of War, in writing, and no part of said line or lines of road, after being so located, established, built, or constructed, shall be changed, moved, or extended without the consent in writing of said commission and said Secretary thereto being first had and obtained, and upon the further condition that an agreement satisfactory to the said commission and approved by it and said Secretary of War shall be entered into on the part of the said railway company for the proper maintenance of said track or tracks and its roadbed, and to keep same at all times in proper repair and condition, and said license and permit and all rights of said company thereunder shall be terminable by the Secretary of War, in whole or in part, at any time, without compensation.

Proviso. Conditions.

Approval of location, etc.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1912, and for other purposes," approved March 4, 1911 (36 Stat. 1363, 1401)

Shiloh.

Shiloh National Military Park: For continuing the work of establishing a national military park on the battle field of Shiloh, Tennessee; for the compensation of three civilian commissioners and the secretary, clerical and other services, labor, historical tablets, maps and surveys, roads, purchase and transportation of supplies and materials, office and other necessary expenses, twenty-seven thousand dollars.

Purchase of additional land. *Ante*, p. 788.

The Secretary of War is authorized, in his discretion, to apply the sum of two thousand four hundred dollars provided in the general deficiency appropriation Act approved June twenty-fifth, nineteen hundred and ten,

to the purchase of so much of the one hundred and eighty-two and seventy-three one-hundredths acres of land for the Shiloh National Military Park as can be obtained by purchase or condemnation for the sum already appropriated for that purpose.

Replacing property, etc. Use of balance. *Ante*, p. 788.

From the unexpended balance of the appropriation made by the urgent deficiency Act approved February twenty-fifth, nineteen hundred and ten, for replacing property owned by the Government in the Shiloh National Military Park, Shiloh, Tennessee, which was destroyed by the cyclone of October fourteenth, nineteen hundred and nine, the Secretary of War is authorized to expend not exceeding four thousand dollars to cover the cost of material and construction of the office building and appurtenances thereto, including gas generator, erected under the authority contained in the deficiency Act approved June twenty-fifth, nineteen hundred and ten.

Excerpt from "An Act Making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes," approved June 7, 1924 (43 Stat. 477, 513)

Shiloh National Military Park

Shiloh.

Continuing establishment of.

For continuing the establishment of the park; compensation of superintendent of the park; clerical and other services; labor; historical tablets; maps and surveys; roads; purchase and transportation of supplies; implements, and materials; foundations for monuments; office and other necessary expenses, including maintenance, repair, and operation of one motor-propelled passenger-carrying vehicle; and for the extension of the park through the acquisition, by purchase or otherwise, of a strip of land, contiguous to the park, sixty-six feet wide, to connect the Shiloh National Military Park and the Corinth, Mississippi, National Cemetery; such land to be acquired along or near the present main road from the Shiloh National Military Park to the Corinth National Cemetery located on the battle field of Corinth, the center of such strip to follow as nearly as practicable along the survey heretofore made by Park Engineer Thompson; and for the construction of a hard-surface road and necessary bridges along the center line of such strip from the park to the Corinth National Cemetery; and for the erection of historical markers along such strip to show the movements of troops and other matters of historical interest in connection with the Civil War battles of Shiloh and Corinth; in all $70,000: *Provided*, That no part of this appropriation shall be expended within the incorporated limits of the city of Corinth.

Extension of, authorized to Corinth National Cemetery.

Proviso. Expenditures restricted.

An Act To authorize the Secretary of the Interior to convey certain lands within the Shiloh National Military Park, Tennessee, and for other purposes, approved June 25, 1947 (61 Stat. 173)

Shiloh National Military Park, Tenn. Conveyance.

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, in his discretion, and under such terms and conditions as he may deem necessary to convey, without consideration, to W. A. Shaw and E. L. Shaw, or nominees, the following-described lands within Shiloh National Military Park in Hardin County in the State of Tennessee: Beginning at a point from which the intersection of Shiloh National Military Park boundary between boundary corners numbered 228 and 229 with center line of Confederate Road bears south eight degrees fifty-seven minutes east, eighty and thirty-seven one-hundredths feet (said intersection bears north eighty-eight degrees ten minutes fourteen seconds west, one thousand one hundred and thirty-one and eighty-nine one-hundredths feet from boundary corner numbered 228); thence north twenty-nine degrees thirty-one minutes west, three hundred and twenty-six feet; thence south seventy-six degrees nineteen minutes east, three hundred and thirty-seven and fifty-four one-hundredths feet; and thence running sixty feet from and parallel to center line of Confederate Road south thirty-nine degrees twenty minutes west, two hundred and sixty-three and forty-six one-hundredths feet to the point of beginning. The tract as described contains approximately ninety-two one-hundredths acre.

Acceptance of non-Federal property.

SEC. 2. For the purpose of consolidating Federal holdings within the park, the Secretary of the Interior is authorized, in his discretion and under such terms and conditions as he may deem necessary, to accept any non-Federal real or personal property within the authorized boundaries of the park. In exchange for such properties, he may, in his discretion, convey to the grantors of such properties any Federally owned lands or interests in lands within the authorized boundaries of the park which are of approximately equal value, as determined by the Secretary, to the properties being acquired in each case. (16 U.S.C. § 430f note.)

An Act To authorize the conveyance of certain lands in Shiloh National Military Park to the State of Tennessee for the relocation of highways, and for other purposes, approved May 16, 1958 (72 Stat. 114)

Shiloh National Military Park, Tenn. Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order that existing roads within Shiloh National Military Park may be devoted primarily to use by park visitors and that traffic hazards and nonconform-

ing uses may be eliminated from the park by providing a more suitable road location and related area for the highways designated State Routes Numbered 22 and 142 which now traverse the central portion of the park, the Secretary of the Interior is authorized to convey certain lands within Shiloh National Military Park on the terms and conditions hereinafter provided. (16 U.S.C. § 430f–1.)

SEC. 2. The Secretary may convey to the State of Tennessee for road purposes a right-of-way located in Hardin County, Tennessee, as shown on National Park Service map NMP–SH–7006, revised June 1956, being a minimum of one hundred and twenty feet and a maximum of one hundred and forty feet in width, and a length of approximately eighteen thousand and nine hundred feet, said right-of-way containing approximately fifty-one acres: *Provided*, That, in exchange, the State constructs and thereafter maintains a roadway on said lands and thereupon releases those portions of the present highways within the park designated State Routes Numbered 22 and 142 from such designation and subsequent use for State highway purposes. (16 U.S.C. § 430f–2.)

SEC. 3. The Secretary may convey to the State of Tennessee for use as a recreational area contiguous and incident to the relocated State Route Numbered 22 certain lands situated in Hardin County, Tennessee, as shown on National Park Service map NMP–SH–7006, revised June 1956, and designated thereon as parcel A, said lands containing one hundred and fifty-one acres, more or less: *Provided*, That in exchange the lands so conveyed shall be developed and used exclusively by the State or its political subdivisions for recreational purposes only, thereby removing certain incompatible uses from the military park. (16 U.S.C. § 430f–3.)

SEC. 4. Upon the delivery and acceptance of the conveyance herein authorized, any jurisdiction heretofore ceded to the United States by the State of Tennessee over the lands conveyed shall thereby cease and determine and shall thereafter vest and be in the State of Tennessee. (16 U.S.C. § 430f–4.)

14. Vicksburg National Military Park

		Page
Establishment	Act of February 21, 1899	290
Memorial archway authorized to be erected in park	Excerpt from Act of July 11, 1919	294
Secretary of War authorized to grant rights-of-way to the Vicksburg Bridge and Terminal Company across park	Act of March 15, 1928	295
Easement for public highway over park authorized	Act of April 20, 1928	296
Exchange of land in park with city of Vicksburg and State of Mississippi authorized	Act of August 14, 1958	296

An Act To establish a national military park to commemorate the campaign, siege, and defense of Vicksburg, approved February 21, 1899 (30 Stat. 841)

National Military Park, Vicksburg, Miss., established.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to commemorate the campaign and siege and defense of Vicksburg, and to preserve the history of the battles and operations of the siege and defense on the ground where they were fought and were carried on, the battlefield of Vicksburg, in the State of Mississippi, is hereby declared to be a national military park whenever the title to the same shall have been acquired by the United States and the usual jurisdiction over the lands and roads of the same shall have been granted to the United States by the State of Mississippi;

Location.

that is to say, the area inclosed by the following lines, or so much thereof as the commissioners of the park may deem necessary, to wit: Beginning near the point where the graveyard road, now known as the City Cemetery road, crosses the line of the Confederate earthworks, thence north about eighty rods, thence in an easterly direction about one hundred and twenty rods, thence in a southerly direction, and keeping as far from the line of the Confederate earthworks as the purposes of the park may require and as the park commission, to be hereinafter named, may determine, but not distant from the nearest point on said line of Confederate earthworks more than one hundred and sixty rods at any part, to a point about forty rods south and from eighty to one hundred and sixty rods east of Fort Garrott, also known as the "Square Fort;" thence in a westerly direction to a point in the rear of said Fort Garrott, thence in a northerly direction across the line of the Confederate earthworks and to a point about two hundred feet in the rear of the said line of Confederate earthworks, thence in a general northerly direction, and at an approximate distance of about two hundred feet in the rear of the line of Confederate earthworks as the confor-

mation of the ground may require, to the place of beginning. This to constitute the main body of the park. In addition thereto a strip of land about two hundred and sixty-four feet in width along and including the remaining parts of the Confederate earthworks, namely, from the north part of said main body of the park to and including Fort Hill or Fort Nogales on the high hill overlooking the national cemetery, and from the south part of said main body of the park to the edge of the bluff at the river below the city of Vicksburg; and also in addition thereto a strip of land about two hundred and sixty-four feet in width, as near as may be, along and including the Federal lines opposed to the Confederate lines herein and above named and not included in the main body of the park; and in further addition thereto such points of interest as the commission may deem necessary, for the purposes of the park and the Secretary of War may approve; the whole containing about one thousand two hundred acres, and costing not to exceed forty thousand dollars.

Limit of cost.

SEC. 2. That the establishment of the Vicksburg national military park shall be carried forward under the control and direction of the Secretary of War; and the Secretary of War shall, upon the passage of this Act, proceed to acquire title to the same by voluntary conveyance or under the Act approved August first, eighteen hundred and eighty-eight, entitled "An Act to authorize the condemnation of land for sites of public buildings, and for other purposes," or under Act approved February twenty-second, eighteen hundred and sixty-seven, entitled "An Act to establish and protect national cemeteries," as he may elect or deem practicable; and when title is procured to all of the lands and roads within the boundaries of the proposed park, as described in section one of this Act, he may proceed with the establishment of the park; and he shall detail an officer of the Engineer Corps of the Army to assist the commissioners in establishing the park.

Secretary of War to establish park.

—to acquire title, etc.

Vol. 25, p. 357.
Vol. 14, p. 399.

SEC. 3. That the Secretary of War is hereby authorized to enter into agreements of leasing upon such terms as he may prescribe, with such occupants or tenants of the lands as may desire to remain upon it, to occupy and cultivate their present holdings upon condition that they will preserve the present buildings and roads and the present outlines of field and forest, and that they will only cut trees or underbrush under such regulations as the Secretary of War may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority: *Provided*, That the United States shall at all times have and retain full right, power, and authority to take possession of any

—to make leases to occupants of land.

—conditions.

Proviso.
—retaking possession, etc.

and all parts or portions of said premises and to remove and expel therefrom any such occupant, tenant, or other person or persons found thereon whenever the Secretary of War or the commissioners shall deem it proper or necessary; and such right, power, and authority shall be reserved in express terms in all leases and agreements giving or granting such occupant or tenant the right to remain in possession as herein contemplated; and thereupon said occupant or tenant or other persons who may be required to vacate said premises shall each and all at once surrender and deliver up the possession thereof.

Commissioners.

SEC. 4. That the affairs of the Vicksburg national military park shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, to be appointed by the Secretary of War, each of whom shall have served at the time of the siege and defense in one of the armies engaged therein, two of whom shall have served in the army commanded by General Grant and one in the army commanded by General Pemberton. The commissioners shall elect one of their number chairman; they shall also elect, subject to the approval of the Secretary of War, a secretary, who shall also be historian, and who shall possess the requisite qualifications of a commissioner, and they and the secretary shall have an office in the city of Vicksburg, Mississippi, or on the grounds of the park, and be paid such compensation as the Secretary of War shall deem reasonable and just.

Secretary.

Duties of Commissioners.

SEC. 5. That it shall be the duty of the commissioners named in the preceding section, under the direction of the Secretary of War, to restore the forts and the lines of fortification, the parallels and the approaches of the two armies, or so much thereof as may be necessary to the purposes of this park; to open and construct and to repair such roads as may be necessary to said purposes, and to ascertain and mark with historical tablets, or otherwise, as the Secretary of War may determine, the lines of battle of the troops engaged in the assaults, and the lines held by the troops during the siege and defense of Vicksburg, the headquarters of General Grant and of General Pemberton, and other historical points of interest pertaining to the siege and defense of Vicksburg within the park or its vicinity; and the said commissioners in establishing this military park shall also have authority under the direction of the Secretary of War to do all things necessary to the purposes of the park, and for its establishment under such regulations as he may consider best for the interest of the Government, and the Secretary of War shall make and enforce all needful regulations for the care of the park.

Regulations.

Marking lines of battle, State troops.

SEC. 6. That it shall be lawful for any State that had troops engaged in the siege and defense of Vicksburg

to enter upon the lands of the Vicksburg national military park for the purpose of ascertaining and marking the lines of battle of its troops engaged therein: *Provided*, That before any such lines are permanently designated the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise shall be submitted to and approved by the Secretary of War, and all such lines, designs, and inscriptions for the same shall first receive the written approval of the Secretary of War, which approval shall be based upon formal written reports which must be made to him in each case by the commissioners of the park; and no monument, tablet, or other designating indication shall be erected or placed within said park or vicinity without such written authority of the Secretary of War: *Provided*, That no discrimination shall be made against any State as to the manner of designating lines, but any grant made to any State by the Secretary of War may be used by any other State. The provisions of this section shall also apply to organizations and persons; and as the Vicksburg National Cemetery is on ground partly occupied by Federal lines during the siege of Vicksburg, the provisions of this section, as far as may be practicable, shall apply to monuments or tablets designating such lines within the limits of that cemetery.

Provisos.
—approval.

—no discrimination against States.

Provisions applicable to persons and organizations.

Vicksburg National Cemetery.

Penalty for injuring property.

SEC. 7. That if any person shall, except by permission of the Secretary of War, destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, tablet, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work intended for the protection or ornamentation of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrub that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree, or trees growing or being upon said park, or hunt within the limits of the park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter on any part thereof constructed by the armies formerly engaged in the battles, on the lands or approaches to the park, any person so offending and found guilty thereof, before any United States commissioner or court, justice of the peace of the county in which the offense may be committed, or any court of competent jurisdiction, shall for each and every such offense forfeit and pay a fine in the discretion of the said commissioner or court of the United States or justice of the peace, according to the aggravation of the offense, of not less than five nor more than five hundred dollars, one-half for the use of the park and the other half to the informant, to be enforced and recovered before

such United States commissioner or court or justice of the peace or other court in like manner as debts of like nature are now by law recoverable in the several counties where the offense may be committed.

Appropriation for expenses of establishing.

SEC. 8. That to enable the Secretary of War to begin to carry out the purpose of this Act, including the condemnation or purchase of the necessary land, marking the boundaries of the park, opening or repairing necessary roads, restoring the field to its condition at the time of the battle, maps and surveys, material, labor, clerical, and all other necessary assistants, and the pay and expenses of the commissioners and their secretary and assistants, the sum of sixty-five thousand dollars, or such portion thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, and disbursements under this Act shall require the approval of the Secretary of War, and he shall make annual report of the same to Congress. (16 U.S.C. § 430h.)

—approval, etc.

Excerpt from "An Act Making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes," approved July 11, 1919 (41 Stat. 104, 129)

Vicksburg, Miss., memorial archway. Payments from balances. Vol. 39, p. 812.

Memorial archway at Vicksburg, Mississippi: That there is hereby appropriated, out of any funds in the Treasury not otherwise appropriated, the unexpended balance of an appropriation under an Act of Congress approved September 8, 1916, for the National Memorial Reunion and Peace Jubilee, held at Vicksburg, Mississippi, which unexpended balance is understood to be about $35,000, for the following purposes, to wit:

Frederick A. Roziene. Reimbursement.

(I) The sum of $3,000 to be paid to Frederick A. Roziene, president of the National Association of Vicksburg Veterans, to reimburse him in part for his personal expenditures in bringing the subject to the attention of Congress and the country,

Memorial archway. Plans, construction, etc.

(II) The sum of $32,000, but not exceeding the sum which may remain of said unexpended balance after the said payment to Frederick A. Roziene is made, for the purpose of securing designs and plans for, and the construction of, a memorial archway to be erected at the intersection of Clay Street, extended, in the said city of Vicksburg, within the bounds of the Vicksburg National Military Park.

Vicksburg Memorial Arch Commission.

SEC. 2. That the aforesaid memorial archway shall be constructed under the supervision and approval of the Secretary of War, and the work shall be committed to a commission, to be known as the "Vicksburg Memorial Arch Commission," composed of three members who served in the Civil War and participated in the siege and defense of Vicksburg, in eighteen hundred and sixty-three. One of the members shall be the president of the

Composition.

National Association of Vicksburg Veterans, who served in the Federal Army; one shall be the chairman of the Vicksburg National Park Commission; and one shall be a resident of the State of Mississippi, who served in the Confederate Army, and who shall be designated by the governor of the State of Mississippi. The duties of the commission shall be to secure appropriate designs and plans for the said archway, to select and employ the architects and sculptors for the erection of the same, and to make contracts therefor not exceeding the available amount herein appropriated. The members of the commission shall receive no compensation. After the dedication thereof, the said structure shall become a part of the National Military Park, at Vicksburg, and be under the control of the Vicksburg National Park Commission.

Duties, etc.

Structure added to Vicksburg National Park.

An Act To authorize the Secretary of War to grant rights of way to the Vicksburg Bridge and Terminal Company, upon, over, and across the Vicksburg National Military Park at Vicksburg, Warren County, Mississippi, approved March 15, 1928 (45 Stat. 315)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and empowered to grant to the Vicksburg Bridge and Terminal Company, a corporation organized and existing under the laws of the State of Delaware, its successors and assigns, rights of way, in such location and under such conditions and regulations as are deemed advisable by the Secretary of War, for the construction, maintenance, and operation of railroad, telegraph, telephone, street car, water, gas, oil, and electric light and power lines, and a highway for vehicular traffic upon, over, and across the Vicksburg National Military Park in the county of Warren, State of Mississippi: *Provided*, That such construction, maintenance, and operation shall not interfere with the use of said military park for the purpose for which established: *And provided further*, That any and all work that may be required by the Secretary of War to be performed by the Vicksburg Bridge and Terminal Company, its successors and assigns, shall be without expense to the United States.

Vicksburg National Park, Miss.
Right of way across, granted Vicksburg Bridge and Terminal Company.

Provisos.
No interference with park uses.

Without Government expense.

SEC. 2. That any other person, firm, corporation, copartnership, or association organized or existing under the laws of any State or Territory of the United States, or the trustees, lessees, or receivers thereof, having a franchise for the operation of railroad, telegraph, telephone, street car, water, gas, oil, and electric light and power line or lines may, upon obtaining a license from the Secretary of War, use the facilities mentioned, or

Use of facilities by other utilities.

Compensation.

any of them upon payment to the Vicksburg Bridge and Terminal Company of just compensation for such use; and if the parties concerned can not agree upon the amount of such compensation, the sum or sums to be paid for the said use shall be fixed by the Secretary of War.

Use for other purposes forbidden.

SEC. 3. That no part of such rights of way as may be granted by the Secretary of War under the provisions of this Act for the purposes aforesaid shall be used for any other purpose or purposes, and if any part thereof shall be so used, or shall cease to be used for the purposes for which granted, such part shall revert to the United States.

Amendment.

SEC. 4. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

An Act To authorize the Secretary of War to grant and convey to the county of Warren a perpetual easement for public highway purposes over and upon a portion of the Vicksburg National Military Park in the State of Mississippi, approved April 20, 1928 (45 Stat. 434)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to grant and convey to the county of Warren, State of Mississippi, a perpetual easement for the construction and maintenance of a public highway on the Vicksburg National Military Park, Vicksburg, Mississippi, at such location and under such conditions as may be approved by the Secretary of War: *Provided*, That the county of Warren shall perform at its own cost and expense such work as the Secretary of War may require incident to the construction and maintenance of said highway.

Vicksburg Military Park, Miss.
Warren County granted easement for highway across.

Proviso.
County to pay cost.

Reversion for non-user.

SEC. 2. No part of the property granted and conveyed by the Secretary of War for the purposes aforesaid shall be used for any other than highway purposes, and when said property shall cease to be so used it shall revert to the United States of America.

An Act To authorize the Secretary of the Interior to exchange certain land at Vicksburg National Military Park, Mississippi, and for other purposes, approved August 14, 1958 (72 Stat. 617)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to further the consolidation of land comprising Vicksburg National Military Park, the Secretary of the Interior is hereby authorized, upon such terms and conditions as he may deem necessary, to transfer to the city of Vicksburg, Mississippi, for school purposes, a tract of park land containing three and one-tenth acres, more or less, now under revocable permit to said city, acting through its board of education, and to

Vicksburg National Military Park.
Exchange of land.

transfer to the Mississippi State Highway Commission a tract of park land containing one and thirty-two hundredths acres, more or less, now under revocable permit to said commission for use as a site for a weighing station: *Provided*, That, from among the land designated as tracts 199, 201, 202, 203, 204, 205, 206, and 216 on map Numbered NMP–VIC–7007, said city and highway commission shall transfer in exchange to the United States, for addition to Vicksburg National Military Park, such land or interests therein as may be mutually agreed upon and which are approximately equal in value to the properties being acquired in each case. (16 U.S.C. § 430h–2.)

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V. LEGISLATION RELATING TO NATIONAL BATTLEFIELD PARKS

1. Kennesaw Mountain National Battlefield Park

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Authorization for United States Government to accept proposed gift of land on the Kenesaw battlefield from the Kenesaw Memorial Association of Illinois	Act of February 8, 1917	299
Inspection of Kennesaw Mountain battlefield authorized	Act of May 21, 1926	299

An Act Authorizing the acceptance by the United States Government from the Kenesaw Memorial Association of Illinois of a proposed gift of land on the Kenesaw battle field in the State of Georgia, approved February 8, 1917 (39 Stat. 901)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to accept from the Kenesaw Memorial Association, a corporation organized under the laws of the State of Illinois, a gift of certain land, with all the improvements thereon, comprising a part of the Kenesaw battle field, said land being described as lot numbered one hundred and sixteen and the east half of lot numbered one hundred and seven in the nineteenth district and second section, in the county of Cobb and State of Georgia, and upon which a monument has been erected to certain organizations that participated in the fighting on Kenesaw Mountain: *Provided*, that no expense shall be incurred by the United States in carrying out the provisions of this Act.

Kenesaw battle field, Ga. Acceptance of land comprising.

Proviso. No expense.

An Act Providing for an inspection of the Kennesaw Mountain and lost Mountain and other battle fields in the State of Georgia, approved May 21, 1926 (44 Stat. 588)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created, to be composed of the following members, who shall be appointed by the Secretary of War, for the purpose of inspecting the Kennesaw Mountain, Lost Mountain, and other battle fields in the State of Georgia: A commissioned officer of the Corps of Engineers, United States Army; a veteran of the Civil War who served honorably in the military forces of the United States; and a veteran of the Civil War who served honorably in the military forces of the Confederate States of America. In appointing the members of the commission the Secretary of War shall, as far as possible, select persons familiar with the terrain of the said battle fields and the historical events associated therewith.

Kennesaw Mountain, etc., Georgia, battle fields. Commission created to inspect.

Composition.

Basis of selecting members.

Duty of commission.

SEC. 2. It shall be the duty of the commission, acting under the direction of the Secretary of War, to inspect the said battle fields in order to ascertain the feasibility of their acquisition for the purpose of a national military park and of preserving and marking them for historical and professional military study and to ascertain the value of lands necessary to acquire for this purpose. The commission shall submit a report of its findings to the Secretary of War not later than November 1, 1926.

Report of findings.

Amount authorized for expenses.
Post, p. 878.

SEC. 3. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 in order to carry out the provisions of this Act.

2. Manassas National Battlefield Park

		Page
Boundaries established	Act of April 17, 1954	301

An Act To preserve within Manassas National Battlefield Park, Virginia, the most important historic properties relating to the battles of Manassas, and for other purposes, approved April 17, 1954 (68 Stat. 56)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to establish satisfactory boundaries for the Manassas National Battlefield Park, in the State of Virginia, and to contain within such boundaries the important historic lands relating to the two battles of Manassas, the boundaries of such battlefield park hereafter shall contain that area which is bounded, in general, as follows: The south boundary of the park shall be the southernmost limits of the present federally owned lands in the south portion of the park; the east and northeast boundaries shall be that portion of the Bull Run Creek which extends from the south boundary of the park north and westward to the north boundary of the park as hereinafter prescribed; the southwest boundary shall be that portion of Compton's Lane from its nearest point adjacent to the south boundary and extending northwesterly to State secondary highway numbered 622; the west and northwest boundary shall be State secondary highway numbered 622, from the point where it connects with Compton's Lane and extending northward until it reaches the Sudley Church property; the north boundary shall be the northernmost limits of the present Federal park holdings in the immediate vicinity of the Sudley Church property. The boundaries of the park also may include not more than two hundred and fifty acres of land adjacent to the aforesaid west and north boundaries of the park, which land shall become a part of the park upon acquisition thereof by the United States: *Provided*, That the total acreage which may be acquired for the park pursuant to this Act shall not exceed one thousand four hundred acres. Such land or interests therein may be procured by the Secretary of the Interior in such manner as he may consider to be in the public interest.

Manassas National Battlefield Park. Boundaries.

For exchange purposes, particularly in connection with State and other highway developments, the Secretary is authorized to accept, on behalf of the United States, any non-Federal land or interests therein situated within the park area herein prescribed, and in exchange therefor to convey park land or interests therein of approximately equal value. (16 U.S.C. § 429b.)

3. Richmond National Battlefield Park

Page

Conveyance of a perpetual easement across park lands to Virginia Electric and Power Company authorized----------Act of August 28, 1954 302

An Act To authorize the conveyance by the Secretary of the Interior to Virginia Electric and Power Company of a perpetual easement of right-of-way for electric transmission line purposes across lands of the Richmond National Battlefield Park, Virginia, such easement to be granted in exchange for, and in consideration of, the conveyance for park purposes of approximately six acres of land adjoining the Park, approved August 28, 1954 (68 Stat. 913)

Richmond National Battlefield Park, Va.

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 hereby authorized to grant and convey to Virginia Electric and Power Company a perpetual easement of right-of-way for electric transmission line purposes over, upon, and across fifty-five one-hundredths of an acre of land on the western side of Parker's battery site in the Richmond National Battlefield Park, Virginia, subject to such terms and conditions as the Secretary may deem desirable, and to accept in exchange therefor the conveyance of six and fifty-seven one-hundredths acres of land adjoining the Parker's battery area, Richmond National Battlefield Park.

4. Wilson's Creek National Battlefield Park

		Page
Establishment of park authorized	Act of April 22, 1960	303

An Act To provide for the establishment of the Wilson's Creek Battlefield National Park, in the State of Missouri, approved April 22, 1960 (74 Stat. 76)

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 shall acquire, by gift, purchase, condemnation, or otherwise, the lands (together with any improvements thereon) comprising the Wilson's Creek Battlefield site near Springfield, Missouri, and any other lands adjacent to such site which in his opinion are necessary or desirable to carry out the purposes of this Act. (16 U.S.C. § 430kk [Supp. II].)

Wilson's Creek Battlefield National Park, Mo.

SEC. 2. (a) The lands acquired under the first section of this Act shall be set aside as a public park for the benefit and enjoyment of the people of the United States, and shall be designated as the Wilson's Creek Battlefield National Park. The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop the park, subject 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).

16 U.S.C. 1b.

(b) In order to provide for the proper development and maintenance of the park, the Secretary of the Interior shall construct and maintain therein such roads, trails, markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary. (16 U.S.C. § 430ll [Supp. II].)

Appropriation authorized.

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $120,000, as may be needed for the acquisition of lands and interests in lands and for the development of the Wilson's Creek Battlefield National Park, of which not more than $20,000 shall be used for acquisition purposes, and in addition thereto, such sums as may be needed for its administration and maintenance. (16 U.S.C. § 430mm [Supp. II].)

VI. LEGISLATION RELATING TO NATIONAL MEMORIAL PARK

1. Theodore Roosevelt National Memorial Park

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Establishment of park; acquisition of lands authorized	Act of April 25, 1947	305
Boundaries revised	Act of June 10, 1948	308
Addition of lands to park	Act of June 12, 1948	311
Correcting omission of words from Act of June 10, 1948	Joint Resolution of June 29, 1948	312
Establishment of Theodore Roosevelt Centennial Commission authorized	Joint Resolution of July 28, 1955	313
Revision of park boundaries authorized	Act of March 24, 1956	314
Additional appropriation authorized for Theodore Roosevelt Centennial Commission	Excerpt from Act of July 31, 1956	316
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An Act To establish the Theodore Roosevelt National Memorial Park; to erect a monument in memory of Theodore Roosevelt in the village of Medora, North Dakota; and for other purposes, approved April 25, 1947 (61 Stat. 52)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all those certain tracts, pieces, or parcels of land, title to which is vested in the United States of America, and being in the State of North Dakota, and within the boundaries particularly described, as follows, to wit: Beginning at the point where the north line of the right-of-way of United States Highway Numbered 10 intersects the east boundary of section 36, township 140 north, range 101 west, fifth principal meridian; thence southwesterly and northwesterly along the north line of said right-of-way through section 1, township 139 north, range 101 west, and sections, 36, 35, 34, 27, 28, and 29, township 140 north, range 101 west, to the west boundary of said section 29; north along section lines to the northwest corner of said section 29; west along section line to the southwest corner of section 19, township 140 north, range 101 west; north along township line to the southeast corner of the northeast quarter of the northeast

North Dakota. Theodore Roosevelt National Memorial Park.

quarter of section 24, township 140 north, range 102 west; west to the southwest corner of the northeast quarter of the northeast quarter of said section 24; north to the northwest corner of the northeast quarter of the northeast quarter of said section 24; westerly along section lines to the southwest corner of section 16, township 140 north, range 102 west; northerly along section lines to the northwest corner of section 4, township 140 north, range 102 west; thence west along township line to the southwest corner of the southeast quarter of section 34, township 141 north, range 102 west; northerly through the center of sections 34 and 27 to the northwest corner of the northeast quarter of section 27 of said township 141 north, range 102 west; easterly along section lines to the northeast corner of section 28, township 141 north, range 101 west; south along section lines to the southeast corner of said section 28; east along section line to the northeast corner of section 34, township 141 north, range 101 west; south to the northwest corner of the southwest quarter of section 35, township 141 north, range 101 west; easterly through center of sections 35 and 36 to the northeast corner of the southeast quarter of said section 36 of said township 141 north, range 101 west; south to the southeast corner of said section 36; thence east along township line to the northeast corner of lot 3, section 2, township 140 north, range 101 west; southerly through the center of sections 2 and 11 to the southeast corner of the southwest quarter of said section 11, township 140 north, range 101 west; easterly along section lines to the northeast corner of section 13 of said township 140 north, range 101 west; southerly along township line to the northwest corner of section 19, township 140 north, range 100 west; easterly along north line of said section 19 to the northeast corner of the northwest quarter; southerly through center of sections 19, 30, and 31 to the northwest corner of the southeast quarter of section 31; easterly along the center of said section 31 to the northeast corner of the southeast quarter; southerly along the east line of said section 31 to the southeast corner; westerly along the township line to the east line of section 36, township 140 north, range 101 west; northerly along the township line between townships 140 north, range 100 west and 140 north, range 101 west to the north right-of-way line of United States Highway Numbered 10, the place of beginning, containing thirty-five thousand two hundred and seventy acres, more or less, are hereby dedicated and set apart as a public park for the benefit and enjoyment of the people, and shall be known as the Theodore Roosevelt National Memorial Park. The Secretary of the Interior is authorized, in his discretion, to construct and maintain a road or highway through the park connecting with a State or Federal highway. (16 U.S.C. § 241 as amended. See pp. 308–310, 312–313.)

Construction, etc., of highway.

Acquisition of private lands, etc.

SEC. 2. The Secretary of the Interior is hereby authorized to cause condemnation proceedings to be instituted in the name of the United States under the provisions of the Act of August 1, 1888, entitled "An Act to authorize the condemnation of lands for sites for public buildings, and other purposes" (25 Stat. 357), to acquire title to the lands, interests therein, or rights pertaining thereto that are privately owned within the boundaries of the said national park, and such property, when acquired, shall become a part thereof: *Provided*, That when the owner of such lands, interests therein, or rights pertaining thereto shall fix a price for the same, which, in the opinion of the Secretary of the Interior, shall be reasonable, the Secretary may purchase the same without further delay: *Provided further*, That the Secretary of the Interior is authorized to accept, on behalf of the United States, donations of land, interests therein, or rights pertaining thereto required for the Theodore Roosevelt National Memorial Park: *And provided further*, That title and evidence of title to land and interests therein acquired for said park shall be satisfactory to the Attorney General. (16 U.S.C. § 242.)

40 U.S.C. §§ 257, 258.

Purchase.

Donations.

Titles, etc.

Exchange of lands.

SEC. 3. That for the purposes of acquiring non-Federal lands within the boundaries of said park as established by this Act, the Secretary of the Interior is hereby authorized, in his discretion, to exchange federally owned lands within the Roosevelt recreational demonstration area project, located outside the boundaries of the park for State or privately owned lands of approximately equal value within the boundaries of the park, when in his opinion such action is in the interest of the United States, the title to any lands acquired under this section to be satisfactory to the Attorney General. Upon the vesting of title thereto in the United States, any lands acquired pursuant to this authorization shall become a part of the park and shall be subject to the laws applicable thereto. (16 U.S.C. § 243.)

Acquisition of lots for reconstruction of buildings.

SEC. 4. The Secretary of the Interior is further authorized to obtain by purchase or condemnation proceedings, as part of said Theodore Roosevelt National Memorial Park, lots 2, 3, 4, and 6 of section 33, township 144, range 102, and to reconstruct thereon the log ranch house thirty by sixty feet, the log blacksmith shop sixteen by twenty feet, one log stable sixteen by twenty feet, one log stable twenty by thirty feet, log dog house, three log rectangular corrals, and one log circular corral, as they existed at the time the premises were occupied by Theodore Roosevelt: *Provided*, That the total cost of such land and buildings shall not exceed $40,000. (16 U.S.C. § 244 as amended. See p. 311.)

Cost limitation.

Administration, etc., of park.

SEC. 5. The administration, protection, and development of the aforesaid park 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 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. § 245.)

5 U.S.C. § 485; 16 U.S.C. §§ 1, 2–4, 22, 43.

Medora, N. Dak. Erection of monument.

SEC. 6. The Secretary of the Interior is authorized to erect a monument in memory of Theodore Roosevelt, in the village of Medora, North Dakota, with the advice of the Commission of Fine Arts: *Provided*, That the cost of the monument shall not exceed $35,000 and there shall be conveyed to the United States such suitable site as may in the judgment of the Secretary be required for said monument: *Provided further*, That the village of Medora, or other public agency or organization, shall furnish, in writing, assurance satisfactory to the Secretary of its willingness to assume the perpetual care and upkeep of the monument. (Repealed, 16 U.S.C. § 246. See p. 311.)

Cost limitation.

Care and upkeep.

Existing claims, etc.

SEC. 7. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, right-of-way, or any other purposes whatsoever, or shall affect the right of any such claimant, locator, or entryman to the full use and enjoyment of his land. (16 U.S.C. § 247.)

Appropriations authorized.

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. (16 U.S.C. § 241 note.)

An Act To amend the Act of April 25, 1947, relating to the establishment of the Theodore Roosevelt National Memorial Park, and for other purposes, approved June 10, 1948 (62 Stat. 352)

Theodore Roosevelt National Memorial Park. 61 Stat. 52. 16 U.S.C., Supp. I, § 241. *Post*, pp. 384, 1102.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of April 25, 1947, is hereby amended as follows:

Amend section 1 to read "That all those certain tracts, pieces, or parcels of land, title to which is vested in the United States of America, and being in the State of North Dakota, and within the boundaries particularly described, as follows, to wit: Beginning at the point where the north line of the right-of-way of United States Highway Numbered 10 intersects the east boundary of section 36, township 140 north, range 101 west, fifth principal meridian; thence southwesterly and northwesterly along the north line of said right-of-way through section 1, township 139 north, range 101 west, and sections 36, 35, 34, 27, 28, 29, and 30, township 140 north, range 101 west; thence northwesterly and southwesterly along the north line of the right-of-way of said highway to be relocated as shown on the right-of-way plat for project SNFAP 283C(3) filed for record in the office of the register of

deeds, Medora, North Dakota, book numbered 2 of plats, page 68, on June 13, 1942, through section 25 and the east half of the northeast quarter of section 26, township 140 north, range 102 west, to the point of intersection with the east sixteenth section line of said section 26; thence north along the sixteenth section line to the northwest corner of the northeast quarter of the northeast quarter of said section 26; thence northwesterly along a line to the northwest corner of the southwest quarter of the southeast quarter of section 23, township 140 north, range 102 west; thence westerly along the sixteenth section line to the northeast corner of the southeast quarter of the southeast quarter of section 22; township 140 north, range 102 west; thence southerly along the east section line to the southeast corner of said section 22; thence westerly along the south line of said section 22 to the point of intersection with the right bank of the Little Missouri River; thence northerly and westerly along the right bank of said river to the point of intersection with the east line of section 21, township 140 north, range 102 west; thence southerly along the east line of said section 21, to the intersection with the north line of the right-of-way of the Northern Pacific Railway, which point lies north of said United States Highway Numbered 10; thence westerly along the north line of said right-of-way to the point of intersection with the north line of the right-of-way of said United States Highway Numbered 10; thence westerly along the north line of the right-of-way of said highway through said section 21 to the intersection with the west line of said section 21; thence northerly along the west line of said section 21, and sections 16 and 9, thence continuing northerly to the southeast corner of Government lot 9, section 5, township 140 north, range 102 west; thence northwesterly to the northwest corner of Government lot 2 in said section 5; thence westerly to the southwest corner of the southeast quarter of section 34, township 141 north, range 102 west; thence northerly along the quarter section line to the northwest corner of the said southeast quarter of section 34; thence northwesterly along a line to the southwest corner of section 27, township 141 north, range 102 west; thence northerly along the west line of said section 27, to the southwest corner of the northwest quarter of said section 27; thence northeasterly along a line to the southwest corner of the southeast quarter of section 22, township 141 north, range 102 west; thence continuing northeasterly along a line to the southwest corner of the northwest quarter of section 23, township 141 north, range 102 west; thence continuing northeasterly along a line to the northeast corner of said northwest quarter of section 23; thence easterly along the north lines of said section 23, and section 24, township 141 north, range 102 west; to

the northwest corner of section 19, township 141 north, range 101 west; thence continuing easterly along the north line of said section 19 to the northwest corner of the northeast quarter of said section 19; thence southeasterly along a line to the northwest corner of the southwest quarter of the southwest quarter of the northwest quarter of section 20, township 141 north, range 101 west; thence southerly along the west line of said section 20 to the northwest corner of the southwest quarter of section 20; thence easterly to the northwest corner of the southeast quarter of section 20; thence southerly to the southwest corner of the southeast quarter of said section 20; thence easterly along the north lines of section 29 and section 28, to the northeast corner of section 28, township 141 north, range 101 west; thence southerly along the west line of section 27, township 141 north, range 101 west, to the southwest corner of said section 27; thence easterly along the north lines of sections 34, 35, and 36 to the northeast corner of section 36, township 141 north, range 101 west; thence southerly along the east line of said section 36 to the southwest corner of section 31, township 141 north, range 100 west; thence easterly to the southeast corner of said section 31; thence southeasterly along a line to the northwest corner of Government lot 7 of section 2, township 140 north, range 101 west; thence continuing southeasterly along a line to the northwest corner of the southwest quarter of section 1, township 140 north, range 101 west; thence continuing southeasterly along a line to the northwest corner of the northeast quarter of section 12, township 140 north, range 101 west; thence continuing southeasterly along a line to the northwest corner of the southwest quarter of section 7, township 140 north, range 100 west; thence easterly along the quarter section line to the northwest corner of the southeast quarter of said section 7; thence southeasterly along a line to the northwest corner of section 17, township 140 north, range 100 west; thence continuing southeasterly along a line to a point which is 33 feet west of the east line of said section 17, and 33 feet north of the south line of said section 17; thence southerly on a line which lies 33 feet west of and parallel to the east lines of sections 20, 29, and 32 of township 140 north, range 100 west, to the point of intersection with the north right-of-way line of United States Highway Numbered 10; thence westerly along the north line of said right-of-way through said sections 32 and 31, township 140 north, range 100 west, to the point of intersection with the east boundary of section 36, township 140 north, range 101 west, the place of beginning, containing forty-nine thousand one hundred and fifty-three and seventy-nine one-hundredths acres more or less." (16 U.S.C. § 241. See pp. 305–306, 312–313.)

Amend section 4 by striking out "lots 2, 3, 4, and 6 of section 33, township 144, range 102," and inserting in lieu thereof "lots 6 and 7, section 33, township 144 north, range 102 west; southeast quarter of southwest quarter, section 32, township 144 north, range 102 west; lots 4 and 5, section 4, township 143, range 102 west; and those parts of lot 1 and the southeast quarter of the northeast quarter, section 5, township 143 north, range 102 west, that lie north and east of a line running diagonally from the northwest corner of said lot 1 to the southeast corner of the southeast quarter of the northeast quarter of said section 5,". (16 U.S.C. § 244. See p. 307.) 61 Stat. 54. 61 Stat. 54.

Strike out all of section 6 and renumber the remaining sections accordingly. (16 U.S.C. § 246. See p. 308.)

SEC. 2. Administrative jurisdiction over any of such lands that the Secretary of the Interior finds are not required for exchange purposes as herein provided may be conveyed to other Federal agencies by the Secretary of the Interior without exchange of funds, or if such lands are not required by other Federal agencies they may be conveyed to the State of North Dakota without reimbursement to the United States. (16 U.S.C. § 241 note.) Conveyance to other agencies.

An Act To add certain lands to the Theodore Roosevelt National Memorial Park, in the State of North Dakota, and for other purposes, approved June 12, 1948 (62 Stat. 384)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands are hereby made a part of the Theodore Roosevelt National Memorial Park, subject to all laws and regulations applicable thereto: Theodore Roosevelt National Memorial Park. *Ante*, p. 352; *post*, p. 1102.

Beginning at the southwest corner of section 17, township 147 north, range 100 west; thence north along the west boundaries of sections 17, 8, 5, township 147 north, range 100 west, and section 32 to the southwest corner of section 29, township 148 north, range 100 west; thence east to the southwest corner of the southeast quarter of section 29; thence north to the northwest corner of the southwest quarter of the northeast quarter of section 29; thence east to the northeast corner of the southeast quarter of the northeast quarter of section 29; thence north along west boundary of sections 28 and 21 to the west quarter corner of section 21; thence east to the east quarter corner of section 21; thence north along west boundary of section 22 to the northwest corner of section 22; thence east along the north boundaries of sections 22, 23, 24, township 148 north, range 100 west and sections 19 and 20 to the north quarter corner of section 20, township 148 north, range 99 west; thence south to the northwest corner of the southeast quarter of section 20; thence east to the east quarter corner of section 20; thence south

to the southeast corner of section 20; thence along the north boundaries of sections 28, 27, and 26, township 148 north, range 99 west, to the northeast corner of section 26; thence south along east boundaries of sections 26 and 35 to the east quarter corner of section 35, township 148 north, range 99 west; thence west to the north bank of Little Missouri River; thence following the north bank of the Little Missouri River in a generally westerly direction to where the north bank of the river crosses the north boundary of section 4, township 147 north, range 99 west; thence west to the northwest corner of section 4; thence south to the southeast corner of section 5; thence west along the south boundaries of sections 5 and 6, township 147 north, range 99 west, and section 1, township 147 north, range 100 west to the northeast corner of section 11; thence south along east boundaries of sections 11 and 14 to the southeast corner of section 14; thence west along the south boundaries of sections 14, 15, 16, and 17 to the point of beginning, all west of the fifth principal meridian. (16 U.S.C. §241a.)

Acquisition of non-Federal land.

SEC. 2. That for the purposes of acquiring non-Federal lands within the boundaries of said park as established by this Act, the Secretary of the Interior is hereby authorized, in his discretion, to exchange federally owned lands within sections 1, 12, and 13, township 148 north, range 100 west, and sections 6, 7, and 18, township 148 north, range 99 west. Reserving, however, to the stockmen of the surrounding area a perpetual right-of-way through the park for the trailing of livestock, to and from the railroad, along and adjacent to the Little Missouri River, being the same trail or route which has been used by the stockmen for that purpose since the beginning of the livestock industry in the area. Administrative jurisdiction over any of such lands that the Secretary of the Interior finds are not required for exchange purposes as herein provided may be conveyed to other Federal agencies by the Secretary of the Interior without exchange of funds, or if such lands are not required by other Federal agencies they may be conveyed to the State of North Dakota without reimbursement to the United States. (16 U.S.C. § 241b.)

Right-of-way for stockmen.

Administrative jurisdiction.

Joint Resolution Correcting Act establishing the Theodore Roosevelt National Memorial Park, as amended, approved June 29, 1948 (62 Stat. 1102)

Theodore Roosevelt National Memorial Park. 61 Stat. 52. *Ante*, pp. 352, 384.

Whereas a clerical or printer's error by omission of words appears in section 1 of Public Law Numbered 620 amending the Act of April 25, 1947, establishing the Theodore Roosevelt National Memorial Park: Therefore be it

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

That section 1 of the Act of April 25, 1947, establishing the Theodore Roosevelt National Memorial Park as amended by Public Law Numbered 620 be further amended by striking out the period at the end of section 1 and inserting the following: ", are hereby dedicated and set apart as a public park for the benefit and enjoyment of the people, and shall be known as the Theodore Roosevelt National Memorial Park. The Secretary of the Interior is authorized, in his discretion, to construct and maintain a road or highway through the park connecting with a State or Federal highway." (See 16 U.S.C. § 241 note. See pp. 308–310.)

Construction of road, etc.

Joint Resolution To establish a commission for the celebration of the one-hundredth anniversary of the birth of Theodore Roosevelt, approved July 28, 1955 (69 Stat. 383)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a commission to be known as the Theodore Roosevelt Centennial Commission (hereinafter referred to as the "Commission") which shall be composed of fifteen Commissioners as follows: The President of the United States, the President of the Senate, and the Speaker of the House of Representatives, all ex officio, and eight persons to be appointed by the President of the United States, two Senators to be appointed by the President of the Senate, and two Representatives to be appointed by the Speaker of the House of Representatives.

Theodore Roosevelt Centennial Commission. Establishment.

SEC. 2. It shall be the duty of the Commission, after announcement to the American people of its creation and purpose, to prepare plans and a program for signalizing the one hundredth anniversary of the birth of Theodore Roosevelt in the year 1958, including plans for the completion of the development of Theodore Roosevelt Island in the Potomac River in accordance with the Act entitled "An Act to establish a memorial to Theodore Roosevelt in the National Capital," approved May 21, 1932 (47 Stat. 163) as amended by the Act approved February 11, 1933 (47 Stat. 799), and including the completion of the development of Theodore Roosevelt National Memorial Park in North Dakota, created by the Act of April 25, 1947 (61 Stat. 52), as amended. In preparing such plans and program, the Commission shall give due consideration to any plan which may be submitted to it, and shall take such steps as may be necessary to coordinate and correlate its plans with those prepared by State or civic bodies. If the participation of other nations in the commemoration is deemed advisable, the Commission may communicate to that end with the governments of such nations through the State Department.

40 U.S.C. 124–126.

16 U.S.C. 241–247.

SEC. 3. (a) The Commission shall select a Chairman and a Vice Chairman from among its members, and may employ, without regard to the civil-service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions.

63 Stat. 954. 5 U.S.C. 1071 note.

(b) Service of an individual as a member of the Commission shall not be considered as service or employment bringing such individual within the provisions of section 216, 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U.S.C. 99) or section 412 of the Mutual Defense Assistance Act of 1949 (22 U.S.C. 1584); nor shall any member of the Commission by reason of his status as such be deemed to be an "officer of the Government" within the meaning of the Act of April 27, 1916 (5 U.S.C. 101.)

62 Stat. 694.

63 Stat. 721.

39 Stat. 54.

SEC. 4. The Commissioners shall serve without compensation, but may be reimbursed for expenses incurred by them in carrying out the duties of the Commission.

SEC. 5. When the Commission has approved a plan of celebration, it shall submit it, insofar as it relates to the fine arts, to the Commission of Fine Arts for its approval.

Report to Congress.

SEC. 6. The Commission shall, on or before March 1, 1956, make a report to the Congress in order that further enabling legislation may be enacted.

Appropriation.

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution, but in no event shall the sums hereby authorized to be appropriated exceed a total of $10,000.

Expiration date.

SEC. 8. The Commission shall expire upon the completion of its duties, but in no event later than October 27, 1959.

An Act To revise the boundaries of the Theodore Roosevelt National Memorial Park, in the State of North Dakota, and for other purposes, approved March 24, 1956 (70 Stat. 55)

Theodore Roosevelt National Memorial Park. Boundaries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described lands are hereby made a part of the Theodore Roosevelt National Memorial Park, subject to all laws and regulations applicable thereto: Beginning at a point in block 11 of the village of Medora, North Dakota, said point being on the northerly right-of-way line of Third Avenue a distance of 160 feet westerly from the northwest corner of the intersection of Third Avenue and Main Street; thence northerly a distance of 140 feet to a point on a line parallel to and 160 feet westerly of the westerly right-of-way line of Main Street; thence easterly 10 feet along a line parallel to and 140 feet northerly of the northerly right-of-way line of Third Avenue to a point

150 feet westerly of the westerly right-of-way line of Main Street; thence northerly 20 feet along a line parallel to and 150 feet westerly of the westerly right-of-way line of Main Street to a point on a line parallel to and 160 feet northerly of the northerly right-of-way line of Third Avenue; thence easterly along said line a distance of 150 feet to a point on the westerly right-of-way line of Main Street; thence northerly a distance of 40 feet along said westerly right-of-way line of Main Street to a point 200 feet northerly from the northwest corner of the intersection of Third Avenue and Main Street; thence easterly along a line parallel to and 200 feet northerly of the northerly right-of-way line of Third Avenue a distance of 970 feet to the northwesterly corner of lot 3 in block 8; thence southerly along the westerly line of lots 3 to 10, inclusive, in block 8 a distance of 200 feet to a point on the northerly right-of-way line of Third Avenue; thence along the northerly right-of-way line of Third Avenue extended easterly to a point on the west sixteenth line of section 26; thence northerly along said sixteenth line to a point on the section line common to sections 23 and 26; thence westerly along said section line to a point which is 600 feet easterly of the section corner common to sections 22, 23, 26, and 27; thence northerly along a line parallel to and 600 feet easterly from the section line common to sections 22 and 23 to a point on the south sixteenth line of section 23; thence westerly along said sixteenth line a distance of 600 feet to a point on the section line common to sections 22 and 23; thence southerly along said section line to the section corner common to sections 22, 23, 26, and 27; thence southerly along the section line common to sections 26 and 27 a distance of 390.5 feet; thence westerly a distance of 421.7 feet to a point on a line parallel to and 390.5 feet southerly from the section line common to sections 22 and 27; thence southerly a distance of 360 feet to a point in block 4 on a line parallel to and 150 feet westerly from the westerly right-of-way line of Main Street extended northerly; thence southwesterly on a straight line through the southwesterly corner of block 4 to a point on the southerly right-of-way line of Second Avenue extended westerly; thence westerly along said westerly extension of the southerly right-of-way line of Second Avenue to a point on the northeasterly right-of-way line of United States Highway Numbered 10; thence southeasterly along said northeasterly right-of-way line of United States Highway Numbered 10 to the intersection or juncture of said right-of-way line with the northerly right-of-way line of Third Avenue; thence easterly to the point of beginning; and all of that part of block 12 in the village of Medora that lies westerly of a line parallel to and westerly a distance of 140 feet

Block 6, Medora.

from the westerly right-of-way line of Main Street; all in township 140 north, range 102 west, fifth principal meridian: *Provided*, That the lands and improvements thereon located in block 6 in the village of Medora now administered and used by the United States Forest Service, Department of Agriculture, shall not become a part of the park pursuant to this section until such time as they are transferred to the Department of the Interior by the Secretary of Agriculture. (16 U.S.C. § 241c.)

Exclusion.

SEC. 2. The following area is hereby excluded from the park: That portion of section 8 lying southwest of a line between the common corner of sections 8, 9, 16, and 17 and the northwest corner of the southwest quarter section 8; that portion of section 16 lying southwest of a line between the southeast corner southwest quarter and the northwest corner southwest quarter section 16; and section 17, township 147 north, range 100 west, fifth principal meridian, North Dakota. (16 U.S.C. § 241d.)

Boundary adjustments.

SEC. 3. The Secretary of the Interior is authorized to make further adjustments in the boundaries of the park along United States Highways Numbered 10 and 85 as he deems advisable and in the public interest if and when the alinement of these highways is changed: *Provided*, That not to exceed five hundred acres may be added to the park and not to exceed two thousand acres may be excluded from the park by such adjustments. Boundary adjustments made pursuant to this section shall be effective upon publication thereof in the Federal Register and all Federal land excluded from the park pursuant to this Act shall be transferred to the Secretary of Agriculture for administration or disposition in accordance with title III of the Bankhead-Jones Farm Tenant Act. (16 U.S.C. § 241e.)

Publication in FR.

50 Stat. 525. 7 U.S.C. 1010–1013.

Exchange authority.

SEC. 4. The land exchange authority relating to Theodore Roosevelt National Memorial Park prescribed by section 3 of the Act of April 25, 1947 (61 Stat. 52), and by section 2 of the Act of June 12, 1948 (62 Stat. 384), shall be applicable also to the lands described in section 1 of this Act. (16 U.S.C. § 241f.)

61 Stat. 54. 16 U.S.C. 243, 241b.

Excerpt from "An Act Making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes," approved July 31, 1956 (70 Stat. 763, 767)

Second Supplemental Appropriation Act, 1957.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply supplemental appropriations (this Act may be cited as the "Second Supplemental Appropriation Act, 1957") for the fiscal year ending June 30, 1957, and for other purposes, namely:

* * * * * * *

THEODORE ROOSEVELT CENTENNIAL COMMISSION

For an additional amount for "Theodore Roosevelt Centennial Commission," $163,400, to remain available until expended: *Provided*, That this paragraph shall become effective only upon the enactment into law of S. 3386, Eighty-fourth Congress.

An Act To amend the joint resolution entitled "Joint Resolution to establish a commission for the celebration of the one hundredth anniversary of the birth of Theodore Roosevelt," approved July 28, 1955, approved August 6, 1956 (70 Stat. 1035)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the joint resolution entitled "Joint resolution to establish a commission for the celebration of the one hundredth anniversary of the birth of Theodore Roosevelt", approved July 28, 1955, is amended to read as follows:

Theodore Roosevelt celebration.

69 Stat. 384.

"SEC. 7. There is hereby authorized to be appropriated not to exceed the sum of $150,000 to carry out the provisions of this joint resolution."

Appropriation.

Joint Resolution To authorize and request the President to issue a proclamation in connection with the centennial of the birth of Theodore Roosevelt, approved September 4, 1957 (71 Stat. 617)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled, "Joint resolution to establish a commission for the celebration of the one hundredth anniversary of the birth of Theodore Roosevelt", approved July 28, 1955 (69 Stat. 348), is amended by adding at the end thereof the following new section:

Theodore Roosevelt Centennial Commission.

69 Stat. 383.

"SEC. 9. The President is authorized and requested to issue a proclamation, inviting the people of the United States to observe the centennial anniversary of the birth of Theodore Roosevelt, which will occur in 1958, with appropriate ceremonies and activities during that year."

Proclamation.

An Act To authorize the Secretary of the Interior to provide water and sewage disposal facilities to the Medora area adjoining the Theodore Roosevelt National Memorial Park, North Dakota, and for other purposes, approved August 31, 1961 (75 Stat. 423)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to afford adequate facilities to persons visiting Theodore Roosevelt National Memorial Park, and to enhance the setting of the park entrance and further the interpretive program of the park through encouraging the preservation and restoration of the pioneer cattle town of Medora, North Dakota, and its associations with Theodore Roosevelt, by non-Federal endeavors in accordance with house concurrent resolutions

Theodore Roosevelt National Memorial Park, N. Dak.

"T" and "U" of the 1959 Session Laws of the State of North Dakota, pages 878 and 879, the Secretary of the Interior is authorized to modernize the water and sewage facilities of the village of Medora adjoining the park, in the manner hereinafter provided.

Medora, N. Dak. Water and sewage facilities.

SEC. 2. The Secretary of the Interior is authorized to construct, operate, and maintain, on rights-of-way donated for the purpose and in such manner as he shall consider to be in the public interest, water supply and sewage disposal systems to serve Federal and non-Federal properties in the said Medora area, and he may make existing Federal systems available to serve such properties: *Provided*, That non-Federal users of the systems shall comply with standards of use prescribed by the Secretary and shall be charged rates sufficient to recover a pro rata share of depreciation and costs of operation and maintenance of the systems plus interest on the Federal investment in the systems. Funds obtained from such non-Federal users of the systems shall be deposited in the Treasury of the United States as miscellaneous receipts, with the exception that the Secretary may consider as appropriation reimbursements to be credited in the appropriation current at the time received, such amount of the aforesaid collections as may be necessary to reimburse, on a pro rata basis, appropriated operating funds expended for maintenance and operation costs of the systems.

Conditions for construction.

SEC. 3. Construction of the facilities authorized herein shall not be undertaken or use of existing Federal systems authorized until at least 80 per centum of the potential non-Federal users, as defined by the Secretary of the Interior, are committed to connecting to said water and sewage systems and until there shall have been reached an agreement with the duly authorized officials of the village of Medora, by which the village is obligated to adopt and enforce a zoning ordinance which complies with standards prescribed by the Secretary for the purpose of preserving the historic character of Medora and affording a park-like setting in the vicinity of the park and the entrance thereto.

Appropriation.

SEC. 4. There are authorized to be appropriated for the construction of these facilities such sums as may be required therefor, not to exceed $100,000.

VII. LEGISLATION RELATING TO NATIONAL BATTLEFIELDS

1. Fort Necessity National Battlefield

		Page
Establishment as national battlefield site	Act of March 4, 1931	319
Land acquisition authorized and name changed	Act of August 10, 1961	319

An Act To provide for the commemoration of the Battle of Fort Necessity, Pennsylvania, approved March 4, 1931 (46 Stat. 1522)

Battle of Fort Necessity, Pa. Monument commemorating, authorized.

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 Battle of Fort Necessity, in the State of Pennsylvania, on the 3d day of July, 1757, the Secretary of War is authorized to accept title to not less than one acre of land, which will include the site of said fort, free of cost to the United States and to erect a monument thereon.

Sum authorized.

SEC. 2. There is hereby authorized to be appropriated the sum of $25,000, or so much thereof as may be necessary, to carry out the provisions of section 1 of this Act.

Jurisdiction and maintenance of land acquired.

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 monument and its site a sum not to exceed $250 per annum.

An Act To provide additional lands at, and change the name of, the Fort Necessity National Battlefield site, Pennsylvania, and for other purposes, approved August 10, 1961 (75 Stat. 336)

Fort Necessity National Battlefield, Pa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the purposes of the Act of March 4, 1931 (46 Stat. 1522), the Secretary of the Interior is authorized to acquire by purchase, exchange, donation, with donated funds or otherwise by such means as he may deem to be in the public interest, lands and interests in lands adjoining or near the Fort Necessity National Battlefield site which in his discretion are necessary to preserve the historic battleground, together with not to exceed 25 acres at the detached Braddock Monument: *Provided*, That the total area acquired pursuant to this Act shall not exceed 500 acres, except that in order to avoid the undesirable severance of parcels in private

ownership such parcels may be purchased in the entirety. (16 U.S.C. § 430pp.)

Exchange of lands.

SEC. 2. The Secretary of the Interior, in order to implement the purposes of section 1 of this Act, is authorized to exchange lands which may be acquired pursuant to this Act for other lands or interests therein of approximately equal value lying within the original George Washington land patent at Fort Necessity. (16 U.S.C. § 430qq.)

Redesignation.

SEC. 3. The Fort Necessity National Battlefield site is hereby redesignated as the Fort Necessity National Battlefield and any remaining balance of funds appropriated for the purposes of the site shall be available for the purposes of the Fort Necessity National Battlefield. (16 U.S.C. § 430rr.)

SEC. 4. The administration, protection, and development of the Fort Necessity National Battlefield shall be exercised by the Secretary of the Interior in accordance with provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended and supplemented. (16 U.S.C. § 430ss.)

16 U.S.C. 1–4.

Appropriation.

SEC. 5. There are hereby authorized to be appropriated such sums, but not more than $115,000, as are necessary to carry out the provisions of this Act. (16 U.S.C. § 430tt.)

2. Petersburg National Battlefield

		Page
Inspection of battlefields authorized	Act of February 11, 1925	321
Establishment as national military park	Act of July 3, 1926	321
Secretary of War authorized to transfer to park such portion of Camp Lee Military Reservation as required in connection with establishment	Excerpt from Act of February 25, 1929	324
Transfer of lands from Department of the Army; boundary adjustments authorized	Act of September 7, 1949	324
Name changed; land acquisition authorized	Act of August 24, 1962	325

An Act To provide for the inspection of the battle fields of the siege of Petersburg, Virginia, approved February 11, 1925 (43 Stat. 856)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created, to be composed of the following members, who shall be appointed by the Secretary of War:

Petersburg, Va., battle fields. Commission created.

(1) A commissioned officer of the Corps of Engineers, United States Army;

Army Engineer officer.

(2) A veteran of the Civil War, who served honorably in the military forces of the United States; and

United States Civil War veteran.

(3) A veteran of the Civil War, who served honorably in the military forces of the Confederate States of America.

Confederate States Civil War veteran.

SEC. 2. In appointing the members of the commission created by section 1 of this Act the Secretary of War shall, as far as practicable, select persons familiar with the terrain of the battle fields of the siege of Petersburg, Virginia, and the historical events associated therewith.

Qualifications of commission.

SEC. 3. It shall be the duty of the commission, acting under the direction of the Secretary of War, to inspect the battle fields of the siege of Petersburg, Virginia, in order to ascertain the feasibility of preserving and marking for historical and professional military study such fields. The commission shall submit a report of its findings to the Secretary of War not later than December 1, 1925.

Inspection and report on feasibility of preserving, etc., for historical study, etc.

SEC. 4. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $3,000 in order to carry out the provisions of this Act.

Amount authorized for expenses.

An Act To establish a national military park at the battle fields of the siege of Petersburg, Virginia, approved July 3, 1926 (44 Stat. 822)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to commemorate the campaign and siege and defense of Petersburg, Virginia, in 1864 and 1865 and to preserve for historical purposes the

Petersburg National Military Park, Va. Established to preserve battle fields of, when title acquired.

breastworks, earthworks, walls, or other defenses or shelters used by the armies therein the battle fields at Petersburg, in the State of Virginia, are hereby declared a national military park whenever the title to the same shall have been acquired by the United States by donation and the usual jurisdiction over the lands and roads of the same shall have been granted to the United States by the State of Virginia—that is to say, one hundred and eighty-five acres or so much thereof as the Secretary of War may deem necessary in and about the city of Petersburg, State of Virginia. (16 U.S.C. § 423.)

Acceptance of donations of lands, etc., authorized.

SEC. 2. That the Secretary of War is hereby authorized to accept, on behalf of the United States, donations of lands, interests therein, or rights pertaining thereto required for the Petersburg National Military Park. (16 U.S.C. § 423a.)

Commission to have supervision of, etc.

SEC. 3. The affairs of the Petersburg National Military Park shall, subject to the supervision and direction of the Secretary of War, be in charge of three commissioners, consisting of Army officers, civilians, or both, to be appointed by the Secretary of War, one of whom shall be designated as chairman and another as secretary of the commission. (16 U.S.C. § 423b.)

Duties of commission.

SEC. 4. It shall be the duties of the commissioners, under the direction of the Secretary of War, to superintend the opening or repair of such roads as may be necessary to the purposes of the park, and to ascertain and mark with historical tablets or otherwise, as the Secretary of War may determine, all breastworks, earthworks, walls, or other defenses or shelters, lines of battle, location of troops, buildings, and other historical points of interest within the park or in its vicinity, and the said commission in establishing the park shall have authority, under the direction of the Secretary of War, to employ such labor and service at rates to be fixed by the Secretary of War, and to obtain such supplies and materials as may be necessary to carry out the provisions of this Act. (16 U.S.C. § 423c.)

Acceptance of gifts, etc., authorized.

SEC. 5. The commission, acting through the Secretary of War, is authorized to receive gifts and contributions from States, Territories, societies, organizations, and individuals for the Petersburg National Military Park: *Provided*, That all contributions of money received shall be deposited in the Treasury of the United States and credited to a fund to be designated "Petersburg National Military Park Fund," which fund shall be applied to and expended under the direction of the Secretary of War, for carrying out the provisions of this Act. (16 U.S.C. § 423d.)

Proviso.

Moneys to be deposited to credit of special fund.

States may mark lines of battle of their troops.

SEC. 6. It shall be lawful for the authorities of any State having had troops engaged at Petersburg, to enter upon the lands and approaches of the Petersburg Na-

tional Military Park for the purpose of ascertaining and marking the lines of battle of troops engaged therein: *Provided*, That before any such lines are permanently designated, the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise, including the design and inscription for the same, shall be submitted to the Secretary of War and shall first receive written approval of the Secretary, which approval shall be based upon formal written reports to be made to him in each case by the commissioners of the park: *Provided*, That no discrimination shall be made against any State as to the manner of designating lines, but any grant made to any State by the Secretary of War may be used by any other State. (16 U.S.C. § 423e.)

Provisos.
Approval of marking, etc., by the Secretary of War required.

No discrimination in designating lines.

Penalty for destroying, injuring, etc., property.

SEC. 7. If any person shall, except by permission of the Secretary of War, destroy, mutilate, deface, injure, or remove any monument, column, statues, memorial structures, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree or trees growing or being upon said park, or hunt within the limits of the park, or shall remove or destroy any breastworks, earthworks, walls, or other defenses or shelter or any part thereof constructed by the armies formerly engaged in the battles on the lands or approaches to the park, any person so offending and found guilty thereof, before any United States commissioner or court, justice of the peace of the county in which the offense may be committed, or any other court of competent jurisdiction, shall for each and every such offense forfeit and pay a fine, in the discretion of the said United States commissioner or court, justice of the peace or other court, according to the aggravation of the offense, of not less than $5 nor more than $500, one-half for the use of the park and the other half to the informant, to be enforced and recovered before such United States commissioner or court, justice of the peace or other court, in like manner as debts of like nature are now by law recoverable in the several counties where the offense may be committed. (16 U.S.C. § 423f.)

Recovery.

Rules, etc., to be prescribed.

SEC. 8. The Secretary of War, subject to the approval of the President, shall have the power to make and shall make all needful rules and regulations for the care of the park, and for the establishment and marking of lines of battle and other historical features of the park. (16 U.S.C. § 423g.)

Report to Congress on acquisition of the land.

Superintendent to be appointed.

SEC. 9. Upon completion of the acquisition of the land and the work of the commission, the Secretary of War shall render a report thereon to Congress, and thereafter the park shall be placed in charge of a superintendent at a salary to be fixed by the Secretary of War and paid out of the appropriation available for the maintenance of the park. (16 U.S.C. § 423h.)

Authorization for expenses. *Post*, p. 1140.

SEC. 10. To enable the Secretary of War to begin to carry out the provisions of this Act, there is hereby authorized to be appropriated not more than the sum of $15,000, out of any moneys in the Treasury not otherwise appropriated, to be available until expended, after the United States has acquired title, and disbursements under this Act shall be annually reported by the Secretary of War to Congress. (See 16 U.S.C. § 423i.)

Excerpt from "An Act To authorize appropriations for construction at military posts, and for other purposes," approved February 25, 1929 (45 Stat. 1301, 1305)

Petersburg Military Park, Va. Portion of Camp Lee, may be transferred to.

SEC. 4. That the Secretary of War be, and he is hereby, authorized to transfer to the Petersburg National Military Park such portion of the Camp Lee Military Reservation, Virginia, as in his discretion may be required in connection with the establishment of the Petersburg National Military Park, as authorized by the Act of Congress approved July 3, 1926.

Vol. 44, p. 822.

An Act To add certain surplus land to Petersburg National Military Park, Virginia, to define the boundaries thereof, and for other purposes, approved September 7, 1949 (63 Stat. 691)

Petersburg National Military Park, Va. Additional land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Department of the Army is hereby authorized and directed to transfer to the Department of the Interior, without reimbursement, two tracts of land, comprising two hundred six acres, more or less, situated on either side of Siege Road adjacent to Petersburg National Military Park, Virginia. Upon completion of such transfer, all lands, interest in lands, and other property in Federal ownership and under the administration of the National Park Service as a part of or in conjunction with Petersburg National Military Park, in and about the city of Petersburg, Virginia, and comprising one thousand five hundred thirty-one acres, more or less, upon publication of the description thereof in the Federal Register by the Secretary of the Interior, shall constitute the Petersburg National Military Park. (16 U.S.C. § 423a–1.)

SEC. 2. The Secretary of the Interior is further authorized to adjust the boundary of the Petersburg National Military Park through purchase, exchange, or transfer: *Provided*, That in doing so the total area of the park will not be increased and that such changes will

become effective upon publication of the description thereof in the Federal Register by the Secretary of the Interior. (16 U.S.C. § 423a–2.)

An Act To change the name of the Petersburg National Military Park, to provide for acquisition of a portion of the Five Forks Battlefield, and for other purposes, approved August 24, 1962 (76 Stat. 403)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Petersburg National Military Park, established under authority of the Act of July 3, 1926 (44 Stat. 822; 16 U.S.C. 423a, 423b–423h), and enlarged pursuant to the Act of September 7, 1949 (63 Stat. 691; 16 U.S.C. 423a–1, 423a–2), is redesignated the Petersburg National Battlefield. Petersburg National Battlefield. Designation.

SEC. 2. The Secretary of the Interior, in furtherance of the purposes of the Acts referred to in section 1 of this Act, may acquire by purchase with donated or appropriated funds, exchange, transfer, or by such other means as he deems to be in the public interest, not to exceed twelve hundred acres of land or interests in land at the site of the Battle of Five Forks for addition to the Petersburg National Battlefield. Lands and interests in lands acquired by the Secretary pursuant to this section shall, upon publication of a description thereof in the Federal Register, become a part of the Petersburg National Battlefield, and thereafter shall be administered by the Secretary of the Interior in accordance with 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; 16 U.S.C. 1, 2, 3), as amended and supplemented. Publication in F.R.

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $90,000, as are necessary to acquire land pursuant to section 2 of this Act. Aprropriation.

3. Stones River National Battlefield

		Page
Establishment as national military park	Act of March 3, 1927	326
Establishment act amended	Act of April 15, 1930	329
Boundaries revised; name changed	Act of April 22, 1960	329

An Act To establish a national military park at the battle field of Stones River, Tennessee, approved March 3, 1927 (44 Stat. 1399)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a commission is hereby created, to be composed of the following members, who shall be appointed by the Secretary of War:

Stones River National Park. Commission created.

Army Engineer officer.

(1) A commissioned officer of the Corps of Engineers, United States Army;

United States Civil War veteran.

(2) A veteran of the Civil War who served honorably in the military forces of the United States; and

Confederate States Civil War veteran.

(3) A veteran of the Civil War who served honorably in the military forces of the Confederate States of America. (16 U.S.C. § 426.)

Qualifications of commission.

SEC. 2. In appointing the members of the commission created by section 1 of this Act the Secretary of War shall, as far as practicable, select persons familiar with the terrain of the battle field of Stones River, Tennessee, and the historical events associated therewith. (16 U.S.C. § 426a.)

Inspection and report of battle field of Stones River, for preserving, etc.

SEC. 3. It shall be the duty of the commission, acting under the direction of the Secretary of War, to inspect the battle field of Stones River, Tennessee, and to carefully study the available records and historical data with respect to the location and movement of all troops which engaged in the battle of Stones River, and the important events connected therewith, with a view of preserving and marking such field for historical and professional military study. The commission shall submit a report of its findings and recommendations to the Secretary of War not later than December 1, 1927. Such report shall describe the portion or portions of land within the area of the battle field which the commission thinks should be acquired and embraced in a national park and the price at which such land can be purchased and its reasonable market value; the report of the commission shall also embrace a map or maps showing the lines of battle and the locations of all troops engaged in the battle of Stones River and the location of the land which it recommends be acquired for the national park; the report of the commission shall contain recommendations for the location of historical tablets at such points on the

Report of commission.

Contents.

battle field, both within and without the land to be acquired for the park, as they may deem fitting and necessary to clearly designate positions and movements of troops and important events connected with the battle of Stones River. (16 U.S.C. § 426b, in part.)

Assistance of War Department officials, etc.

SEC. 4. The Secretary of War is authorized to assign any officials of the War Department to the assistance of the commission if he deems it advisable. He is authorized to pay the reasonable expenses of the commission and their assistants incurred in the actual performance of the duties herein imposed upon them. (16 U.S.C. § 426c.)

Acquiring lands by purchase or condemnation. Duties of commission.

SEC. 5. That, upon receipt of the report of said commission, the Secretary of War be, and he is hereby, authorized and directed to acquire, by purchase, when purchasable at prices deemed by him reasonable, otherwise by condemnation, such tract or tracts of lands as are recommended by the commission as necessary and desirable for a national park; to establish and substantially mark the boundaries of the said park; to definitely mark all lines of battle and locations of troops within the boundaries of the park and erect substantial historical tablets at such points within the park and in the vicinity of the park and its approaches as are recommended by the commission, together with such other points as the Secretary of War may deem appropriate: *Provided*, That the entire cost of acquiring said land, including cost of condemnation proceedings, if any, ascertainment of title, surveys, and compensation for the land, the cost of marking the battle field, and the expenses of the commission, shall not exceed the sum of $100,000. (16 U.S.C. § 426d, as amended. See p. 329.)

Proviso. Cost limitation.

To be the Stones River National Park, on cession of jurisdiction by Tennessee, etc.

SEC. 6. That, upon the ceding of jurisdiction by the legislature of the State of Tennessee and the report of the Attorney General of the United States that a perfect title has been acquired, the lands acquired under the provisions of this Act, together with the area already inclosed within the national cemetery at the battle field of Stones River and the Government reservation in said battle field upon which is erected a large monument to the memory of the officers and soldiers of General Hazen's brigade who fell on the spot, are hereby declared to be a national park, to be known as the Stones River National Park. (16 U.S.C. §426e. See p. 330 (§ 2).)

Control of Secretary of War.

SEC. 7. That the said Stones River National Park shall be under the control of the Secretary of War, and he is hereby authorized to make all needed regulations for the care of the park. The superintendent of the Stones River National Cemetery shall likewise be the superintendent of and have the custody and care of the Stones River National Park, under the direction of the Secretary of War. (16 U.S.C. § 426f. See p. 330 (§ 3).)

Superintendent.

Agreement with present holders of lands, for protection thereof, etc.

SEC. 8. That the Secretary of War is hereby authorized to enter into agreements, upon such nominal terms as he may prescribe, with such present owners of the land as may desire to remain upon it, to occupy and cultivate their present holdings, upon condition that they will preserve the present buildings and roads, and the present outlines of field and forest, and that they will only cut trees or underbrush under such regulations as the Secretary may prescribe, and that they will assist in caring for and protecting all tablets, monuments, or such other artificial works as may from time to time be erected by proper authority. (16 U.S.C. § 426g.)

States may mark lines of battle of their troops.

SEC. 9. That it shall be lawful for the authorities of any State having troops engaged in the battle of Stones River to enter upon the lands and approaches of the Stones River National Park for the purpose of ascertaining and marking the lines of battle of troops engaged therein: *Provided*, That before any such lines are permanently designated, the position of the lines and the proposed methods of marking them by monuments, tablets, or otherwise shall be submitted to the Secretary of War, and shall first receive the written approval of the Secretary. (16 U.S.C. § 426h. See p. 330 (§ 3).)

Proviso. Approval of marking, etc., by Secretary of War.

Penalty for destroying, injuring, etc., property.

SEC. 10. That if any person shall willfully destroy, mutilate, deface, injure, or remove any monument, column, statue, memorial structure, or work of art that shall be erected or placed upon the grounds of the park by lawful authority, or shall willfully destroy or remove any fence, railing, inclosure, or other work for the protection or ornament of said park, or any portion thereof, or shall willfully destroy, cut, hack, bark, break down, or otherwise injure any tree, bush, or shrubbery that may be growing upon said park, or shall cut down or fell or remove any timber, battle relic, tree, or trees growing or being upon such park, except by permission of the Secretary of War, or shall willfully remove or destroy any breastworks, earthworks, walls, or other defenses or shelter, or any part thereof, constructed by the armies formerly engaged in the battle on the lands or approaches to the park, any person so offending shall be guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall for each and every such offense be fined not less than $5 nor more than $100. (16 U.S.C. § 426i.)

Amount authorized to be expended.

SEC. 11. That the sum of $100,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended for the purposes of this Act: *Provided*, That no obligation for the purchase of lands shall be incurred until the commission has fixed the boundaries of said park. (16 U.S.C. § 426j.)

Proviso. Conditions.

An Act To amend section 5 of the Act entitled "An Act to establish a national military park at the battle field of Stones River, Tennessee," approved March 3, 1927, approved April 15, 1930 (46 Stat. 167)

Stones River National Park, Tenn. Vol. 44, p. 1400, amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act to establish a national military park at the battle field of Stones River, Tennessee," approved March 3, 1927, be, and the same is hereby, amended so that the said section will read as follows:

Acquisition of lands by purchase or condemnation.

"That, upon receipt of the report of said commission, the Secretary of War be, and he is hereby, authorized and directed to acquire, by purchase, when purchasable at prices deemed by him reasonable, otherwise by condemnation, such tract or tracts of lands as are recommended by the commission as necessary and desirable for a national military park; to establish and substantially mark the boundaries of the said park; to definitely mark all lines of battle and locations of troops within the boundaries of the park and erect substantial historical tablets at such points within the park and in the vicinity of the park and its approaches as are recommended by the commission, together with such other points as the Secretary of War may deem appropriate; to construct the necessary roads and walks, plant trees and shrubs, restore and care for the grounds, including the Hazen Monument: *Provided*, That the entire cost of acquiring said land, including cost of condemnation proceedings, if any, ascertainment of title, surveys, and compensation for the land, the cost of marking the battle field, the expenses of the commission, and the establishment of the national military park, shall not exceed the sum of $100,000. (16 U.S.C. § 426d. See p. 327.)

Hazen Monument included.

Proviso. Cost limitation.

An Act To revise the boundaries and change the name of the Stones River National Military Park, Tennessee, and for other purposes, approved April 22, 1960 (74 Stat. 82)

Stones River National Battlefield, Tenn. Boundary revision. 16 U.S.C. 426d.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the purposes of the Act of March 3, 1927 (44 Stat. 1399), authorizing establishment of the Stones River National Military Park, the Secretary of the Interior is authorized to acquire by such means as he may deem to be in the public interest, for inclusion in the Stones River National Military Park, such additional lands and interests in lands, not to exceed seven acres, as in the discretion of the Secretary are necessary for the preservation and interpretation of the battlefield of Stones River, Tennessee. (16 U.S.C. § 426k [Supp. II].)

677-347—63——22

SEC. 2. Stones River National Military Park is hereby redesignated as the Stones River National Battlefield, and any remaining balance of funds appropriated for the purpose of the Stones River National Military Park shall be available for the purpose of Stones River National Battlefield. (16 U.S.C. § 426l [Supp. II].)

Administration.

SEC. 3. The administration, protection and development of the Stones River National Battlefield shall be exercised by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes," as amended. (16 U.S.C. § 426m [Supp. II].)

16 U.S.C. 1b.

4. Tupelo National Battlefield

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Establishment as national battlefield site	Act of February 21, 1929	331
Acquisition of additional lands authorized and name changed	Act of August 10, 1961	331

An Act To provide for the commemoration of the battles of Brices Cross Roads, Mississippi, and Tupelo, Mississippi, approved February 21, 1929 (45 Stat. 1254)

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 battles of Brices Cross Roads, Mississippi, and Tupelo, Mississippi, the Secretary of War is authorized and directed to (1) acquire not to exceed one acre of land, free of cost to the United States, at each of the above-named battle fields, (2) fence each parcel of land so acquired, (3) build an approach to each such parcel of land, and (4) erect a suitable marker on each such parcel of land. (16 U.S.C. § 429.)

Battles of Brices Cross Roads and Tupelo, Miss. Sites to be acquired for markers to commemorate

SEC. 2. There is authorized to be appropriated $10,000, or so much thereof as may be necessary, to carry out the provisions of section 1 of this Act.

Sum authorized. *Post*, p. 1666.

SEC. 3. Each parcel of 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 each such parcel of land, fence, approach, and marker a sum not to exceed $250 per annum. (16 U.S.C. § 429a.)

Control of Secretary of War. Maintenance.

An Act To provide additional lands for the Tupelo National Battlefield site, Mississippi, and for other purposes, approved August 10, 1961 (75 Stat. 336)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to further the purposes of the Act of February 21, 1929 (45 Stat. 1254), the Secretary of the Interior may acquire by donation or with donated funds not to exceed one-half acre of land and interests in land for addition to the adjoining Tupelo National Battlefield site. (16 U.S.C. § 429a–1.)

Tupelo National Battlefield, Miss. Additional lands. 16 U.S.C. 429, 429a.

SEC. 2. The Tupelo National Battlefield site is hereby redesignated the Tupelo National Battlefield which shall continue to be administered pursuant to the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, entitled "An Act to establish a National Park Service, and for other purposes." (16 U.S.C. § 429a–2.)

16 U.S.C. 1–4.

VIII. LEGISLATION RELATING TO NATIONAL BATTLEFIELD SITES

1. Antietam National Battlefield Site

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Authorization for preserving lines of battle and for placing under supervision of Secretary of War all lands acquired for this purpose	Excerpt from Act of August 30, 1890	333
Authorization for Secretary of War to accept land donated for purpose of connecting monument of the Ninth Regiment of New York Volunteers with the road system of Antietam battlefield	Excerpt from Act of March 4, 1915	333
Acquisition of lands for site authorized	Act of April 22, 1960	334
Exchange of certain lands authorized	Act of May 31, 1962	334

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1891, and for other purposes," approved August 30, 1890 (26 Stat. 371, 401)

National Cemetery, Antietam, Maryland: * * *

* * * * * * *

Preserving, etc., lines of battle, etc.

For the purpose of surveying, locating, and preserving the lines of battle of the Army of the Potomac and of the Army of Northern Virginia at Antietam, and for marking the same, and for locating and marking the position of each of the forty-three different commands of the Regular Army engaged in the battle of Antietam, and for the purchase of sites for tablets for the marking of such positions, fifteen thousand dollars. And all lands acquired by the United States for this purpose, whether by purchase, gift, or otherwise, shall be under the care and supervision of the Secretary of War. (16 U.S.C. § 446.)

Sites for tablets.

Supervision of lands acquired.

Excerpt from "An Act Making appropriations for the support of the Army for the fiscal year ending June 30, 1916," approved March 4, 1915 (38 Stat. 1062, 1077)

Antietam battle field. Acceptance of donated land authorized.

The Secretary of War is hereby authorized to accept, on behalf of the Government of the United States, the land which has been donated for the purpose of connecting the monument of the Ninth Regiment of New York Volunteers with the road system of the battle field of Antietam.

An Act To provide for the protection and preservation of the Antietam Battlefield in the State of Maryland, approved April 22, 1960 (74 Stat. 79)

Antietam Battlefield, Md. Preservation.

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 acquire such lands and interests in land and to enter into such agreements with the owners of land on behalf of themselves, their heirs and assigns with respect to the use thereof as the Secretary finds necessary to preserve, protect and improve the Antietam Battlefield comprising approximately 1,800 acres in the State of Maryland and the property of the United States thereon, to assure the public a full and unimpeded view thereof, and to provide for the maintenance of the site (other than those portions thereof which are occupied by public buildings and monuments and the Antietam National Cemetery) in, or its restoration to, substantially the condition in which it was at the time of the battle of Antietam. Not more than 600 acres of land, however, shall be acquired in fee by purchase or condemnation, but neither this limitation nor any other provision of law shall preclude such acquisition of the fee title to other lands and its immediate reconveyance to the former owner with such covenants, restrictions, or conditions as will accomplish the purposes of this Act: *Provided*, That the cost to the Government of any such transaction shall not exceed the reasonable value of the covenants, restrictions, or conditions thereby imposed on the property. Any acquisition authorized by this Act may be made without regard to the limitation set forth in the proviso contained in the Act of May 14, 1940 (54 Stat. 212). The Secretary shall report to the Congress at least once each year on any acquisition made or agreement entered into under this Act. (16 U.S.C. § 430oo [Supp. II].)

Report to Congress.

An Act To authorize the exchange of certain lands at Antietam National Battlefield site, approved May 31, 1962 (76 Stat. 81)

Antietam National Battlefield site. Exchange of certain lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to effect changes in land ownership made necessary by the widening and relocation of Maryland State Route 34 at Antietam National Battlefield site, the Secretary of the Interior may accept for the United States title to the following described lands, or interests in lands:

Beginning at the intersection of the northerly right-of-way line of Maryland Route Numbered 34 leading from Sharpsburg to Boonsboro with the northerly right-of-way line of the relocation of Richardson Avenue said point of intersection being 34.00 feet measured radially from station 17+00 of the base line of right-of-way as

said base line of right-of-way is delineated on State Roads Commission's plat numbered 16968,

Thence binding along the aforementioned northerly right-of-way line of Richardson Avenue the two following course and distances, namely: north 38 degrees 37 minutes 30 seconds east, 71.78 feet and north 69 degrees 10 minutes 55 seconds east, 333.04 feet to intersect the westerly right-of-way line of Richardson Avenue,

Thence binding thereon south 12 degrees 31 minutes 20 seconds west, 31.12 feet to intersect the base line of right-of-way of the relocation of Richardson Avenue at station 3+33.73,

Thence continuing along the aforementioned westerly right-of-way line of Richardson Avenue south 12 degrees 31 minutes 20 seconds west, 116.03 feet to intersect the aforementioned northerly right-of-way line of Maryland Route Numbered 34,

Thence binding thereon the two following courses and distances, namely: south 84 degrees 45 minutes 55 seconds west, 213.83 feet, and by a curve to the left having a radius of 5,763.58 feet for a distance of 111.84 feet, said curve being subtended by a chord south 84 degrees 12 minutes 40 seconds west, 111.83 feet to the place of beginning.

Said parcel containing 0.66 acre, more or less, and being a part or parts of that tract of land which was conveyed from Henry Piper to Samuel D. Piper by deed dated March 7, 1890, and recorded among land records of Washington County in liber numbered 94, folio 449.

SEC. 2. In exchange for the conveyance of the lands described in section 1 of this Act, the Secretary of the Interior may convey the following described lands: An approximate 0.05-acre parcel of United States land comprising the southerly portion of Richardson Avenue located in Antietam National Battlefield site, extending from the northerly right-of-way line of the widened and relocated Maryland State Route 34 southwestward about 65 feet into the said Maryland State Route 34 right-of-way at station 20+40.

2. Brices Cross Roads National Battlefield Site

		Page
Establishment	Act of February 21, 1929	336

An Act To provide for the commemoration of the battles of Brices Cross Roads, Mississippi, and Tupelo, Mississippi, approved February 21, 1929 (45 Stat. 1254)

Battles of Brices Cross Roads and Tupelo, Miss. Sites to be acquired for markers to commemorate.

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 battles of Brices Cross Roads, Mississippi, and Tupelo, Mississippi, the Secretary of War is authorized and directed to (1) acquire not to exceed one acre of land, free of cost to the United States, at each of the above-named battle fields, (2) fence each parcel of land so acquired, (3) build an approach to each such parcel of land, and (4) erect a suitable marker on each such parcel of land. (16 U.S.C. § 429.)

Sum authorized. *Post*, p. 1666.

SEC. 2. There is authorized to be appropriated $10,000, or so much thereof as may be necessary, to carry out the provisions of section 1 of this Act.

Control of Secretary of War.

SEC. 3. Each parcel of 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 each such parcel of land, fence, approach, and marker a sum not to exceed $250 per annum. (16 U.S.C. § 429a.)

Maintenance.

3. Cowpens National Battlefield Site

		Page
Establishment	Act of March 4, 1929	337
Acquisition of additional lands for site authorized	Act of July 18, 1958	337

An Act To erect a national monument at Cowpens battle ground, approved March 4, 1929 (45 Stat. 1558)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve that part of the Cowpens battle grounds near Ezell, Cherokee County, South Carolina, where General Daniel Morgan, commanding, participated in the Battle of Cowpens on the 17th day of January, 1781, the Secretary of War be, and he is hereby, authorized and directed to acquire, by gift, not more than one acre of land on which he shall erect or cause to be erected a suitable monument to commemorate said battle.

Battle of Cowpens, S.C. Acquiring land authorized, for erecting monument to commemorate.

SEC. 2. To enable the Secretary of War to carry out the provisions of this Act, to accept a deed for the necessary lands, to make necessary surveys, maps, markers, pointers, or signs marking boundaries, for opening, constructing, or repairing necessary roads and streets and constructing markers and a suitable monument, for salaries for labor and services, for traveling expenses, supplies, and materials, the sum of $25,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until expended, and the disbursements under this Act shall be reported by the Secretary of War to Congress.

Sum authorized for expenses.

Available until expended.

An Act To provide for the acquisition of additional land to be used in connection with the Cowpens National Battleground site, approved July 18, 1958 (72 Stat. 368)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the land heretofore acquired by the United States by gift pursuant to the Act entitled "An Act to erect a national monument at Cowpens battleground", approved March 4, 1929 (45 Stat. 1558), for the purpose of erecting a monument on the site of the Cowpens battleground, the Secretary of the Interior is authorized, in his discretion, to accept, on behalf of the United States, donations of land not to exceed one acre, situated adjacent to and between the present battlefield site and relocated Highway 11.

Cowpens National Battleground site.

IX. LEGISLATION RELATING TO NATIONAL HISTORIC SITES

1. Abraham Lincoln Birthplace National Historic Site

		Page
Acceptance of deed of gift of land embracing homestead of Abraham Lincoln	Act of July 17, 1916	339
Authorization for improvement and preservation of lands and buildings included in Abraham Lincoln National Park or Reservation	Act of February 11, 1929	341
Addition of lands authorized	Act of May 27, 1949	341
Name changed, "Abraham Lincoln Birthplace National Historic Site" substituted for "Abraham Lincoln National Historical Park"	Act of September 8, 1959	342

An Act To accept a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and further, to accept an assignment or transfer of an endowment fund of $50,000 in relation thereto, approved July 17, 1916 (39 Stat. 385)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States of America hereby accepts title to the lands mentioned in the deed of gift or conveyance now in possession of the Secretary of War, together with all the buildings and appurtenances thereon, especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, which deed of conveyance was executed on the eleventh day of April, nineteen hundred and sixteen, by the Lincoln Farm Association, a corporation, to the United States of America describing certain lands situated near the town of Hodgenville, county of Larue, State of Kentucky, which lands are more particularly identified and described in said deed or conveyance. The title to such lands, buildings, and appurtenances is accepted upon the terms and conditions stated in said deed or conveyance, namely: That the land therein described, together with the buildings and appurtenances thereon, shall be forever dedicated to the purposes of a national park or reservation, the United States of America agreeing to protect and preserve the said lands, buildings, and appurtenances, and especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, from spoliation, destruction, and further disintegration, to the end that they may be preserved for all

Birthplace of Abraham Lincoln. Acceptance of title to land, etc., Hodgenville, Ky.

To be a national park.

time, so far as may be; and further agreeing that there shall never be any charge or fee made to or asked from the public for admission to the said park or reservation. (16 U.S.C. § 211.)

Endowment fund accepted.

SEC. 2. That the United States of America hereby also accepts title to the endowment fund of $50,000 mentioned in the assignment and transfer, now in the possession of the Secretary of War, which assignment and transfer was executed on the eleventh day of April, nineteen hundred and sixteen, by the Lincoln Farm Association, a corporation, to the United States of America, transferring and turning over all its right, title, and interest in and to said endowment fund, heretofore invested in certain stocks, bonds, and securities held and owned by the Lincoln Farm Association, and more particularly identified and described in said assignment and transfer.

Conditions.

The title to said endowment fund is accepted upon the terms and conditions stated in said assignment and transfer, namely, that the United States of America shall forever keep the said tract of land described in said deed, together with the buildings and appurtenances thereunto belonging, dedicated to the purpose of a national park or reservation, and that there shall never be any charge or fee made to or asked from the public for admission to the said park or reservation; and further, shall forever protect, preserve, and maintain said land, buildings, and appurtenances, and especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, from spoliation, destruction, and further disintegration, to the end that they may be preserved for all time, as far as may be, as a national park or reservation. (16 U.S.C. § 212.)

Execution of acceptance.

SEC. 3. That the President of the United States of America and the Secretary of War are hereby authorized to execute, in the name of the United States of America, such instrument or instruments as may be or may become necessary to comply with or carry out the terms and conditions of such gift or gifts and to secure the full benefit therefrom. (16 U.S.C. § 213.)

Control, etc., by Secretary of War.

SEC. 4. That upon the passage of this Act and the vesting of the title to the property accepted thereunder in the United States, it shall be under the control of the Secretary of War and administered under such regulations not inconsistent with law as he may from time to time prescribe. (16 U.S.C. § 214 and note.)

An Act To provide for the improvement and preservation of the land and buildings of the Abraham Lincoln National Park or Reservation, approved February 11, 1929 (45 Stat. 1162)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of protecting from disintegration and of improving, beautifying, and preserving the Abraham Lincoln National Park or Reservation established under the Act entitled "An Act to accept a deed or gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and further to accept an assignment or transfer of an endowment fund of $50,000 in relation thereto," approved July 17, 1916 (United States Code, title 16, sections 211–214), the Secretary of War is authorized and directed to provide for (1) the improvement of such existing roadways, walks, and buildings in such park or reservation; and (2) the planting of such trees, plants, and shrubbery; the construction of such additional roadways, walks, and buildings, and of such fences, parking spaces, drainage structures, culverts, and bridges; and the making of such other improvements, as in his judgment may be necessary for the preservation, beautification, and protection from disintegration of such park or reservation, including the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, and which may serve to render such park or reservation convenient for the appropriate use and enjoyment by the public. (16 U.S.C. § 215 as amended. See p. 103, Supp. I, *Laws Relating to the National Park Service* (1944). See also p. 342.)

Abraham Lincoln National Park, Ky. Improvements directed of, including cabin in which Lincoln was born. Vol. 39, p. 385.

U.S. Code, p. 407.

SEC. 2. There is 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; and authorization is also hereby given for such appropriations as may, in the future, be deemed necessary for the proper protection, preservation, care, maintenance, and operation of the said national park or reservation, including the salaries and compensation of a superintendent and other needed employees. (16 U.S.C. § 216.)

Amount authorized for improvements, fences, bridges, etc. *Post*, p. 1666.

Superintendent, and employees.

An Act To add to the Abraham Lincoln National Historical Park, Kentucky, certain land acquired by the United States for that purpose, approved May 27, 1949 (63 Stat. 140)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the approximately six acres of land described in the following recorded deeds to the United States are hereby added to and made a part of the

Abraham Lincoln National Historical Park, Ky. Additional land.

Abraham Lincoln National Historical Park in the State of Kentucky:

(a) Deed of conveyance to the United States, dated June 15, 1945, made and entered into by and between J. R. Howell and Mattie Johnson Howell, his wife, and W. L. Ferrill and Minnie Ferrill, his wife, of Hodgenville, Larue County, Kentucky, recorded on June 25, 1946, in deed book numbered 58, page 262, in the records of the county of Larue, Kentucky; and

(b) Quitclaim deed to the United States, made and entered into by and between Carl J. Howell and Dorothy N. Howell, his wife, of Hodgenville, Larue County, Kentucky, recorded on April 18, 1947, in deed book numbered 59, page 435, in the records of the county of Larue, Kentucky. (16 U.S.C. § 218.)

An Act To change the name of the Abraham Lincoln National Historical Park at Hodgenville, Kentucky, to Abraham Lincoln Birthplace National Historic Site, approved September 8, 1959 (73 Stat. 466)

Abraham Lincoln National Historical Park, Hodgenville, Ky. Name change.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Abraham Lincoln National Historical Park at Hodgenville, Kentucky, shall hereafter be known as Abraham Lincoln Birthplace National Historic Site, and any law, regulation, document, or record of the United States in which such historical park is designated or referred to under the name of Abraham Lincoln National Historical Park shall be held to refer to such historical park under and by the name of Abraham Lincoln Birthplace National Historic Site. (16 U.S.C. § 217a [Supp. II].)

2. Atlanta Campaign National Historic Site[1]

Page
Conveyance to State of Georgia authorized_____Act of September 21, 1950 343

An Act To provide for the conveyance of certain historic properties to the State of Georgia, and for other purposes, approved September 21, 1950 (64 Stat. 896)

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 convey to the State of Georgia, without consideration, for public use as a part of the park system of that State, and under such terms and conditions as the Secretary may deem advisable, the following described historic properties and improvements thereon:

State of Georgia, Conveyance.

(a) The Atlanta Campaign National Historic Site comprising the "Ringgold Gap Site", the "Rocky Face Ridge Site", the "Resaca Site", the "Cassville Site", and the "New Hope Church Site", aggregating a total of approximately fifteen acres of land, which are described in the order dated October 13, 1944 (9 F.R. 12868), of the Acting Secretary of the Interior;

(b) The site, comprising approximately one acre of land, and improvements thereon, known as the New Echota Marker property, established pursuant to the Act of May 28, 1930 (46 Stat. 431).

[1] Conveyed to the State of Georgia, March 20, 1952.

3. Bent's Old Fort National Historic Site

		Page
Establishment authorized	Act of June 3, 1960	344

An Act Authorizing the establishment of a national historic site at Bent's Old Fort, near La Junta, Colorado, approved June 3, 1960 (74 Stat. 155)

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 shall acquire on behalf of the United States, by gift, purchase, condemnation, or otherwise, such lands, interests therein and improvements thereon, as the Secretary may deem necessary for the purpose of establishing a national historic site at the site of Bent's Old Fort on the Old Santa Fe Trail, located in Otero County, Colorado, approximately seven miles east of La Junta, north of the Arkansas River.

Bent's Old Fort National Historic Site.

SEC. 2. (a) The property acquired under the provisions of the first section of this Act shall be designated as the Bent's Old Fort National Historic Site and shall be set aside as a public national memorial to commemorate the historic role played by such fort in the opening of the West. The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop such monument, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935, as amended.

39 Stat. 535. 16 U.S.C. 1 *et seq.*
49 Stat. 666. 16 U.S.C. 461–467.

(b) In order to provide for the proper development and maintenance of such national historic site, the Secretary of the Interior is authorized to construct and maintain therein such markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

Appropriation.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. (See 16 U.S.C. § 461 note [Supp. II].)

4. Edison National Historic Site

	Page
Authorization for addition of lands and revision of boundaries of Edison Laboratory National Monument—Act of June 23, 1959	345
Redesignation of Edison Home National Historic Site and Edison Laboratory National Monument as Edison National Historic Site—Act of September 5, 1962	345

An Act To authorize a revision of the boundaries of the Edison Laboratory National Monument, New Jersey, and for other purposes, approved June 23, 1959 (73 Stat. 87)

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 procure for addition to the Edison Laboratory National Monument, such additional lands and interests in lands lying directly across Main Street and northwest of the monument, not to exceed two and one-half acres, as in the discretion of the Secretary are necessary for the proper administration and interpretation thereof.

Edison Laboratory National Monument, N.J. Boundaries.

SEC. 2. Lands and interests in lands acquired pursuant to this Act shall become a part of the Edison Laboratory National Monument upon the issuance of an appropriate order or orders, by the Secretary of the Interior, setting forth the revised boundaries of the monument, such order or orders to be effective upon publication thereof in the Federal Register. Lands and interests therein so added to the monument shall thereafter be subject to all the laws and regulations applicable thereto.

Publication in F.R.

An Act To change the names of the Edison Home National Historic Site and the Edison Laboratory National Monument, to authorize the acceptance of donations, and for other purposes, approved September 5, 1962 (76 Stat. 428)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Edison Home National Historic Site and the Edison Laboratory National Monument, together with adjacent parcels aggregating approximately seventy-one one-hundredths of an acre which have been donated to the United States for addition to the monument, are designated the Edison National Historic Site.

Edison National Historic Site. Designation.

SEC. 2. The Secretary of the Interior may accept the donation of 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.

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5. Fort Davis National Historic Site

		Page
Establishment authorized	Act of September 8, 1961	346

An Act Authorizing the establishment of a national historic site at Fort Davis, Jeff Davis County, Texas, approved September 8, 1961 (75 Stat. 488)

Fort Davis National Historic Site, Tex.

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 shall acquire, on behalf of the United States, by gift, purchase, condemnation, or otherwise, all right, title, and interest in and to such lands, not to exceed four hundred and sixty acres in all, together with any improvements thereon, as the Secretary may deem necessary for the purpose of establishing a national historic site at the site of Fort Davis, near the town of Fort Davis, Jeff Davis County, Texas.

SEC. 2. (a) The property acquired under the provisions of the first section of this Act shall be designated as the Fort Davis National Historic Site and shall be set aside as a public national memorial to commemorate the historic role played by such fort in the opening of the West. The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop such monument, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935, as amended.

39 Stat. 535. 16 U.S.C. 1–4.

49 Stat. 666. 16 U.S.C. 461–467.

(b) In order to provide for the proper development and maintenance of such national historic site, the Secretary of the Interior is authorized to construct and maintain therein such markers, buildings, and other improvements and such facilities for the care and accommodation of visitors, as he may deem necessary.

Appropriation.

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $115,000 for land acquisition, as are necessary to carry out the provisions of this Act. (16 U.S.C. § 461 note.)

6. Fort Laramie National Historic Site

	Page
Revision of boundaries; monument redesignated as "Fort Laramie National Historic Site"----------Act of April 29, 1960	347

An Act To revise the boundaries and change the name of the Fort Laramie National Monument, Wyoming, and for other purposes, approved April 29, 1960 (74 Stat. 83)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve the sites of historic buildings and roads associated with Fort Laramie, the boundaries of the Fort Laramie National Monument are hereby revised to include the following area: Fort Laramie National Monument, Wyo.

Beginning at the intersection of the section line common to sections 28 and 29, township 26 north, range 64 west, sixth principal meridian, with the northerly right-of-way line of the Fort Laramie Canal;

Thence southwesterly along said right-of-way line to the intersection of said line with the center of Deer Creek;

Thence northerly along the center of Deer Creek to the intersection of said center with the north line of the southeast quarter, section 29;

Thence westerly along said line to a point 1,100 feet east of the southwest corner of the northeast quarter, section 29;

Thence due north, 1,320 feet to the point of intersection with the north line of the southwest quarter northeast quarter, section 29;

Thence westerly along said north line to a point at the intersection of said line with the easterly right-of-way line of the county road;

Thence northerly and easterly along said right-of-way line to a point 955 feet east of the section line common to sections 20 and 21;

Thence due south to the point of intersection with the section line common to sections 21 and 28;

Thence easterly along said section line to a point 2,090 feet east of the section corner common to sections 20, 21, 28, and 29;

Thence due south to the point of intersection with the northerly bank of Laramie River;

Thence easterly along said northerly bank to a point 150 feet west of the westerly right-of-way line of the county road, in section 27;

Thence northerly on a line paralleling at 150 feet said right-of-way line of county road to a point 660 feet north of section line common to sections 22 and 27;

Thence northwesterly in a straight line to a point on the southerly right-of-way line of the State highway relocation a distance of 150 feet east of the section line common to sections 21 and 22;

Thence northeasterly along said right-of-way line to the point of intersection with the lot line common to lots 1 and 2, section 22;

Thence southerly along said lot line to a point at the intersection of said line as projected with the westerly or right bank of the North Platte River;

Thence southerly along said bank to its confluence with the northerly or left bank of the Laramie River in section 27;

Thence westerly along said bank of the Laramie River to the westernmost intersection of said bank with the north line of the south half of section 27;

Thence westerly along said line and the north line of the south half of section 28 to the point of intersection with the northerly right-of-way line of the Fort Laramie Canal;

Thence westerly along said right-of-way line to the point of beginning.

Procurement of lands.

SEC. 2. In furtherance of the purposes of this Act, the Secretary of the Interior is authorized to procure, in such manner and subject to such terms and conditions as he may deem to be in the public interest, lands and interests in lands within the revised boundary described in section 1 hereof. To avoid the undesirable severance of parcels in private ownership which extend beyond the aforesaid revised boundaries, the Secretary may, in his discretion, and with the consent of the owners, acquire lands or interests in lands that are in such ownership but which lie outside the revised boundary. Property so acquired outside such revised boundary and federally owned lands excluded from the monument pursuant to section 1 hereof may be exchanged by the Secretary of the Interior for any land of approximately equal value within the monument boundaries.

Redesignation.

SEC. 3. The Fort Laramie National Monument is hereby redesignated as the Fort Laramie National Historic Site and any remaining balance of funds appropriated for the monument shall be available for the purposes of the national historic site.

SEC. 4. The administration, protection, and development of the Fort Laramie National Historic Site shall be exercised by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service and for other purposes", as amended. (See 16 U.S.C. § 461 note [Supp. II].)

16 U.S.C. 1, 2–4, 22, 43.

7. Fort Raleigh National Historic Site

		Page
Boundaries revised	Act of August 17, 1961	349

An Act To revise the boundaries of the Fort Raleigh National Historic Site in North Carolina, and for other purposes, approved August 17, 1961 (75 Stat. 384)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve, as a part of the Fort Raleigh National Historic Site, lands historically associated with the attempt to establish an English colony on Roanoke Island, the boundaries of such site are hereby revised to include the following described lands:

Fort Raleigh National Historic Site, N.C. Boundaries.

EASTERN AND SOUTHERN EXTENSION

Beginning at the southwest corner of the present Fort Raleigh National Historic Site, which is on the northerly right-of-way line of North Carolina State Highway Numbered 345, said point bearing south 7 degrees 45 minutes east, 35 feet, more or less, from a concrete monument on the existing west boundary of the said national historic site;

Thence south 72 degrees 00 minutes east, 537 feet, more or less, following everywhere the said northerly right-of-way line of North Carolina State Highway Numbered 345, which line is also the south boundary of Fort Raleigh National Historic Site, to a corner on the said south boundary of the national historic site;

Thence south 68 degrees 30 minutes east, 70 feet, more or less, following everywhere the said northerly right-of-way line of North Carolina State Highway Numbered 345, which line is also the south boundary of Fort Raleigh National Historic Site, to the southwest corner of land now or formerly owned by the W. O. Dough estate;

Thence north 29 degrees 30 minutes east, 992 feet, more or less, along the westerly property line of lands now or formerly owned by the said W. O. Dough estate and of the W. J. Griffin subdivision which line is also the east boundary of the Fort Raleigh National Historic Site, to a point on the high water line of Roanoke Sound, said point being the northwest corner of the said W. J. Griffin subdivision;

Thence south 83 degrees 00 minutes east, 729 feet, more or less, along the high water line of Roanoke Sound to the point of intersection with the westerly line of Dare Avenue, or the extension thereof, in the W. J. Griffin subdivision;

Thence south 29 degrees 30 minutes west, 1,230 feet, more or less, along the said westerly line of any northerly extension of Dare Avenue and/or the westerly line of Dare Avenue, and crossing on a prolongation of said line the 60-foot right-of-way of North Carolina State Highway Numbered 345 to a point on the southerly right-of-way line of said highway;

Thence south 69 degrees 00 minutes east, 115 feet, more or less, following everywhere the said southerly right-of-way line of North Carolina State Highway Numbered 345 to the point of intersection with the easterly property line of land now or formerly owned by Essie Payne; thence south 27 degrees 00 minutes west, 910 feet along the said easterly property line of land now or formerly owned by Essie Payne to a point;

Thence south 7 degrees 45 minutes east, 790 feet, crossing the 100-foot right-of-way of the United States highway bearing numbers 64 and 264, to a point located on land now or formerly owned by Ralph Umphlett; thence south 73 degrees 30 minutes west, 640 feet, more or less, to a point on the easterly property line of land now or formerly owned by Essie Payne;

Thence south 27 degrees 00 minutes west, 175 feet, more or less, along the said easterly property line of land now or formerly owned by Essie Payne to a point on the easterly property line of land now or formerly owned by Willis Pearce;

Thence north 7 degrees 45 minutes west, 1,430 feet, more or less, along the said easterly property line of land now or formerly owned by Willis Pearce crossing the said 100-foot right-of-way of the United States highway bearing numbers 64 and 264, to a point on the southerly property line of land now or formerly owned by Alma Reich and Alton Aydlett;

Thence south 67 degrees 00 minutes west, 1,100 feet, more or less, along the said southerly property line of land now or formerly owned by Alma Reich and Alton Aydlett to a point on the easterly right-of-way line of the Old Ferry Road; thence north 32 degrees 00 minutes east, 1,530 feet, more or less, following everywhere the said easterly right-of-way line of Old Ferry Road, to the point of intersection with the southerly right-of-way line of North Carolina Highway Numbered 345.

Thence northwesterly 60 feet, more or less, crossing the right-of-way of said North Carolina State Highway Numbered 345, to the point of beginning but excluding therefrom the right-of-way of the United States highway bearing numbers 64 and 264. The tract as described contains approximately 73 acres.

WESTERN ADDITION

Beginning at a point on the high water line of Roanoke Sound which marks the northwest corner of land now or formerly owned by the Roanoke Island Historical Association, said point being located about 450 feet westerly from the northwest corner of the existing Fort Raleigh National Historic Site;

Thence south 35 degrees 15 minutes west, 1,356 feet, more or less, along the west property line of said lands now or formerly owned by the Roanoke Island Historical Association crossing the 60-foot right-of-way of North Carolina State Highway Numbered 345, and along the west property line of a second tract of land now or formerly owned by the Roanoke Island Historical Association, to the most westerly corner of the said second-named tract of land now or formerly owned by the Roanoke Island Historical Association;

Thence south 69 degrees 00 minutes west, 100 feet, more or less, to a corner on the easterly property line of land now or formerly owned by Jerome Griffin; thence north 76 degrees 00 minutes west, 2,500 feet, more or less, across land now or formerly owned by Jerome Griffin, to a point of the high water line of Roanoke Sound; thence easterly 3,450 feet, more or less, along the high water line of Roanoke Sound to the point of beginning, the tract as described containing approximately 52 acres.

Additional lands.

SEC. 2. The Secretary of the Interior, in furtherance of the purposes of this Act, is authorized to procure, in such manner and subject to such terms and conditions as he may deem to be in the public interest, lands and interests in lands described in section 1 hereof. In acquiring such additional lands and interests therein for the Fort Raleigh National Historic Site, the Secretary is authorized to use any funds now or hereafter made available for the acquisition of lands in the national park system. When so acquired, they shall be administered as a part of the Fort Raleigh National Historic Site in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended.

16 U.S.C. 1-4.

8. Fort Saint Marks National Historic Site

		Page
Establishment authorized	Act of October 10, 1962	352

An Act To provide for the establishment of the Fort Saint Marks National Historic Site, approved October 10, 1962 (76 Stat. 807)

Fort Saint Marks National Historic Site, Fla. Establishment.

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 may accept on behalf of the United States a donation of the site of Fort Saint Marks, located at Saint Marks, Florida, together with all improvements thereon and appurtenances thereto, and such surrounding or adjacent land as is reasonably necessary to carry out the purposes of this Act. When so acquired, such property shall be designated as the Fort Saint Marks National Historic Site, and shall be set aside as a public national memorial.

SEC. 2. In order to provide for the proper development of the Fort Saint Marks National Historic Site, the Secretary of the Interior shall erect thereon and maintain as parts thereof the following—

(1) a museum, which shall contain items of historical interest pertaining to Fort Saint Marks;

(2) such markers, structures, and landscaping as may in his judgment be appropriate.

SEC. 3. The Secretary of the Interior, acting through the National Park Service, shall administer, protect, develop, and maintain the Fort Saint Marks National Historic Site subject to the provisions of this Act and in accordance with the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes" (16 U.S.C. 1 and others), as amended and supplemented, and the provisions of the Act of August 21, 1935, entitled "An Act to provide for the preservation of historic American sites, buildings, and antiquities of national significance, and for other purposes" (16 U.S.C. 461–467), as amended.

39 Stat. 535.

49 Stat. 666.

Appropriation.

SEC. 4. There is authorized to be appropriated not to exceed $100,000 for the purposes of this Act.

9. Fort Smith National Historic Site

		Page
Establishment authorized	Act of September 13, 1961	353

An Act Authorizing the establishment of the Fort Smith National Historic Site, in the State of Arkansas, and for other purposes, approved 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 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.

Fort Smith National Historic Site, Ark. Establishment.

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:

Publication in F.R.

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.

Administration.

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.

16 U.S.C. 1–4.

Appropriation; limitation.

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. (16 U.S.C. § 461 note.)

10. Fort Vancouver National Historic Site

	Page
Establishment as national monument; transfer of lands by War Assets Administration and Secretary of the Army to Secretary of the Interior authorized—Act of June 19, 1948	355
Boundaries revised and monument redesignated "Fort Vancouver National Historic Site"—Act of June 30, 1961	356

An Act To provide for the establishment of the Fort Vancouver National Monument, in the State of Washington, to include the site of the old Hudson's Bay Company stockade, and for other purposes, approved June 19, 1948 (62 Stat. 532)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of establishing a Federal area of national historical importance for the benefit of the people of the United States, to be known as the "Fort Vancouver National Monument", the Administrator of the War Assets Administration and the Secretary of the Army are authorized to transfer to the Secretary of the Interior, without exchange of funds, administrative jurisdiction over such federally owned lands and other property, real or personal, under their jurisdiction, including the site of the old Hudson's Bay Company stockade in the State of Washington, as they shall find to be surplus to the needs of their respective agencies, such properties to be selected, with their approval, by the Secretary of the Interior for inclusion within the national monument. (16 U.S.C. § 450ff.)

Ft. Vancouver National Monument, Wash.

SEC. 2. The total area of the national monument as established or as enlarged by transfers pursuant to this Act shall not exceed ninety acres. Establishment of the monument shall be effective, upon publication in the Federal Register of notice of such establishment, following the transfer to the Secretary of the Interior of administrative jurisdiction over such lands as the Secretary of the Interior shall deem to be sufficient for purposes of establishing the national monument. Additional lands may be added to the monument in accordance with the procedure prescribed in section 1 hereof, governing surplus properties, or by donation, subject to the maximum acreage limitation prescribed by this Act, upon publication of notice thereof in the Federal Register. (16 U.S.C. § 450ff–1.)

Total area.

Additional lands.

SEC. 3. The administration, protection, and development of the aforesaid national 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 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. § 450ff–2.)

Administration, etc.

16 U.S.C. §§ 1–4, 22, 43.

An Act To revise the boundaries and to change the name of Fort Vancouver National Monument, in the State of Washington, and for other purposes, approved June 30, 1961 (75 Stat. 196)

Fort Vancouver National Monument, Wash.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of preserving certain historic properties associated with the Fort Vancouver National Monument, established pursuant to the Act of June 19, 1948, chapter 546 (62 Stat. 532; 16 U.S.C. 450ff–450ff–2), the Secretary of the Interior may revise the boundaries of the monument to include therein not more than one hundred and thirty additional acres of land adjacent to, contiguous to, or in the vicinity of the existing monument. (16 U.S.C. § 450ff–3.)

Land acquisition.

SEC. 2. The Secretary of the Interior may acquire in such manner as he may consider to be in the public interest the non-Federal lands and interests in lands within the revised boundaries. (16 U.S.C. § 450ff–4.)

Transfer authority.

SEC. 3. The heads of executive departments may transfer to the Secretary of the Interior, without exchange of funds, administrative jurisdiction over such federally owned lands and other property under their administrative jurisdictions within the revised boundary as may become excess to the needs of their respective agencies for inclusion in the Fort Vancouver National Monument. (16 U.S.C. § 450ff–5.)

Redesignation.

SEC. 4. Fort Vancouver National Monument is redesignated Fort Vancouver National Historic Site. (16 U.S.C. § 450ff–6.)

11. Hopewell Village National Historic Site

Page
Elimination of certain lands authorized----------Act of July 24, 1946 357

An Act To authorize revisions in the boundary of the Hopewell Village National Historic Site, Pennsylvania, and for other purposes, approved July 24, 1946 (60 Stat. 655)

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 hereby authorized to withdraw from the Hopewell Village National Historic Site, Pennsylvania, all or any part of the lands added to the Hopewell Village National Historic Site by the Act approved June 6, 1942, entitled "An Act to authorize the disposition of recreational demonstration projects, and for other purposes", which in his opinion are not required for historic-site purposes. Any lands so withdrawn shall revert to the status of a recreational demonstration area. (16 U.S.C. § 459s note.)

Hopewell Village National Historic Site, Pa. Withdrawal of lands.

56 Stat. 326.

12. Jefferson National Expansion Memorial National Historic Site

		Page
Construction of site provided for in accordance with plan approved by the United States Territorial Expansion Memorial Commission	Act of May 17, 1954	358
Amendment to Act of May 17, 1954	Act of September 6, 1958	360

An Act To provide for the construction of the Jefferson National Expansion Memorial at the site of old Saint Louis, Missouri, in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes, approved May 17, 1954 (68 Stat. 98)

Jefferson National Expansion Memorial, Mo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be constructed by the Secretary of the Interior upon the Jefferson National Expansion Memorial National Historic Site, Saint Louis, Missouri, an appropriate national memorial to those persons who made possible the territorial expansion of the United States, including President Thomas Jefferson and his aides, Livingston and Monroe, who negotiated the Louisiana Purchase, the great explorers, Lewis and Clark, and the hardy hunters, trappers, frontiersmen, pioneers, and others who contributed to such expansion. (16 U.S.C. § 450 jj.)

Contracts, employment, etc.

SEC. 2. (a) The memorial authorized herein shall be constructed in general, in accordance with the plan approved by the United States Territorial Expansion Memorial Commission on May 25, 1948. The Secretary of the Interior is authorized to enter into such contracts as may be necessary to carry out the purposes of this Act. The Secretary is also authorized to employ, in his discretion, by contract or otherwise, landscape architects, architects, engineers, sculptors, artists, other expert consultants, or firms, partnerships, or associations thereof, and to include in any such contract provision for the utilization of the services and facilities, and the payment of the travel and other expenses, of their respective organizations, in accordance with the usual customs of the several professions and at the prevailing rates for such services and facilities, without regard to the civil-service laws or regulations, the Classification Act of 1949, section 3709 of the Revised Statutes, as amended, or any other law or regulation relating to either employment or compensation.

63 Stat. 954. 5 U.S.C. 1101 note. 41 U.S.C. 5.

Easements, etc.

(b) The Secretary of the Interior, in connection with the construction and operation of the memorial, is authorized to grant such easements as are in the public interest, and, in his discretion, to convey to the city of Saint Louis for above-ground parking structures, under such terms and conditions as he may consider to be com-

patible with maintaining the integrity, appearance, and purposes of said memorial, such portion of the historic site as may in his judgment be excluded therefrom without detriment thereto, subject, however, to reversion of such portion of the historic site to the United States if such excluded area ceases to be used for parking purposes by said city.

(c) The Secretary of the Interior is authorized to grant easements for the purpose of erecting underground structures suitable for public protection under such terms and conditions as he may consider to be compatible with maintaining the integrity, appearance, and purposes of said memorial. (16 U.S.C. § 450 jj–1.)

Relocation of railroad tracks.

SEC. 3. The memorial project authorized herein shall not be undertaken until there shall have been reached an agreement satisfactory to the Secretary of the Interior providing for the relocation of the railroad tracks and structures now situated on lands adjacent to the Jefferson National Expansion, Memorial National Historic Site, between the boundary of the site and the river. Such agreement shall contain such terms as may be deemed desirable by the Secretary but shall contain a provision limiting the Federal expenditure of funds in connection with such relocation of the tracks and structures to work undertaken within the historic site area. (16 U.S.C. § 450jj–2.)

Appropriation.

SEC. 4. (a) There is hereby authorized to be appropriated not to exceed $5,000,000 to complete certain elements of the memorial as authorized by this Act. These elements are specifically described as (1) railroad relocation, $1,875,000; (2) grading and filling, $1,125,000; (3) landscaping, $500,000; (4) paved areas, utilities, and so forth, $900,000; and (5) restoration of Old Courthouse, $600,000. Funds authorized to be appropriated by 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*, 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.

Restrictions.

(b) The authorization for an appropriation contained in subsection (a) shall not be effective until such time as—

(1) the receipts of the Government for the preceding fiscal year have exceeded the expenditures of the Government for such year, as determined by the Director of the Bureau of the Budget; or

42 Stat. 20.
31 U.S.C. 1.

(2) the budget submitted to the Congress by the President under the Budget and Accounting Act, 1921, reveals that the estimated receipts of the Government for the fiscal year for which such budget is submitted are in excess of the estimated expenditures of the Government for such fiscal year. (16 U.S.C. § 450jj note, as amended.)

Arch.

SEC. 5. The authorization for an appropriation contained in this Act shall not be deemed to authorize the appropriation of any funds to be available for expenditure in any manner for the planning or construction of the stainless steel arch provided for in the so-called "Saarinen Plan", approved May 25, 1948, by the United States Territorial Expansion Memorial Commission, or any modification of such arch, and the Secretary of the Interior is directed not to expend any Government funds in planning for or constructing such arch or any modification thereof.

An Act To amend the Act of May 17, 1954 (68 Stat. 98), providing for the construction of the Jefferson National Expansion Memorial at the site of old Saint Louis, Missouri, and for other purposes, approved September 6, 1958 (72 Stat. 1794)

Jefferson National Expansion Memorial.
16 U.S.C. 98.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 17, 1954 (68 Stat. 98), entitled "An Act to provide for the construction of the Jefferson National Expansion Memorial at the site of old Saint Louis, Missouri, in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes" is hereby amended by striking sections 4 and 5 therefrom and inserting in lieu thereof the following:

Appropriation.

"SEC. 4. There is hereby authorized to be appropriated not to exceed $17,250,000 to carry out the purposes of this Act: *Provided*, That funds authorized to be appropriated by 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." (16 U.S.C. § 450jj note.)

13. Sagamore Hill National Historic Site

		Page
Establishment authorized	Act of July 25, 1962	361

An Act To authorize establishment of the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites, New York, and for other purposes, approved July 25, 1962 (76 Stat. 217)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership historically significant properties associated with the life of Theodore Roosevelt, the Secretary of the Interior may acquire, by donation from the Theodore Roosevelt Association, the sites and structures known as the Theodore Roosevelt House situated at Twenty-eight and Twenty-six East Twentieth Street, New York City, consisting of approximately eleven one-hundredths of an acre, and Sagamore Hill, consisting of not to exceed ninety acres at Cove Neck, Oyster Bay, Long Island, and the improvements thereon, together with the furnishings and other contents of the structures.

Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites, N.Y. Establishment authorization.

SEC. 2. (a) In accordance with the Act entitled "An Act to create a National Park Trust Fund Board, and for other purposes", approved July 10, 1935 (49 Stat. 477), as amended, the National Park Trust Fund Board may accept from the Theodore Roosevelt Association $500,000 and such additional amounts as the association may tender from time to time from the endowment fund under its control, which funds, when accepted, shall be utilized only for the purposes of the historic sites established pursuant to this Act.

Acceptance of funds. 16 U.S.C. 19–19c.

(b) Nothing in this Act shall limit the authority of the Secretary of the Interior under other provisions of law to accept in the name of the United States donations of property.

SEC. 3. When lands, interests in lands, improvements, and other properties comprising the Theodore Roosevelt Birthplace and Sagamore Hill, as authorized for acquisition by section 1 of this Act, and a portion of the endowment fund in the amount of $500,000 have been transferred to the United States, the Secretary of the Interior shall establish the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites by publication of notice thereof in the Federal Register.

Transfer of property, etc. to U.S.

Publication in F.R.

SEC. 4. The Secretary of the Interior shall administer, protect, and develop the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites in accordance with the provisions of the Act of August 25, 1916 (39

Development, etc.

Stat. 535; 16 U.S.C. 1 and the following), as amended and supplemented.

Advisory committees. Establishment.

SEC. 5. The Theodore Roosevelt Association, having by its patriotic and active interest preserved for posterity these important historic sites, buildings, and objects, shall, upon establishment of the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites be consulted by the Secretary of the Interior in the establishment of an advisory committee or committees for matters relating to the preservation, development, and management of the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites.

SEC. 6. The Act entitled "An Act to incorporate the Roosevelt Memorial Association", approved May 31, 1920 (41 Stat. 691), as amended by the Act approved on May 21, 1953 (67 Stat. 27), which changed the name of such corporation to the Theodore Roosevelt Association, and by the Act approved on March 29, 1956 (70 Stat. 60), which permitted such corporation to consolidate with Women's Theodore Roosevelt Association, Incorporated, is hereby further amended by adding to section 3 thereof a new subdivision as follows:

Donation of property.

"(4) The donation of real and personal property, including part or all of its endowment fund, to a public agency or public agencies for the purpose of preserving in public ownership historically significant properties associated with the life of Theodore Roosevelt."

and by deleting the word "and" at the end of subdivision (2) of section 3.

14. San Juan National Historic Site

Page

Conveyance of certain property to the municipality of San Juan, Puerto Rico, authorized----------Act of August 24, 1959 363

An Act To authorize the conveyance of certain property administered as a part of the San Juan National Historic Site to the municipality of San Juan, Puerto Rico, in exchange for its development by the municipality in a manner that will enhance the historic site, and for other purposes, approved August 24, 1959 (73 Stat. 414)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to enhance the setting and to promote the public appreciation and enjoyment of the San Juan National Historic Site, the Secretary of the Interior is authorized, in his discretion, to convey to the municipality of San Juan, Puerto Rico, that certain tract of land described below: *Provided*, That in exchange therefor and in accordance with the requirements hereinafter set forth, the municipality shall develop and thereafter maintain such tract for public recreational purposes only, in accordance with such plans as may be approved by the Secretary which shall complement and enhance the national historic site.

San Juan National Historic Site. Conveyance.

Beginning at point 1 which is at the northwesterly corner of Tetuan and Santo Cristo Streets, thence south 85 degrees 48 minutes west, 56.6 feet to point 2; thence north 6 degrees 46 minutes west, 15.3 feet to point 3; thence north 80 degrees 35 minutes east, 4.0 feet to point 4; thence north 7 degrees 42 minutes west, 22.7 feet to point 5; thence south 81 degrees 07 minutes west, 57.5 feet to point 6; thence south 10 degrees 07 minutes east, 9.5 feet to point 7; thence south 78 degrees 26 minutes west, 149.2 feet to point 8; thence south 78 degrees 26 minutes west, 17.5 feet to a point located 5 feet east of the retaining wall for access road to Conception Bastion; thence south 11 degrees 11 minutes east, 30 feet to a point 0.75 feet north of the north edge of the scarf wall; thence northeasterly in a straight line 260.13 feet, more or less, to a point on the Capilla del Cristo Building 2.0 feet north of the scarf wall; thence along the wall of said building north 4 degrees 06 minutes east, 7.95 feet to a corner of the said Capilla del Cristo Building; thence still along said building north 85 degrees 54 minutes east, 13.6 feet to the westerly line of Santo Cristo Street, produced; thence along the line of said street north 11 degrees 97 minutes west, 18.1 feet to the point or place of beginning, already described, comprising an area of 0.36 acres, more or less, and being a portion of the 0.54-

acre tract accepted by the Department of the Interior by transfer from the Secretary of the Army on February 15, 1956.

Conditions.

SEC. 2. The deed effecting the conveyance and exchange authorized by the first section of this Act shall include but need not be limited to the following conditions:

(a) Prohibit use of the premises as an outdoor dining facility or for any other comparable purpose that, as may be determined by the Secretary of the Interior, would interfere with the use of the area as a public park;

(b) Reserve permanently to the United States, for the purpose of maintaining and preserving the old city wall, a right or rights of access to the said wall through the conveyed property;

(c) Reserve permanently to the United States all right, title, and interest in and to the vaults and tunnels connected to the old city wall and extending in part under the property to be conveyed, together with all rights of ingress and egress thereto; and

(d) Provide that in the event the municipality of San Juan, Puerto Rico, does not proceed with the development of the aforesaid area as a public park and promenade for the benefit and enjoyment of the people in a manner and period of time satisfactory to the Secretary of the Interior, or if the municipality ceases to use the said area for the purposes for which it was conveyed, as determined by the Secretary of the Interior, all or any portion thereof, not so utilized, in its then existing condition, shall, upon a declaration to that effect by the Secretary, revert to the United States.

15. Theodore Roosevelt Birthplace National Historic Site

		Page
Establishment authorized	Act of July 25, 1962	365

An Act To authorize establishment of the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites, New York, and for other purposes, approved July 25, 1962 (76 Stat. 217)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership historically significant properties associated with the life of Theodore Roosevelt, the Secretary of the Interior may acquire, by donation from the Theodore Roosevelt Association, the sites and structures known as the Theodore Roosevelt House situated at Twenty-eight and Twenty-six East Twentieth Street, New York City, consisting of approximately eleven one-hundredths of an acre, and Sagamore Hill, consisting of not to exceed ninety acres at Cove Neck, Oyster Bay, Long Island, and the improvements thereon, together with the furnishings and other contents of the structures.

Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites, N.Y. Establishment authorization.

SEC. 2. (a) In accordance with the Act entitled "An Act to create a National Park Trust Fund Board, and for other purposes," approved July 10, 1935 (49 Stat. 477), as amended, the National Park Trust Fund Board may accept from the Theodore Roosevelt Association $500,000 and such additional amounts as the association may tender from time to time from the endowment fund under its control, which funds, when accepted, shall be utilized only for the purposes of the historic sites established pursuant to this Act.

Acceptance of funds.

16 U.S.C. 19–19c.

(b) Nothing in this Act shall limit the authority of the Secretary of the Interior under other provisions of law to accept in the name of the United States donations of property.

SEC. 3. When lands, interests in lands, improvements, and other properties comprising the Theodore Roosevelt Birthplace and Sagamore Hill, as authorized for acquisition by section 1 of this Act, and a portion of the endowment fund in the amount of $500,000 have been transferred to the United States, the Secretary of the Interior shall establish the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites by publication of notice thereof in the Federal Register.

Transfer of property, etc. to U.S.

Publication in F.R.

SEC. 4. The Secretary of the Interior shall administer, protect, and develop the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites in accord-

Development, etc.

ance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 and the following), as amended and supplemented.

Advisory committees. Establishment.

SEC. 5. The Theodore Roosevelt Association, having by its patriotic and active interest preserved for posterity these important historic sites, buildings, and objects, shall, upon establishment of the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites be consulted by the Secretary of the Interior in the establishment of an advisory committee or committees for matters relating to the preservation, development, and management of the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites.

SEC. 6. The Act entitled "An Act to incorporate the Roosevelt Memorial Association," approved May 31, 1920 (41 Stat. 691), as amended by the Act approved on May 21, 1953 (67 Stat. 27), which changed the name of such corporation to the Theodore Roosevelt Association, and by the Act approved on March 29, 1956 (70 Stat. 60), which permitted such corporation to consolidate with Women's Theodore Roosevelt Association, Incorporated, is hereby further amended by adding to section 3 thereof a new subdivision as follows:

Donation of property.

"(4) The donation of real and personal property, including part or all of its endowment fund, to a public agency or public agencies for the purpose of preserving in public ownership historically significant properties associated with the life of Theodore Roosevelt."

and by deleting the word "and" at the end of subdivision (2) of section 3.

16. Whitman Mission National Historic Site

		Page
Acquisition of additional land for Whitman National Monument authorized	Act of May 1, 1958	367
Name changed to "Whitman Mission National Historic Site"	Act of May 31, 1962	367

An Act To facilitate the administration and development of the Whitman National Monument, in the State of Washington, by authorizing the acquisition of additional land for the monument and for other purposes, approved May 1, 1958 (72 Stat. 101)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of including within Whitman National Monument, Washington, certain properties that are of historic significance in connection with the monument area and which are needed to provide suitable monument facilities, the Secretary of the Interior is authorized to procure not to exceed fifty acres of land adjacent to the existing monument and a right-of-way thereto from United States Highway 410, using therefor any land acquisition funds available for purposes of the national park system, such property to be acquired in such manner as the Secretary shall consider to be in the public interest. Following the acquisition by the United States of land for addition to the monument pursuant to this Act, such addition shall be effective in each instance upon the publication of notice thereof in the Federal Register. (16 U.S.C. § 433k–1.)

Whitman National Monument, Wash.

Publication in F.R.

An Act To change the name of Whitman National Monument to Whitman Mission National Historic Site, approved May 31, 1962 (76 Stat. 90)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effective January 1, 1963, the Whitman National Monument, established pursuant to the Act of June 29, 1936 (49 Stat. 2028; 16 U.S.C. 433k–433m), shall be known as the Whitman Mission National Historic Site.

Whitman Mission National Historic Site.

X. LEGISLATION RELATING TO NATIONAL MEMORIALS

1. Arkansas Post National Memorial Project

		Page
Establishment of memorial authorized	Act of July 6, 1960	369

An Act To provide for the establishment of the Arkansas Post National Memorial, in the State of Arkansas, approved July 6, 1960 (74 Stat. 333)

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 shall acquire, by gift, purchase, condemnation, or otherwise, the lands (together with any improvements thereon) known as the Arkansas Post State Park, and any other lands adjacent to such park which, in his opinion, are necessary or desirable to carry out the purposes of this Act. Arkansas Post National Memorial.

SEC. 2. (a) The lands acquired under the first section of this Act shall be set aside as a public park for the benefit and enjoyment of the people of the United States, and shall be designated as the Arkansas Post National Memorial. The Secretary of the Interior shall administer the park as a part of the national park system, subject 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). 16 U.S.C. 1, 2–4, 22, 43.

(b) In order to provide for the proper development and maintenance of the park, the Secretary of the Interior shall construct and maintain therein such roads, trails, markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $125,000, 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. (See 16 U.S.C. § 431 note [Supp. II].) Appropriation.

2. Coronado National Memorial

		Page
Amendment to Act of August 18, 1941, establishing the Coronado International Memorial, substituting the words "Coronado National Memorial" for "Coronado International Memorial"	Act of July 9, 1952	370
Revision of boundaries of memorial and repair and maintenance of access road thereto authorized	Act of September 2, 1960	370

An Act To amend the Act entitled "An Act to provide for the establishment of the Coronado International Memorial, in the State of Arizona," approved August 18, 1941 (55 Stat. 630), approved July 9, 1952 (66 Stat. 510)

Coronado National Memorial, Ariz. 16 U.S.C. §§ 450y—450y–4.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the words "Coronado National Memorial" are hereby substituted in lieu of the words "Coronado International Memorial" wherever such words occur in the Act of August 18, 1941 (55 Stat. 630).

SEC. 2. That section 1 of the aforesaid Act is hereby amended by striking out ": *Provided*, That said proclamation shall not be issued until the President of the United States shall have been advised through official channels that the Government of Mexico has established, or provided for the establishment of, an area of similar type and size adjoining the area described herein". (16 U.S.C. § 450y note. See, *Laws Relating to the National Park Service*, Supp. I, (1944) p. 142–143.)

An Act To revise the boundaries of the Coronado National Memorial and to authorize the repair and maintenance of an access road thereto, in the State of Arizona, and for other purposes, approved September 2, 1960 (74 Stat. 736)

Coronado National Memorial, Ariz. Revised boundaries. 16 U.S.C. 450y.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the purposes of the Act of August 18, 1941 (55 Stat. 630), as amended, and to facilitate the administration and development of the Coronado National Memorial, Arizona, the boundaries thereof are hereby revised by the following additions and deletions of land:

(1) Inclusion in the memorial and exclusion from the Coronado National Forest of lots 2 and 7 and a portion of Homestead Entry Survey 310 situated in section 18, township 24 south, range 21 east, Gila and Salt River base and meridian, said portion of Homestead Entry Survey 310 being more particularly described as follows: Beginning at the southwest corner (identified as corner number 1), of Homestead Entry Survey 310, said point being located on the present boundary of Coronado National Memorial and marked by an iron pipe with a brass cap and a rock cairn placed by the United States Bureau of Land Management in 1955; thence north zero degrees

thirty-three minutes west, one thousand two hundred ninety-four and twenty-six hundredths feet, more or less, along the west boundary of said tract, which line is also the present boundary of said memorial, to the northeast corner of lot 8, section 18, said point being marked by an iron pipe with a brass cap and a rock cairn placed by the United States Bureau of Land Management in 1955; thence north zero degrees twenty-three minutes east, two hundred thirty and eight-tenths feet, more or less, along the west boundary of Homestead Entry Survey 310 to a point on a circular curve marked by an iron pipe with a National Park Service brass cap, said point being located south eighty-one degrees forty-four minutes east, exactly one hundred forty feet from the point of curvature of said curve; thence southeasterly five hundred forty-eight and two-tenths feet along said circular curve to the right of radius one thousand seven hundred thirty-two and four-tenths feet and having a beginning tangent bearing of south eighty-four degrees three minutes east (from point of curvature to point of intersection), to the point of tangency of said curve; thence south sixty-one degrees sixteen minutes east, two hundred twenty-four and eight-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly two hundred ninety-two and six-tenths feet along said circular curve to the right of radius six thousand twenty-nine and six-tenths feet to the point of tangency of said curve; thence south fifty-eight degrees twenty-nine minutes east, five hundred eighty-eight and seven-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly two hundred twenty-five and nine-tenths feet along said circular curve to the right of radius two thousand two hundred nine and nine-tenths feet to the point of tangency of said curve; thence south fifty-two degrees thirty-eight minutes east, twenty-eight and eight-tenths feet to the point of curvature of a circular curve to the left; thence southeasterly two hundred sixteen and nine-tenths feet along said circular curve to the left of radius one thousand six hundred nine and nine-tenths feet to the point of tangency of said curve; thence south sixty degrees twenty-one minutes east, thirty and seven-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly seven hundred thirteen and six-tenths feet, more or less, along said circular curve to the right of radius one thousand two hundred fifty-four and nine-tenths feet to a point on the southern boundary line of Homestead Entry Survey 310 marked by an iron pipe with a National Park Service brass cap, said point also being located on the present northern boundary line of Coronado National Memorial; thence north eighty-nine degrees forty-nine minutes west two thousand three hun-

dred and sixty-one feet, more or less, along the southern boundary line of Homestead Entry Survey 310, which line is also the present northern boundary of the said memorial, to the point of beginning (all bearings referred to the true meridian).

(2) Inclusion in the Memorial and exclusion from the Coronado National Forest of lots 5 and 6 in section 20, township 24 south, range 21 east, Gila and Salt River base and meridian.

(3) Exclusion from the Memorial and inclusion in the Coronado National Forest of the north half southwest quarter northwest quarter section 13, and the north half southeast quarter northeast quarter section 14, all in township 24 south, range 20 east, Gila and Salt River base and meridian. (16 U.S.C. § 450y–5 [Supp. II].)

Land acquisition.

SEC. 2. The Secretary of the Interior is authorized to acquire lands and interests in lands within the revised boundaries of the Coronado National Memorial by purchase, donation, with donated funds, or by such other means as he may consider to be in the public interest. Lands and interests in lands acquired pursuant to this Act shall become a part of the Memorial and be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended, and pursuant to sections 2, 3, and 4 of the Act of August 18, 1941 (55 Stat. 630), as amended. (16 U.S.C. § 450y–6 [Supp. II].)

16 U.S.C. 1. 16 U.S.C. 450y–1–3.

16 U.S.C. 17j–2.

SEC. 3. The Act approved August 7, 1946 (60 Stat. 885), is hereby amended by substituting a semicolon for the period at the end of subsection (a), section 1, and inserting immediately thereafter the following: "repair and maintenance of the class 'C' road lying between the terminus of F.A. 383 at the east boundary of Coronado National Forest and the point where said class 'C' road enters Coronado National Memorial in the vicinity of Montezuma Pass, approximately 5.3 miles." (16 U.S.C. § 17j–2 [Supp. II].) [1]

Appropriation.

SEC. 4. There is hereby authorized to be appropriated the sum of not to exceed $3,000 for the purpose of acquiring lands, interests in lands, and improvements thereon as may be necessary for carrying out this Act. (16 U.S.C. § 450y–7 [Supp. II].)

[1] See also General Legislation, pp. 16–17.

3. De Soto National Memorial

		Page
Establishment and acquisition of lands authorized	Act of March 11, 1948	373
Act of March 11, 1948, amended to increase authorization for appropriation	Act of August 21, 1950	373
Act of March 11, 1948, as amended by Act of August 21, 1950, amended to increase acreage authorized for acquisition and authorization for appropriation	Act of September 8, 1960	374

An Act To authorize the establishment of the De Soto National Memorial, in the State of Florida, and for other purposes, approved March 11, 1948 (62 Stat. 78)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of establishing an appropriate memorial to Hernando De Soto, the Secretary of the Interior is authorized, in his discretion, to acquire on behalf of the United States, by donation, by purchase with donated funds when purchaseable at prices deemed by him reasonable, or by condemnation with donated funds, such lands and interests in land within an area of not to exceed twenty-five acres as he may select in the vicinity of Tampa Bay and Bradenton, Florida, and to construct thereon a suitable memorial structure, together with such connecting roads and public facilities as may be desirable. (16 U.S.C. § 450dd as amended. See p. 374.)

De Soto National Memorial, Fla.

SEC. 2. Upon a determination by the Secretary of the Interior that sufficient land has been acquired by the United States for the memorial, such property shall be established as the "De Soto National Memorial", and shall be administered by the Secretary of the Interior, through the National Park Service, for the benefit of the people of the United States. An order of the Secretary of the Interior, constituting notice of such establishment, shall be published in the Federal Register. Insofar as applicable and not in conflict with this Act, the Act of August 25, 1916 (39 Stat. 535), providing for the establishment of a National Park Service, as amended and supplemented, shall govern the promotion and development of the national memorial. (16 U.S.C. § 450dd–1.)

Publication of order in Federal Register.

16 U.S.C. §§ 1–4, 22, 43.

SEC. 3. There is hereby authorized to be appropriated such sums, not to exceed $25,000, as may be necessary to carry out the provisions of this Act. (16 U.S.C. § 450dd note as amended. See p. 374.)

Appropriation authorized.

An Act To amend the Act of March 11, 1948 (62 Stat. 78), relating to the establishment of the De Soto National Memorial, in the State of Florida, approved August 21, 1950 (64 Stat. 469)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of March 11, 1948

(62 Stat. 78), relating to the establishment of the De Soto National Memorial, Florida, is hereby amended to read as follows:

Appropriation authorized.

"SEC. 3. There is hereby authorized to be appropriated such sums, not to exceed $50,000, as may be necessary to carry out the provisions of this Act." (16 U.S.C. § 450dd note. See p. 373.)

An Act To amend the Act of March 11, 1948 (62 Stat. 78), relating to the establishment of the De Soto National Memorial, in the State of Florida, approved September 8, 1960 (74 Stat. 856)

De Soto National Memorial, Fla.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 11, 1948 (62 Stat. 78), relating to the establishment of De Soto National Memorial, Florida, as amended by the Act of August 21, 1950 (64 Stat. 469), is hereby amended as follows:

A. By striking from section 1 of the Act the words "twenty-five", and by substituting therefor the word "thirty". (See p. 373.)

B. By striking from section 3 of said Act, as amended, the figure "$50,000" and inserting in lieu thereof the figure "$175,000". (16 U.S.C. §450dd [Supp. II].)

4. Federal Hall National Memorial

		Page
New York City National Shrines Advisory Board authorized	Act of August 11, 1955	375
Amendment to Act of August 11, 1955	Act of August 14, 1958	376

An Act To promote public cooperation in the rehabilitation and preservation of the Nation's important historic properties in the New York City area, and for other purposes, approved August 11, 1955 (69 Stat. 632)

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 appoint an advisory board, to be known as the New York City National Shrines Advisory Board. The membership of the Board may not exceed eleven persons. The Secretary shall appoint one member to represent the city of New York, one member to represent the State of New York, and one member to represent the Borough of Manhattan, after consideration of such recommendations as may be made by the mayor of New York City, the Governor of New York State, and the President of the Borough of Manhattan for the appointment of the representatives of their respective jurisdictions. The remaining membership of the Board shall be appointed from the various historical and civic organizations interested in effectuating the purposes of this Act. The Secretary shall, at the time of appointment, designate one of the members to serve as Chairman. Members of the Board shall receive no compensation for their services, but may be paid any necessary traveling and subsistence expenses incurred in the discharge of their duties, when authorized by the Secretary of the Interior.

New York City National Shrines Advisory Board.

The functions of the Board shall be to render advice to the Secretary of the Interior and to further public participation in the rehabilitation and the preservation of those historic properties in the New York City area that are of great national significance, identified as the Federal Hall National Memorial, Castle Clinton National Monument, and the Statue of Liberty National Monument. The Board shall conduct a study of these historic properties and submit recommendations concerning their preservation and administration to the Secretary of the Interior, such report and recommendations of the Board to be transmitted to the Congress by the Secretary of the Interior, together with his recommendations thereon, within one year following the date of the establishment of the Board. The Board shall cease to exist when the Secretary of the Interior shall find that its purposes have been accomplished.

Preservation of historic properties.

Report to Congress.

SEC. 2. The Secretary of the Interior is authorized to accept donations of funds for rehabilitation and preservation of the historic properties including any made upon condition that such funds are to be expended only if Federal funds in an amount equal to the donated funds are appropriated for such purposes. There are authorized to be appropriated such funds as may be necessary to match funds that may be donated for purposes of this Act.

Appropriation.

SEC. 3. The Federal Hall Memorial National Historic Site, established pursuant to the Historic Sites Act of August 21, 1935 (49 Stat. 666), shall hereafter be known as the "Federal Hall National Memorial". (16 U.S.C. § 463 note, as amended.)

16 U.S.C. 461–467.

An Act To amend the Act of August 11, 1955 (69 Stat. 632), relating to the rehabilitation and preservation of historic properties in the New York City area, and for other purposes, approved August 14, 1958 (72 Stat. 613)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to promote public cooperation in the rehabilitation and preservation of the Nation's important historic properties in the New York City area, and for other purposes," approved August 11, 1955 (69 Stat. 632), is hereby amended as follows:

New York City area. Historic properties.

16 U.S.C. 463 note.

(a) In the first sentence of the second paragraph of section 1 of such Act insert a comma and the word "development" after the word "rehabilitation."

(b) In the first sentence of section 2 of such Act insert a comma and the word "development" after the word "rehabilitation." (16 U.S.C. § 463 note.)

5. Fort Caroline National Memorial

Page

Acquisition and investigation of Fort Caroline settlement; Federal or State administration----------Act of September 21, 1950 377

An Act To provide for the acquisition, investigation, and preservation of lands to commemorate the historic Fort Caroline settlement, Saint Johns Bluff, Florida, approved September 21, 1950 (64 Stat. 897)

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 acquire, on behalf of the United States, by purchase, donation, or otherwise, the following described lands (together with any improvements thereon), to commemorate the historic settlement of Fort Caroline:

Fort Caroline, Fla. Acquisition of lands.

Lots 21 and 22 and Lots 1A, 2A, 3A, 4A, 5A, 6A, 7A, 8A, 9A, 10A, and 11A, of Saint Johns Bluff Estates, a subdivision of land described in plat book 18, page 50, of the current public records of Duval County, Florida.

All Z. Kingsley Grant, section 44, township 1 south, range 28 east, and Shipyard Island, also known as Island Numbered 12 (excepting therefrom that part of Z. Kingsley Grant, section 44, township 1 south, range 28, east, as described in deed recorded in deed book 4, page 3, of the current public records of Duval County, Florida).

SEC. 2. The Secretary of the Interior shall conduct such historical, archeological, and other investigations of the lands acquired pursuant to section 1 of this Act as may be necessary to prepare an appropriate plan for the permanent preservation and exhibition of their historical features to the public. In the event that the Secretary shall determine it to be in the national interest, the acquired lands, upon the publication in the Federal Register of an appropriate order of the Secretary of the Interior, shall constitute the Fort Caroline National Historical Park, set apart as a memorial to the founders of the sixteenth century colony of Fort Caroline.

Investigations.

Fort Caroline National Historical Park.

Such historical park, if established, shall be administered by the Secretary in accordance with the Act of August 25, 1916 (39 Stat. 535), and the Act of August 21, 1935 (49 Stat. 666).

16 U.S.C. §§ 1–4, 461–467.

SEC. 3. In the event that the Secretary of the Interior shall determine that the area would be more suitably administered as a State historical park, the Secretary is hereby authorized to transfer title to the land and improvements thereon to the State of Florida: *Provided*, That the State shall perpetually maintain the area for State historical park use generally in accordance with the

Transfer of title to State.

plan formulated by the Secretary. In the event that the State shall cease to use the land for historical park purposes, or attempt to alienate the lands, title thereto shall revert to the United States; and if, following any such reversion, the Secretary of the Interior shall determine that such lands would not be suitable for a national historical park and recommend that the United States sell or otherwise dispose of such lands, the former owners (other than the State) from whom such lands shall have been acquired by the United States under the provisions of this Act, or their heirs, shall have an option to repurchase the lands at the price received therefor under this Act. Before acquiring any lands as provided in section 1 hereof, the Secretary shall secure from the State of Florida, a statement of its willingness to accept and administer the lands in accordance herewith in the event that the Secretary shall determine that the lands should be administered by the State.

Reversion.

Acceptance of gifts, etc.

SEC. 4. The Secretary of the Interior is authorized to accept gifts of lands, interest in lands, funds, and other property from individuals, associations, and groups and public bodies to be used in carrying out the purposes of this Act.

Appropriation authorized.

SEC. 5. There are authorized to be appropriated such sums as may be necessary, not to exceed $40,000, to carry out the provisions of this Act.

6. Fort Clatsop National Memorial

		Page
Investigation and report authorized on advisability of establishing Fort Clatsop as a national monument	Act of June 18, 1956	379
Establishment of memorial authorized	Act of May 29, 1958	379

An Act To provide that the Secretary of the Interior shall investigate and report to the Congress as to the advisability of establishing Fort Clatsop, Oregon, as a national monument, approved June 18, 1956 (70 Stat. 289)

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 and directed to make a full and complete investigation of the advisability of establishing Fort Clatsop, located in Clatsop County, Oregon, as a national monument. **Fort Clatsop, Oreg.**

SEC. 2. As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall report to the Congress the results of such investigation and study made by him under the first section of this Act, together with such recommendations as he deems appropriate. Such report shall contain specific findings with respect to (1) the national historical importance of the proposed memorial, (2) the size, present status and condition of Fort Clatsop, and (3) the estimated total cost of establishing such memorial. **Report to Congress.**

An Act To provide for the establishment of Fort Clatsop National Memorial in the State of Oregon, and for other purposes, approved May 29, 1958 (72 Stat. 153)

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 culmination, and the winter encampment, of the Lewis and Clark Expedition following its successful crossing of the North American Continent, there is hereby authorized to be established, in the manner provided herein, Fort Clatsop National Memorial. (16 U.S.C. § 450mm.) **Fort Clatsop National Memorial, Oreg.**

SEC. 2. The Secretary of the Interior shall designate for inclusion in Fort Clatsop National Memorial land and improvements thereon located in Clatsop County, Oregon, which are associated with the winter encampment of the Lewis and Clark Expedition, known as Fort Clatsop, and also, adjacent portions of the old trail which led overland from the fort to the coast: *Provided*, That the total area so designated shall contain no more than one hundred and twenty-five acres. (16 U.S.C. § 450mm–1.)

SEC. 3. Within the area designated pursuant to section 2, the Secretary of the Interior is authorized to acquire

land and interests in land by purchase, donation, with donated funds, or by such other means as he deems to be in the public interest. (16 U.S.C. § 450mm–2.)

SEC. 4 Establishment of Fort Clatsop National Memorial shall be effected when there is vested in the United States of America title to not less than one hundred acres of land associated with the historical events to be commemorated. Following its establishment, Fort Clatsop National Memorial shall be administered by the Secretary of the Interior pursuant to the Act of August 25, 1916 (39 Stat. 535), as amended. (16 U.S.C. § 450mm–3.)

16 U.S.C. 1–4.

7. General Grant National Memorial

	Page
Secretary of the Interior authorized to accept title to Grant's Tomb and maintain it as the General Grant National Memorial----------Act of August 14, 1958	381

An Act To provide that the Secretary of the Interior shall accept title to Grant's Tomb in New York, New York, and maintain it as the General Grant National Memorial, approved August 14, 1958 (72 Stat. 614)

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 and directed to accept, as a gift to the United States, title to the real property known as Grant's Tomb at Riverside Drive and West One Hundred and Twenty-Second Street in New York, New York, and thereafter to administer and maintain such real property as the General Grant National Memorial. (16 U.S.C. § 450nn.)

General Grant National Memorial.

8. Hamilton Grange National Memorial Project

Page
Establishment authorized.....Joint Resolution of April 27, 1962 382

Joint Resolution Providing for the establishing of the former dwelling house of Alexander Hamilton as a national memorial, approved April 27, 1962 (76 Stat. 57)

Alexander Hamilton national memorial.
Establishment.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to take such action as may be necessary to provide for the establishment of the former dwelling house of Alexander Hamilton (commonly known as The Grange), situated in New York, New York, as a national memorial. However, the Secretary shall not establish the national memorial until he has satisfied himself that the lands which have been donated are sufficient to assure the relocation of The Grange and administration and interpretation of the national memorial.

Designation as Hamilton Grange National Memorial.

SEC. 2. (a) The national memorial established by the Secretary of the Interior pursuant to this joint resolution shall be designated as the Hamilton Grange National Memorial and shall be set aside as a public national memorial to commemorate the historic role played by Alexander Hamilton in the establishment of this Nation.

(b) The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop such memorial, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935, as amended.

39 Stat. 535.
16 U.S.C. 1–4.

49 Stat. 666.
16 U.S.C. 461–467.

Appropriation.

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $460,000, as may be necessary to carry out the provisions of section 1 of this joint resolution.

9. Lincoln Boyhood National Memorial

		Page
Establishment authorized	Act of February 19, 1962	383

An Act To provide for the establishment of the Lincoln Boyhood National Memorial in the State of Indiana, and for other purposes, approved February 19, 1962 (76 Stat. 9)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve the site in the State of Indiana associated with the boyhood and family of Abraham Lincoln, the Secretary of the Interior shall designate the original Tom Lincoln farm, the nearby gravesite of Nancy Hanks Lincoln, and such adjoining lands as he deems necessary for establishment as the Lincoln Boyhood National Memorial. However, the area designated for establishment shall not exceed two hundred acres.

Lincoln Boyhood National Memorial, Ind. Establishment.

SEC. 2. The Secretary is authorized to acquire by donation or purchase with donated or appropriated funds, land and interest in land within the designated area. When land has been acquired in sufficient quantity to afford an initially administrable unit of the national park system, he shall establish the Lincoln Boyhood National Memorial by publication of notice thereof in the Federal Register.

Publication in F.R.

SEC. 3. The Lincoln Boyhood National Memorial shall be administered by the Secretary of the Interior as a part of the national park system in accordance with 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.

16 U.S.C. 1–43 *passim*.

SEC. 4. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act, but not more than $1,000,000, of which not more than $75,000 shall be expended for the acquisition of lands or interests in land.

Appropriation.

10. Mount Rushmore National Memorial

Page

Restoring certain lands to Harney National Forest to become a part of the Norbeck Wildlife Preserve----------Act of October 6, 1949 384

An Act To rename a game sanctuary in the Harney National Forest as the "Norbeck Wildlife Preserve," and for other purposes, approved October 6, 1949 (63 Stat. 708)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the approval of this Act, that portion of the Harney National Forest in the Black Hills of South Dakota heretofore known as the Custer State Park Game Sanctuary and adjoining or in the vicinity of the Custer State Park and the Mount Rushmore National Memorial reservation and referred to in the Act of June 5, 1920 (Public Law 258 of the Sixty-sixth Congress, 41 Stat. 986), as amended, and the Act of June 24, 1948 (Public Law 747 of the Eighteenth Congress, 62 Stat. 580), shall be known and designated as the Norbeck Wildlife Preserve and that all records, surveys, maps, and public documents of the United States and of the State of South Dakota in which Custer State Park Game Sanctuary is referred to shall be held to refer to the Norbeck Wildlife Preserve.

Norbeck Wildlife Preserve, S. Dak.

16 U.S.C. §§ 675–678; Supp. II, § 678.

16 U.S.C., Supp. II, §§ 678a, 678b.

SEC. 2. That portion of the Mount Rushmore National Memorial reservation which lies in the west half of the west half of section 17; and the southeast quarter of the northeast quarter, and the east half of the southeast quarter of section 18; and the northeast quarter, and the northeast quarter of the southeast quarter of section 19; and the northwest quarter, and the southwest quarter of section 20; and the northwest quarter of the northwest quarter of section 29; and the north one hundred and thirty-five feet of the west one hundred and forty-five feet of the south half of the southeast quarter of the northwest quarter of the southeast quarter of section 7; township 2 south, range 6 east, of the Black Hills meridian, Pennington County, South Dakota, in all approximately five hundred five and twenty-five one-hundredths acres, more or less, embracing Iron Mountain and the so-called Iron Mountain Road and the so-called Grizzly Creek Campground is hereby restored to the Harney National Forest and made a part of the Norbeck Wildlife Preserve.

Peter Norbeck. Commemorative plaque.

SEC. 3. The Secretary of Agriculture, in his discretion, is authorized to permit the placing upon Iron Mountain without cost to the Government a suitable plaque to commemorate the notable service to conservation of Peter Norbeck, a former Governor of, and United States Senator from, the State of South Dakota. (See 16 U.S.C. §§ 486a–486w.)

11. Wright Brothers National Memorial [1]

		Page
Erection of monument on Kill Devil Hill authorized	Act of March 2, 1927	385
Boundaries of memorial revised	Act of June 23, 1959	385

An Act Providing for the erection of a monument on Kill Devil Hill, at Kitty Hawk, North Carolina, commemorative of the first successful human attempt in history at power-driven airplane flight, approved March 2, 1927 (44 Stat. 1264)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be erected on Kill Devil Hill, at Kitty Hawk, in the State of North Carolina, a monument in commemoration of the first successful human attempt in all history at power-driven airplane flight, achieved by Orville Wright on December 17, 1903; and a commission to be composed of the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce is hereby created to carry out the purposes of this Act.

Kitty Hawk, N.C. Monument to commemorate first successful airplane flight to be erected on Kill Devil Hill at.

SEC. 2. That it shall be the duty of the said commission to select a suitable location for said monument, which shall be as near as possible to the actual site of said flight; to acquire the necessary land therefor; to superintend the erection of the said monument; and to make all necessary and appropriate arrangements for the unveiling and dedication of the same when it shall have been completed.

Commission created. Duties of commission.

SEC. 3. That such sum or sums as Congress may hereafter appropriate for the purposes of this Act are hereby authorized to be appropriated.

Sums authorized to be appropriated.

SEC. 4. The design and plans for the monument shall be subject to the approval of the Commission of Fine Arts and the Joint Committee on the Library. (See 16 U.S.C. § 431 [Supp. II].)

Approval of designs, etc.

An Act To revise the boundaries of Wright Brothers National Memorial, North Carolina, and for other purposes, approved June 23, 1959 (73 Stat. 91)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the Act of March 2, 1927 (44 Stat. 1264), the following described lands are hereby added to the Wright Brothers National Memorial in the State of North Carolina:

Wright Brothers National Memorial, N.C. Boundary revision.

TRACT 1

Beginning at a point on the existing eastern boundary line of the Wright Brothers National Memorial where

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[1] Formerly designated as "Kill Devil Hill Monument National Memorial."

said line intersects the northerly line of Roanoke Avenue; thence north 70 degrees 30 minutes east, 500 feet, more or less, along the northerly line of Roanoke Avenue to the intersection of said line with the westerly right-of-way line of the relocated North Carolina State Highway Numbered 158; thence north 19 degrees 30 minutes west, 4,087.5 feet, more or less, along the said westerly right-of-way line of the relocated North Carolina State Highway Numbered 158 to the intersection of said line with the southerly property line of land now or formerly owned by R. W. Rowland; thence south 70 degrees 30 minutes west, 2,435 feet along the said southerly property line of land now or formerly owned by R. W. Rowland to a stake; thence south 19 degrees 30 minutes east, 1,057.5 feet, more or less, to a point on the existing northern boundary line of the Wright Brothers National Memorial; thence north 70 degrees 30 minutes east, 1,935 feet, more or less, along the existing northern boundary line of the Wright Brothers National Memorial to the northeastern corner of the said memorial; thence south 19 degrees 30 minutes east, 3,030 feet, more or less, along the existing eastern boundary line of the Wright Brothers National Memorial to the point of beginning, the tract as described containing approximately 95 acres.

TRACT 2

Beginning at a stake or other marker on the westerly line of Old North Carolina State Highway Numbered 158, sometimes known as the Virginia Dare Trail, where said line intersects the southerly line of Lowell Avenue; thence south 70 degrees 30 minutes west, 925 feet, more or less, along the southerly line of Lowell Avenue to the intersection of said line with the easterly right-of-way line of the relocated North Carolina State Highway Numbered 158; thence south 19 degrees 30 minutes east, 720 feet, more or less, along the said easterly right-of-way line of the relocated North Carolina State Highway Numbered 158 to the intersection of said line with the northerly line of Woodmere Avenue; thence north 70 degrees 30 minutes east, 925 feet, more or less, along the said northerly line of Woodmere Avenue to the intersection of said line with the westerly line of Old North Carolina State Highway Numbered 158; thence north 19 degrees 30 minutes west, 720 feet, more or less, along the said westerly line of Old North Carolina State Highway Numbered 158 to the point of beginning, the tract as described containing approximately 16 acres.

Applicability of regulations.

SEC. 2. Lands added to the memorial pursuant to section 1 hereof shall be subject to all the laws, rules, and regulations applicable to said memorial.

XI. LEGISLATION RELATING TO NATIONAL MONUMENTS

1. Badlands National Monument

		Page
Boundary adjustments of monument authorized	Act of May 7, 1952	387

An Act To provide for boundary adjustments of the Badlands National Monument, in the State of South Dakota, and for other purposes, approved May 7, 1952 (66 Stat. 65)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to establish a more appropriate boundary for the Badlands National Monument and to consolidate Federal land ownership therein, the Secretary of the Interior, in his discretion, is authorized to adjust and redefine the exterior boundaries of the national monument by appropriate reductions or additions of land: *Provided*, That the total acreage of the national monument, as revised pursuant to this Act, shall not exceed its present area of approximately one hundred fifty-four thousand one hundred and nineteen acres. (16 U.S.C. § 441f.)

Badlands National Monument, S. Dak.

SEC. 2. The revision of boundaries of the national monument, as authorized in sections 1 and 5 of this Act, shall be accomplished by the issuance, by the Secretary of the Interior, of an appropriate order, or orders, such order or orders to be effective upon publication in the Federal Register: *Provided*, That federally owned land under the administrative jurisdiction of any other department or agency of the Federal Government shall be included within the monument only with the approval of the head of such department or agency. (16 U.S.C. § 441g.)

Revision of boundaries.

SEC. 3. Administrative jurisdiction over all Federal lands eliminated from the monument, by the issuance of an order or orders of the Secretary of the Interior, is hereby transferred to the Secretary of Agriculture for use, administration, and disposition in accordance with the provisions of title III of the Bankhead-Jones Farm Tenant Act and the related provisions of title IV thereof: *Provided*, That all of such lands formerly set apart and reserved from the public domain shall be subject to the mining and minerals-leasing laws: *And provided further*, That any disposition of any such lands formerly set apart and reserved from the public domain shall be evidenced by patents issued by the Secretary of the Interior. (16 U.S.C. § 441h.)

Lands eliminated.

50 Stat. 525. 7 U.S.C. §§ 1010–1029.

Exchanges of land.

SEC. 4. In order that exchanges of land may be effectuated for the purposes of this Act, the Secretary of the Interior is authorized, in his discretion and in accordance with the provisions of section 355 of the Revised Statutes, to accept, on behalf of the United States, title to any land or interests in land within the exterior boundaries of the Badlands National Monument as revised pursuant to this act, and, in exchange therefor, with the approval and concurrence of the Secretary of Agriculture, the Secretary of the Interior may patent lands of approximately equal value which were formerly set apart and reserved from the public domain within the Badlands Fall River soil conservation project, SD–LU–1. In effectuating such exchanges, in lieu of conveyances by the Secretary of the Interior, the Secretary of Agriculture may convey lands of approximately equal value within said project which have been acquired heretofore by the United States. All such exchanges shall, in all other respects, be considered as exchanges under the provisions of section 32c, title III, of the Bankhead-Jones Farm Tenant Act and shall otherwise be in accordance with provisions of said Act, except that, upon acceptance of title to any lands so acquired by the United States under this section, such lands and any other lands acquired otherwise by the United States within the monument boundaries shall be a part of that area. In consummating land exchanges hereunder upon an equitable basis, patents and instruments of conveyance may be issued, and property may be accepted, by the United States, subject to such reservations as may be necessary or in the public interest. (16 U.S.C. § 441i.)

33 U.S.C. § 733 and note.

7 U.S.C. § 1011(c).

2. Black Canyon of the Gunnison National Monument

Page
Exchange of monument lands authorized----------Act of May 1, 1958 389

An Act To authorize the exchange of certain lands at Black Canyon of the Gunnison National Monument, Colorado, and for other purposes, approved May 1, 1958 (72 Stat. 102)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to bring about desirable land use and ownership adjustments relating to certain private and federally owned lands within the Black Canyon of the Gunnison National Monument, Colorado, and in order to facilitate the administration of such monument, the Secretary of the Interior is authorized, in his discretion, to exchange lands of approximately equal value as hereafter provided.

Gunnison National Monument, Colo. Exchange of lands.

SEC. 2. The Secretary of the Interior is authorized to accept on behalf of the United States from Clarence B. Sanburg and Grace Sanburg, husband and wife, title to the following described lands: Northeast quarter northeast quarter, section 25, township 50 north, range 8 west, New Mexico principal meridian, as established by the dependent resurvey of the General Land Office made in 1940 and accepted in 1942, except 15.15 acres previously deeded to the United States by Douglas Lytle by deed dated October 13, 1933, and recorded in the records of Montrose County, Colorado, at page 260 of Deed Book 158, containing 25.45 acres, more or less; and that portion of the southeast quarter northeast quarter, section 25, township 50 north, range 8 west, New Mexico principal meridian, as established by the dependent resurvey of the General Land Office made in 1940 and accepted in 1942, lying north and east of a diagonal line from the northwest corner to the southeast corner of said southeast quarter northeast quarter, containing 20.10 acres, more or less, being lands conveyed to Clarence B. Sanburg by deed of March 8, 1943, recorded in the records of Montrose County, Colorado, at page 133 of Deed Book 303.

In exchange for the foregoing lands, the Secretary is authorized to convey, on terms and conditions mutually satisfactory, the following-described lands: Beginning at a point on the south boundary of the northwest quarter northeast quarter, north 88 degrees 26 minutes west, 109.7 feet from the southwest corner of the northeast quarter northeast quarter, section 25, township 50 north, range 8 west, New Mexico principal meridian, as established by the dependent resurvey of the General Land

Office made in 1940 and accepted in 1942; thence north 428.3 feet to a brass cap set in a concrete monument; thence west 1,320 feet to a brass cap set in a concrete monument; thence south 393.5 feet to the south boundary of the northeast quarter northwest quarter; thence south 88 degrees 26 minutes east on the south boundary of the northeast quarter northwest quarter and the northwest quarter northeast quarter, 1,320.45 feet to the point of beginning, containing 12.45 acres, more or less, reserving, however, to the United States of America a public road right-of-way 50 feet in width within the above-described tract, said right-of-way to be measured southerly from the centerline of the existing monument road where a portion of said road lies within said tract; and the east half west half southeast quarter, section 29, township 50 north, range 8 west, New Mexico principal meridian, as established by the dependent resurvey of the General Land Office made in 1940 and accepted in 1942, containing forty acres, more or less.

3. Booker T. Washington National Monument

Page
Establishment of monument authorized----------Act of April 2, 1956 391

An Act To provide for the establishment of the Booker T. Washington National Monument, approved April 2, 1956 (70 Stat. 86)

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 and directed to acquire, on behalf of the United States, by gift, purchase, or condemnation, all right, title, and interest in and to the real property located at Booker Washington Birthplace, Virginia. (16 U.S.C. § 450ll.)

Booker T. Washington National Monument, Va. Establishment.

SEC. 2. The real property acquired under the first section of this Act shall constitute the Booker T. Washington National Monument and shall be a public national memorial to Booker T. Washington, noted Negro educator and apostle of good will. The Secretary of the Interior shall have the supervision, management, and control of such national monument, and shall maintain and preserve it in a suitable and enduring manner which, in his judgment, will provide for the benefit and enjoyment of the people of the United States. (16 U.S.C. § 450ll–1.)

SEC. 3. The Secretary of the Interior is authorized to—

(1) maintain, either in an existing structure acquired under the first section of this Act or in a building constructed by him for the purpose, a museum for relics and records pertaining to Booker T. Washington, and for other articles of national and patriotic interest, and to accept, on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum; and

(2) provide for public parks and recreational areas, construct roads and mark with monuments, tablets, or otherwise, points of interest, within the boundaries of the Booker T. Washington National Monument. (16 U.S.C. § 450ll–2.)

SEC. 4. There are authorized to be appropriated such sums not to exceed $200,000 as may be necessary to carry out the provisions of this Act. (16 U.S.C. § 450ll note.)

Appropriation.

4. Capulin Mountain National Monument

Page

Boundaries revised and acquisition of lands authorized----------
----------Act of September 5, 1962 392

An Act To revise the boundaries of Capulin Mountain National Monument, New Mexico, to authorize acquisition of lands therein, and for other purposes, approved September 5, 1962 (76 Stat. 436)

Capulin Mountain National Monument, N. Mex. Boundary revision.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve the scenic and scientific integrity of the Capulin Mountain National Monument in the State of New Mexico, and to provide for the enjoyment thereof by the public, the boundaries of the monument are hereby revised to include the following additional lands:

NEW MEXICO PRINCIPAL MERIDIAN

Township 29 north, range 28 east: section 5, north half northwest quarter southeast quarter, northeast quarter northeast quarter southwest quarter, southeast quarter northwest quarter, northeast quarter southwest quarter northwest quarter, south half southeast quarter northwest quarter northwest quarter, south half south half northeast quarter northwest quarter, containing approximately 95 acres.

SEC. 2. The Secretary of the Interior, in furtherance of the purposes of this Act, may acquire, in such manner and subject to such terms and conditions as he may deem to be in the public interest, lands and interests in lands within the area described in section 1 of this Act: *Provided*, That the Secretary of the Interior is not authorized hereby to pay any amount in excess of the fair market value of the lands acquired pursuant to the provisions of this Act. When acquired, such lands and interests in land shall be administered as a part of the Capulin Mountain National Monument 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 (16 U.S.C. 1 et seq.).

Appropriation.

SEC. 3. There are authorized to be appropriated such sums as necessary to carry out the acquisition of this land, provided that the cost of the acquisition of private land shall not exceed $2,500.

5. Castillo de San Marcos National Monument

Page
Addition of lands to monument authorized----------Act of July 5, 1960 393

An Act To add certain lands to Castillo de San Marcos National Monument in the State of Florida, approved July 5, 1960 (74 Stat. 317)

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 hereby authorized to procure in accordance with the provisions of subsection (b) of this section, the following described lands, or interests therein, situated in the city of Saint Augustine, Saint Johns County, Florida, for addition to Castillo de San Marcos National Monument: Castillo de San Marcos National Monument.

DESCRIPTION FOR PARCEL A

Beginning at a corner of the present Castillo de San Marcos National Monument boundary, said point also being the northeast corner of block 1, city of Saint Augustine, Florida; thence running along the present boundary of the Castillo de San Marcos National Monument as follows:

North 82 degrees 04 minutes west a distance of 35.46 feet;

Thence north 81 degrees 47 minutes west a distance of 60.17 feet;

Thence south 30 degrees 21 minutes west a distance of 16.36 feet;

Thence north 72 degrees 01 minutes west a distance of 4.77 feet;

Thence north 85 degrees 02 minutes west a distance of 97.52 feet;

Thence north 1 degree 28 minutes west a distance of 4.09 feet;

Thence north 11 degrees 18 minutes west a distance of 39.02 feet;

Thence south 77 degrees 32 minutes west a distance of 0.51 feet;

Thence north 10 degrees 50 minutes west a distance of 32.96 feet;

Thence north 7 degrees 36 minutes west a distance of 37.61 feet;

Thence south 88 degrees 54 minutes west a distance of 29.30 feet;

Thence south 73 degrees 52 minutes west a distance of 95.86 feet;

Thence north 2 degrees 21 minutes east a distance of 22.64 feet;

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Thence north 4 degrees 39 minutes west a distance of 28.03 feet;

Thence north 81 degrees 08 minutes east a distance of 0.49 feet;

Thence north 7 degrees 10 minutes west a distance of 9.51 feet;

Thence north 65 degrees 12 minutes west a distance of 9.01 feet;

Thence south 80 degrees 49 minutes west a distance of 71.39 feet to a point in the southerly right-of-way line of the proposed Castillo Drive as delineated on the survey map by Emmett William Pacetti and Associates in three sheets dated April 23, 1960, file numbered LD–54 and revised June 2, 1960, said point being in the arc of a curve, concave to the southeast and having a radius of 465.00 feet, the radius of said curve bearing north 58 degrees 20 minutes 03 seconds east from said point;

Thence leaving the present National Monument boundary and running along the southerly right-of-way line of the proposed Castillo Drive along the arc of said curve through a central angle of 30 degrees 42 minutes 03 seconds, 249.16 feet to the end of said curve;

Thence south 62 degrees 25 minutes east 110.59 feet along the southerly right-of-way line of the proposed Castillo Drive to a point in the west line of block 1, city of Saint Augustine, Florida;

Thence leaving the southerly right-of-way line of the proposed Castillo Drive and running south 16 degrees 22 minutes west 81.72 feet along the west line of block 1, city of Saint Augustine to the southwest corner of said block 1;

Thence south 83 degrees 38 minutes east 192.00 feet along the south line of said block 1 to a point in the westerly right-of-way line of Florida State road A–1–A;

Thence north 4 degrees 46 minutes west 140.23 feet along the westerly right-of-way line of Florida State road A–1–A to a point in the present Castillo de San Marcos National Monument boundary;

Thence south 85 degrees 05 minutes west 8.57 feet along said National Monument boundary to a stone monument;

Thence north 5 degrees 21 minutes west 34.90 feet along said National Monument boundary to the point of beginning and containing approximately 1.05 acres.

DESCRIPTION FOR PARCEL B

Beginning at a corner of the present Castillo de San Marcos National Monument boundary, said point also being the northeast corner of block 6, city of Saint Augustine, Florida;

Thence south 78 degrees 06 minutes west 72.95 feet along the present Castillo de San Marcos National

Monument boundary common to the north line of said block 6 to a point in the southerly right-of-way line of the proposed Castillo Drive as delineated on the survey map by Emmett William Pacetti and associates in three sheets dated April 23, 1960, file numbered LD–54 and revised June 2, 1960, said point being in the arc of a curve concave to the southwest and having a radius of 612.00 feet; the radius of said curve bearing south 54 degrees 39 minutes 11 seconds west from said point;

Thence leaving the present National Monument boundary and running along the southerly right-of-way line of the proposed Castillo Drive along the arc of said curve through a central angle of 13 degrees 25 minutes 41 seconds 143.45 feet to the end of said curve;

Thence south 21 degrees 55 minutes east 169.16 feet along the southerly right-of-way line of the proposed Castillo Drive to a point in the southerly line of lot 20, block 7, city of Saint Augustine, Florida and the present Castillo de San Marcos National Monument boundary;

Thence leaving the southerly right-of-way line of the proposed Castillo Drive and running along the present boundary of the Castillo de San Marcos National Monument as follows:

North 82 degrees 20 minutes east a distance of 62.90 feet;

Thence north 10 degrees 42 minutes west a distance of 40.27 feet;

Thence north 33 degrees 22 minutes west a distance of 6.76 feet;

Thence north 79 degrees 26 minutes west a distance of 6.21 feet;

Thence south 83 degrees 06 minutes west a distance of 2.20 feet;

Thence north 75 degrees 11 minutes west a distance of 36.48 feet;

Thence north 13 degrees 56 minutes west a distance of 152.00 feet;

Thence south 80 degrees 29 minutes west a distance of 3.78 feet;

Thence north 17 degrees 13 minutes west a distance of 2.00 feet;

Thence north 17 degrees 32 minutes west a distance of 20.07 feet;

Thence north 72 degrees 20 minutes east a distance of 2.81 feet;

Thence north 17 degrees 26 minutes west a distance of 11.61 feet;

Thence south 72 degrees 28 minutes west a distance of 2.99 feet;

Thence north 17 degrees 32 minutes west a distance of 57.46 feet to the point of beginning and containing approximately 0.32 acres.

DESCRIPTION FOR PARCEL C

Beginning at a corner in the existing boundary of the present Castillo de San Marcos National Monument which is the northeasterly corner of Orange Street located about 20.0 feet west of the city gates;

Thence westerly along the northerly right-of-way line of Orange Street, which also is the present boundary of the Castillo de San Marcos National Monument, a distance of about 180.0 feet to a point 2.0 feet east of the east wall of the school dental clinic building;

Thence in a northerly direction on a line parallel to and 2.0 feet east of said building wall a distance of 75.0 feet, more or less, to a point in the north boundary of the historic "Lines";

Thence easterly 180.0 feet, more or less, to a westerly corner of the present boundary of the Castillo de San Marcos National Monument lying northwest of the city gates;

Thence southerly along the present boundary of the national monument 75.0 feet, more or less, to the point of beginning; containing in all an area of about 0.31 acre of land.

(b) The Secretary shall, in procuring lands or interests therein pursuant to the provisions of this section, acquire such lands or interests therein only by negotiations; except that the lands or interests therein described as block 1, city of Saint Augustine, Florida, may be acquired by the Secretary in such manner as he may deem to be in the public interest, including procurement with funds which may be appropriated therefor.

SEC. 2. (a) When title to the lands, or interests therein, described in the first section of this Act is acquired by the Secretary of the Interior, such lands or interests so acquired shall become a part of the Castillo de San Marcos National Monument.

(b) All laws, rules, and regulations applicable to the Castillo de San Marcos National Monument shall be applicable with respect to such lands or interests acquired by the Secretary pursuant to this Act.

6. Castle Clinton National Monument

		Page
Establishment and acceptance of title to lands authorized	Act of August 12, 1946	397
New York City National Shrines Advisory Board authorized	Act of August 11, 1955	397
Amendment to Act of August 11, 1955	Act of August 14, 1958	398

An Act To establish the Castle Clinton National Monument, in the city of New York, and for other purposes, approved August 12, 1946 (60 Stat. 997)

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 accept, on behalf of the United States, title to the site, comprising approximately one acre and situated in Battery Park, New York City, of the historic structure known as Castle Clinton, together with such structure and any other improvement on or appurtenant to such site. When title to such property is vested in the United States, it shall constitute the Castle Clinton National Monument. (16 U.S.C. § 450cc.)

SEC. 2. The administration, protection, and development of the Castle Clinton National Monument shall be under the supervision of the Secretary of the Interior, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended. (16 U.S.C. § 450cc–1.)

39 Stat. 535. 5 U.S.C. § 485; 16 U.S.C. §§ 1, 2–4, 22, 43.

An Act To promote public cooperation in the rehabilitation and preservation of the Nation's important historic properties in the New York City area, and for other purposes, approved August 11, 1955 (69 Stat. 632)

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 appoint an advisory board, to be known as the New York City National Shrines Advisory Board. The membership of the Board may not exceed eleven persons. The Secretary shall appoint one member to represent the city of New York, one member to represent the State of New York, and one member to represent the Borough of Manhattan, after consideration of such recommendations as may be made by the mayor of New York City, the Governor of New York State, and the President of the Borough of Manhattan for the appointment of the representatives of their respective jurisdictions. The remaining membership of the Board shall be appointed from the various historical and civic organizations interested in effectuating the purposes of this Act.

New York City National Shrines Advisory Board.

The Secretary shall, at the time of appointment, designate one of the members to serve as Chairman. Members of the Board shall receive no compensation for their services, but may be paid any necessary traveling and subsistence expenses incurred in the discharge of their duties, when authorized by the Secretary of the Interior.

Preservation of historic properties.

The functions of the Board shall be to render advice to the Secretary of the Interior and to further public participation in the rehabilitation and the preservation of those historic properties in the New York City area that are of great national significance, identified as the Federal Hall National Memorial, Castle Clinton National Monument, and the Statue of Liberty National Monument. The Board shall conduct a study of these historic properties and submit recommendations concerning their preservation and administration to the Secretary of the Interior, such report and recommendations of the Board to be transmitted to the Congress by the Secretary of the Interior, together with his recommendations thereon, within one year following the date of the establishment of the Board. The Board shall cease to exist when the Secretary of the Interior shall find that its purposes have been accomplished.

Report to Congress.

SEC. 2. The Secretary of the Interior is authorized to accept donations of funds for rehabilitation and preservation of the historic properties including any made upon condition that such funds are to be expended only if Federal funds in an amount equal to the donated funds are appropriated for such purposes. There are authorized to be appropriated such funds as may be necessary to match funds that may be donated for purposes of this Act.

Appropriation.

SEC. 3. The Federal Hall Memorial National Historic Site, established pursuant to the Historic Sites Act of August 21, 1935 (49 Stat. 666), shall hereafter be known as the "Federal Hall National Memorial". (16 U.S.C. § 463 note.)

16 U.S.C. 461–467.

An Act To amend the Act of August 11, 1955 (69 Stat. 632), relating to the rehabilitation and preservation of historic properties in the New York City area, and for other purposes, approved August 14, 1958 (72 Stat. 613)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to promote public cooperation in the rehabilitation and preservation of the Nation's important historic properties in the New York City area, and for other purposes," approved August 11, 1955 (69 Stat. 632), is hereby amended as follows:

New York City area. Historic properties.

16 U.S.C. 463 note.

(a) In the first sentence of the second paragraph of section 1 of such Act insert a comma and the word "development" after the word "rehabilitation."

(b) In the first sentence of section 2 of such Act insert a comma and the word "development" after the word "rehabilitation." (16 U.S.C. § 463 note. See p. 398.)

7. Castle Pinckney National Monument

		Page
Monument abolished	Act of March 29, 1956	400

An Act To abolish the Castle Pinckney National Monument, in the State of South Carolina, and for other purposes, approved March 29, 1956 (70 Stat. 61)

Castle Pinckney National Monument, S.C.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Castle Pinckney National Monument, South Carolina, is hereby abolished and the property contained therein is hereby authorized to be disposed of in accordance with the laws relating to the disposition of surplus Federal property.

8. Cedar Breaks National Monument

Boundaries revised.....Act of June 30, 1961 Page 401

An Act To add federally owned lands to, and exclude federally owned lands from, the Cedar Breaks National Monument, Utah, and for other purposes, approved June 30, 1961 (75 Stat. 198)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to further the administration, enhance the setting, and promote the public appreciation and enjoyment of the Cedar Breaks National Monument, in the State of Utah, the lands in the State of Utah, particularly described as follows, to-wit: west half northwest quarter northeast quarter, west half southwest quarter northeast quarter, west half northwest quarter southeast quarter, northwest quarter southwest quarter southeast quarter, all situated in section 36, township 36 south, range 9 west, Salt Lake meridian, northeast quarter lot 8, section 36, township 36 south, range 9 west, Salt Lake meridian, west half northeast quarter northwest quarter, and northwest quarter southeast quarter northwest quarter, both situated in section 12, township 37 south, range 9 west, Salt Lake meridian, consisting of 111.4 acres, more or less, are excluded from Dixie National Forest and added to the monument.

Cedar Breaks National Monument, Utah. Land addition.

SEC. 2. The lands in the State of Utah particularly described as follows, to-wit: south half southeast quarter, section 15, township 36 south, range 9 west, Salt Lake meridian, north half lot 2, and south half lot 4, both in section 22, township 36 south, range 9 west, Salt Lake meridian, consisting of 129 acres, more or less, are excluded from the monument and added to Dixie National Forest.

Dixie National Forest. Land addition.

SEC. 3. Lands added to the Cedar Breaks National Monument pursuant to the provisions of this Act shall be administered in accordance with the Act of August 25, 1916, chapter 408 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented, and shall be subject to all laws and regulations applicable to the monument. The lands added to the Dixie National Forest shall be subject to all laws and regulations applicable to the national forest.

Administration.

9. Custer Battlefield National Monument [1]

Page

Cemetery redesignated as "Custer Battlefield National Monument"_____
_____Act of March 22, 1946 402

An Act To change the designation of Custer Battlefield National Cemetery, in the State of Montana, to "Custer Battlefield National Monument," and for other purposes, approved March 22, 1946 (60 Stat. 59)

Custer Battlefield National Monument, Mont.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the area now within the Custer Battlefield National Cemetery, in the State of Montana, shall hereafter be known as the "Custer Battlefield National Monument", under which name this national monument shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for the Custer Battlefield National Cemetery.

[1] Proclaimed "National Cemetery of Custer's Battlefield Reservation," December 7, 1886; administered by War Department until July 1, 1940, when transferred to National Park Service by Executive Order No. 8428 of June 3, 1940 (5 Fed. Reg. 2131; 3 CFR, CUM. SUPP., 664; 5 U.S.C. secs. 124–132). See also General Legislation, pp. 16–17.

10. Death Valley National Monument

		Page
Acquisition by exchange of certain properties within the monument authorized	Acts of March 24, 1952	403
	and July 2, 1958	403

An Act To authorize the acquisition by exchange of certain properties within Death Valley National Monument, California, and for other purposes, approved March 24, 1952 (66 Stat. 27)

Interior Department. Exchange of lands.

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 hereby authorized to grant and convey to Borax Consolidated Limited, perpetual easements for rights-of-way, aggregating not more than twenty acres, for general utility purposes within Death Valley National Monument, California, subject to such terms and conditions as the Secretary may deem desirable, and to accept in exchange therefor the conveyance to the United States of approximately two hundred and thirty acres of land within the exterior boundaries of such National Monument.

An Act To authorize the acquisition by exchange of certain properties within Death Valley National Monument, California, and for other purposes, approved July 2, 1958 (72 Stat. 295)

Death Valley National Monument, Calif. Exchange of lands.

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 hereby authorized to grant and convey to the Death Valley Hotel Company, Ltd., or its successors, perpetual easements for rights-of-way and/or title to land aggregating not more than two hundred acres within Death Valley National Monument, California, subject to such terms and conditions as the Secretary may deem desirable, and to enter into an agreement with the Death Valley Hotel Company, Ltd., or its successors, defining, fixing and establishing the respective rights of the Death Valley Hotel Company, Ltd., or its successors, and the United States, as between themselves, to the use of the waters available from Texas Springs, Furnace Creek Wash and its tributaries, including Travertine Springs, and other waters in the vicinity thereof in said Death Valley National Monument, California, and to accept in exchange therefor the conveyance to the United States of parcels designated parcels F, G, and H, aggregating approximately four hundred and forty acres, on sheet 1 of 1 of a drawing entitled "N.P.S., reg. IV, drawing numbered NM-DV-2123, revised March 14, 1958", a copy of which drawing is on file with the Superintendent, Death Valley National Monument, California, said lands lying within

the exterior boundaries of Death Valley National Monument. In order to facilitate the making of such exchange, the Secretary of the Interior may enter into an agreement with the Death Valley Hotel Company, Ltd., or its successors, pursuant to which the perpetual easements and land or any part thereof which he is hereby authorized to grant and convey to the Death Valley Hotel Company, Ltd., or its successors, will be conveyed from time to time over a period of time in parcels or portions in accordance with a schedule mutually satisfactory to the parties.

11. Devils Tower National Monument

Page

Addition of land to monument authorized in recognition of fiftieth anniversary of establishment; land exchanges authorized----------Act of August 9, 1955 405

An Act To provide recognition of the fiftieth anniversary of the Devils Tower National Monument, Wyoming, the first national monument, established by the President of the United States pursuant to the Antiquities Act of 1906; to authorize the addition of certain land to the monument, to permit land exchanges, and for other purposes, approved August 9, 1955 (69 Stat. 575)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the fiftieth anniversary of the Devils Tower National Monument, Wyoming, the first national monument, established on September 24, 1906, by the President of the United States pursuant to the Antiquities Act of 1906, and in order to provide suitable public campground facilities and other developments for the public benefit and to facilitate administration thereof, the Devils Tower National Monument hereafter shall include the following described land comprising approximately one hundred and fifty-five acres, which the Secretary of the Interior is authorized to procure in such manner as he shall find to be in the public interest:

Devils Tower National Monument.

34 Stat. 225. 16 U.S.C. 431–433.

SIXTH PRINCIPAL MERIDIAN

Township 53 north, range 65 west, section 18, south half northeast quarter, southeast quarter northwest quarter, north half southeast quarter, those parts lying north of and within a loop of the left bank of the Belle Fourche River; southwest quarter northwest quarter, that part lying west of the left bank of the Belle Fourche River;

Township 53 north, range 66 west, section 13, south half northeast quarter.

SEC. 2. For land exchange purposes, the Secretary of the Interior is authorized to accept title to any land or interests therein situated within the area added to the national monument by this Act, and, in exchange for land or interests therein so accepted, to convey any national monument land or interests therein of approximately equal value situated in the northeast quarter of section 18, township 53 north, range 65 west, and lying east of the Belle Fourche River. National monument lands so conveyed for exchange purposes shall be excluded from the national monument. (16 U.S.C. § 431 note.)

12. Dinosaur National Monument

Page

Boundaries of monument revised; entrance road provided----------
----------Act of September 8, 1960 406

An Act To revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes, approved September 8, 1960 (74 Stat. 857)

Dinosaur National Monument. Boundaries revised. 39 Stat. 1752.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of Dinosaur National Monument, established in pursuance of the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C., 1952 edition, sec. 431), and administered in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C., 1952 edition, sec. 1, et seq.), and Acts supplementary thereto and amendatory thereof, are hereby revised so that the monument shall include, subject to valid existing rights, those lands in the States of Colorado and Utah, encompassed within the following described boundaries:

Beginning at a point on the Utah-Colorado State boundary line at the northeast corner of section 12, township 3 south, range 25 east, Salt Lake meridian, Utah—

thence westerly along the north lines of said section 12, and section 11, said township and range, to the north quarter-section corner of said section 11;

thence southerly along the north-south quarter-section lines of said section 11, and section 14, township 3 south, range 25 east, to the north quarter-section corner of section 23, said township and range;

thence westerly along the north lines of said section 23 and sections 22, 21, and 20, said township and range, to the northwest corner of said section 20;

thence southerly along the west line of said section 20 to the northeast corner of section 30, said township and range;

thence westerly along the north lines of said section 30, said township 3 south, range 25 east, and section 25, township 3 south, range 24 east, to the north quarter-section corner of said section 25;

thence southerly along the north-south quarter-section lines of said section 25 and section 36 of said township and range to the northeast corner of the southwest quarter of said section 36;

thence westerly along the east-west quarter-section lines of said section 36 and section 35 of said township and range to the west quarter-section corner of said section 35;

thence southerly along the west line of said section 35, said township 3 south, range 24 east, to the south-

west corner of said section 35, at a point on the north line of section 3, township 4 south, range 24 east;

thence westerly along the north line of said section 3 to the northwest corner of said section 3;

thence southerly along the west line of said section 3 to the southwest corner of said section 3;

thence westerly along the south lines of sections 4, 5, and 6, said township 4 south, range 24 east, and unsurveyed sections 1, 2, 3, and 4, township 4 south, range 23 east, to the north quarter-section corner of unsurveyed section 9, said township and range;

thence southerly along the north-south quarter-section lines of said unsurveyed section 9 and unsurveyed sections 16 and 21 and sections 28 and 33, said township and range, to the southwest corner of the northeast quarter of said section 33;

thence easterly along the east-west quarter-section line of said section 33, said township 4 south, range 23 east, to the mean high water mark on the north or right bank of the Green River;

thence upstream along the mean high water mark on the north or right bank of the Green River within said township and range and township 5 south, range 23 east, township 5 south, range 24 east, and township 4 south, range 24 east, to a point at its intersection with the south line of section 30, said township 4 south, range 24 east;

thence easterly along the south lines of said section 30 and sections 29, 28, and 27, said township and range, to the north quarter-section corner of section 34 of said township and range;

thence southerly along the north-south quarter-section lines of said section 34, said township 4 south, range 24 east, and section 3, township 5 south, range 24 east, to the southwest corner of the northeast quarter of said section 3;

thence easterly along the east-west quarter-section lines of said section 3 and sections 2 and 1 of said township and range to the east quarter-section corner of said section 1;

thence northerly along the east lines of said section 1, said township 5 south, range 24 east, and sections 36, 25, 24 and unsurveyed section 13, township 4 south, range 24 east, to the northeast corner of said unsurveyed section 13, said township and range;

thence easterly along the south lines of sections 7, 8, 9, 10, 11 and fractional section 12, township 4 south, range 25 east, Salt Lake meridian, Utah, to a point of the Utah-Colorado State boundary line;

thence southerly along the Utah-Colorado State boundary line, being the west line of fractional sections 11, 14, and 23, fractional township 6 north, range 104 west, sixth principal meridian, Colorado,

to the southwest corner of lot 12, said fractional section 23, said fractional township and range;

thence easterly along the south one-sixteenth latitudinal section lines of said fractional section 23 and section 24, said fractional township and range, to the northwest corner of the southwest quarter of the southeast quarter of said section 24;

thence southerly along the north-south quarter-section line of said section 24 to the south quarter-section corner of said section 24;

thence easterly along the south lines of said section 24, said fractional township 6 north, range 104 west, and section 19, township 6 north, range 103 west, to the northwest corner of section 29, said township and range;

thence southerly along the west line of said section 29 to the southwest corner of the northwest quarter of the northwest quarter of said section 29;

thence easterly along the north one-sixteenth latitudinal section lines of said section 29 and section 28 of said township and range to the southwest corner of the northwest quarter of the northeast quarter of said section 28;

thence southerly along the north-south quarter-section line of said section 28 to the southwest corner of the northwest quarter of the southeast quarter of the said section 28;

thence easterly along the south one-sixteenth latitudinal section lines of said section 28 and section 27, said township and range, to the northwest corner of the southwest quarter of the southwest quarter of section 26, said township and range;

thence southerly along the west lines of said section 26 and section 35, said township and range, to the west quarter-section corner of said section 35;

thence easterly along the east-west quarter-section lines of said section 35 and section 36, said township and range, and sections 31, 32, 33, 34, 35, and 36, township 6 north, range 102 west, sections 31, 32, 33, 34, 35, and 36, township 6 north, range 101 west, and sections 31, 32, 33, 34, 35, and 36, township 6 north, range 100 west, sections 31, and 32, township 6 north, range 99 west, to the southeast corner of the northwest quarter of said section 32;

thence northerly along the north-south quarter-section lines of said section 32 and section 29, said township and range, to the southwest corner of the northeast quarter of said section 29;

thence easterly along the east-west quarter-section lines of said section 29 and sections 28 and 27, said township and range, to the southeast corner of the northwest quarter of said section 27;

thence northerly along the north-south quarter-

section lines of said section 27 and section 22, said township and range, to the northeast corner of the southwest quarter of said section 22;

thence westerly along the east-west quarter-section line of said section 22 to the east quarter-section corner of section 21, said township and range;

thence northerly along the east line of said section 21 to the northeast corner of said section 21;

thence westerly along the north line of said section 21 to the southeast corner of unsurveyed section 17, said township and range;

thence northerly along the east line of said unsurveyed section 17 to the east quarter-section corner of said unsurveyed section 17;

thence westerly along the east-west quarter-section line of said unsurveyed section 17 to the southeast corner of the northwest quarter of said unsurveyed section 17;

thence northerly along the north-south quarter-section lines of said unsurveyed section 17 and unsurveyed section 8, said township and range, to the north quarter-section corner of said unsurveyed section 8;

thence westerly along the north lines of said unsurveyed section 8 and unsurveyed section 7, said township 6 north, range 99 west, sections 12, 11, 10, 9, and 8, township 6 north, range 100 west, to the southeast corner of section 6, said township and range;

thence northerly along the east line of said section 6 to the east quarter-section corner of said section 6;

thence westerly along the east-west quarter-section lines of said section 6, said township 6 north, range 100 west, and unsurveyed sections 1 and 2, township 6 north, range 101 west, to the east quarter-section corner of unsurveyed section 3, said township and range;

thence northerly along the east section lines of said unsurveyed section 3, said township 6 north, range 101 west, and section 34, township 7 north, range 101 west, to the east quarter-section corner of said section 34;

thence westerly along the east-west quarter-section line of said section 34 to the east quarter-section corner of unsurveyed section 33, said township and range;

thence northerly along the east section lines of said unsurveyed section 33 and unsurveyed section 28, said township and range, to the east quarter-section corner of said unsurveyed section 28;

thence westerly along the east-west quarter-section lines of said unsurveyed section 28 and unsurveyed sections 29 and 30, said township 7 north, range 101

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west, and unsurveyed sections 25, 26, 27, and 28, township 7 north, range 102 west, to the east quarter-section corner of unsurveyed section 29, said township and range;

thence northerly along the east section line of said unsurveyed section 29 to the northeast corner of said unsurveyed section 29;

thence westerly along the north lines of said unsurveyed section 29 and unsurveyed section 30, said township and range, to the north quarter-section corner of said unsurveyed section 30;

thence northerly along the north-south quarter-section lines of unsurveyed sections 19 and 18 and sections 7 and 6 of said township 7 north, range 102 west, to the south quarter-section corner of section 31, township 8 north, range 102 west;

thence easterly along the south lines of said section 31 and section 32, said township and range, to the south quarter-section corner of said section 32;

thence northerly on the north-south quarter-section line of said section 32 to the southwest corner of the northeast quarter of said section 32;

thence easterly on the east-west quarter-section lines of said section 32 and section 33, said township and range, to the east quarter-section corner of said section 33;

thence northerly on the east lines of said section 33 and sections 28, 21, and 16, said township and range, to the east quarter-section corner of said section 16;

thence westerly on the east-west quarter-section line of said section 16 to the east quarter-section corner of section 17, said township and range;

thence northerly on the east section lines of said section 17 and section 8 and unsurveyed elongated section 5, said township 8 north, range 102 west, to a point in the south line of section 33, township 9 north, range 102 west;

thence easterly along the south line of said section 33 to the south quarter-section corner of said section 33;

thence northerly along the north-south quarter-section lines of said section 33 and sections 28, 21, and 16, said township and range, to the north quarter-section corner of said section 16;

thence westerly along the north lines of said section 16 and sections 17 and 18, said township and range, to the north quarter-section corner of said section 18;

thence southerly along the north-south quarter-section lines of said section 18 and section 19, said township and range, to the north quarter-section corner of section 30, said township and range;

thence westerly along the north line of said section 30 to the northwest corner of said section 30;

thence southerly along the westerly line of said section 30, said township 9 north, range 102 west, to the northeast corner of section 36, township 9 north, range 103 west;

thence westerly along the north line of said section 36 to the northwest corner of said section 36, said township and range;

thence southerly along the west line of said section 36, said township 9 north, range 103 west, to a point in the north line of elongated section 2, township 8 north, range 103 west;

thence westerly along the north line of said elongated section 2 to the northwest corner of lot 6, being a midpoint of the north line of said elogonated section 2;

thence southerly along the north-south line dividing said elongated section 2 to the north quarter-section corner of section 11, said township and range;

thence southerly along the north-south quarter-section line of said section 11 to the south quarter-section corner of said section 11;

thence westerly along the south line of said section 11 and the north line of section 15, said township and range, to the northwest corner of said section 15;

thence southerly along the west lines of said section 15 and sections 22 and 27, said township and range, to the northeast corner of section 33, said township and range;

thence westerly along the north lines of said section 33 and section 32, said township and range, to the northwest corner of said section 32;

thence southerly along the west lines of said section 32, said township 8 north, range 103 west, and section 5, township 7 north, range 103 west, to the northeast corner of section 7, said township and range;

thence westerly along the north lines of said section 7, said township 7 north, range 103 west, and section 12 and fractional section 11, fractional township 7 north, range 104 west, sixth principal meridian, Colorado, to a point on the Utah-Colorado State boundary line, being the northeast corner of section 12, township 3 south, range 25 east, Salt Lake meridian, Utah, the point of beginning.

The tract as described contains approximately 208,760 acres, subject to adjustment to lines of public land surveys.

Entrance road.

SEC. 2. (a) In order to provide suitable access to Dinosaur National Monument and facilities and services required in the operation and administration of the monu-

ment, the Secretary of the Interior is authorized to select the location of an entrance road or roads to the monument and to points of interest therein, from U.S. Route 40, including an entrance and related administrative headquarters site of not more than four hundred acres, and he may provide, upon lands donated outside of the monument, connections between Dinosaur National Monument park roads. To carry out the purposes of this Act the Secretary of the Interior may acquire non-Federal lands or interests in lands by donation, purchase, or exchange: *Provided*, That lands and interests acquired for said entrance roads and connections shall consist of the fee title to a right-of-way of not more than an average of twenty-five acres per mile and of scenic easements on lands adjoining the right-of-way, said easements not to exceed an average of one hundred acres per mile. Said roads and administrative site shall constitute a part of Dinosaur National Monument and be administered pursuant to such special regulations as the Secretary of the Interior shall promulgate in furtherance of the purposes of this section.

Regulations.

(b) The Secretary of the Interior is hereby authorized to construct, reconstruct, improve, and maintain upon the land so acquired or otherwise in Government ownership an entrance road or roads and connections of parkway standards, including necessary bridges and other structures and utilities as necessary, and funds appropriated for the National Park Service shall be available for these purposes.

Appropriations.

Grazing lands.

SEC. 3. Where any Federal lands included within the boundaries of Dinosaur National Monument as revised pursuant to this Act were legally occupied or utilized on the date of approval of this Act for grazing purposes pursuant to a lease, permit, or license issued or authorized by any department, establishment, or agency of the United States the person so occupying or utilizing such lands, and the heirs, successors, or assigns of such person, shall upon the termination of such lease, permit, or license be entitled to have the privilege so possessed or enjoyed by him renewed from time to time, subject to such terms and conditions as the Secretary of the Interior shall prescribe, for a period of twenty-five years from the date of approval of this Act, and thereafter during the lifetime of such person and the lifetime of his heirs, successors, or assigns, but only if they were members of his immediate family on such date, as determined by the Secretary of the Interior: *Provided*, That grazing privileges appurtenant to privately owned lands located within Dinosaur National Monument shall not be withdrawn until title to the lands to which such privileges are appurtenant shall have vested in the United States, except for failure to comply with the regulations applicable thereto after reasonable notice of default.

13. Effigy Mounds National Monument

		Page
Lands added	Act of May 27, 1961	413

An Act To provide for the addition or additions of certain lands to the Effigy Mounds National Monument in the State of Iowa, and for other purposes, approved May 27, 1961 (75 Stat. 88)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of preserving certain important prehistoric Indian mounds and protecting existing wildlife and other natural values, the following described lands, consisting of approximately 272 acres, are hereby added to the Effigy Mounds National Monument in the State of Iowa:

Effigy Mounds National Monument, Iowa. Lands.

TRACT A

Township 94 north, range 3 west, fifth principal meridian, Clayton County, Iowa: the portion of the southeast quarter southeast quarter of section 22 that lies between the easterly right-of-way line of the Chicago, Milwaukee, Saint Paul, and Pacific Railroad and the section line common to sections 22 and 23; those portions of lot 1 (except the northerly 900 feet thereof), lot 2, and lot 3 that lie easterly of the easterly right-of-way line of said railroad, the unnumbered lot adjacent to lot 3; and the former meandered river channel between said lot 3 and said unnumbered lot, all in section 23; containing in all 138 acres more or less.

TRACT B

Township 96 north, range 3 west, fifth principal meridian, Allamakee County, Iowa: Southwest quarter southeast quarter of section 33, containing 40 acres more or less.

TRACT C

Township 96 north, range 3 west, fifth principal meridian, Allamakee County, Iowa: South half northeast quarter and south half northeast quarter northeast quarter of section 33, excepting the right-of-way of Iowa State Highway Numbered 13; containing 93.7 acres more or less.

SEC. 2. The lands under the administrative control and jurisdiction of the United States Fish and Wildlife Service within tract A are included in the monument subject to such terms and conditions as the Secretary of the Interior may deem necessary and desirable in order to facilitate and control public access to the adjacent lands of the Upper Mississippi River Wild Life and Fish Refuge,

and subject to the authority of the Secretary of the Interior to return them to the jurisdiction of the United States Fish and Wildlife Service when they are no longer required for purposes of the monument. The lands under the administrative control and jurisdiction of the Corps of Engineers, United States Army, within tract A are included in the monument subject to the right of the Corps of Engineers to retain adequate flowage and navigation rights thereon to facilitate the operation and maintenance of lock and dam numbered 10, Upper Mississippi River, or the construction, operation, and maintenance of any dam affecting this location.

SEC. 3. The Secretary of the Interior is hereby authorized to acquire the lands designated tract C by purchase or through donations.

Applicability.

SEC. 4. All laws, rules, and regulations applicable to such national monument shall be applicable with respect to the lands described in the first section of this Act upon the addition of such land to such national monument.

Appropriation.

SEC. 5. There is hereby authorized the sum of not to exceed $2,000 for the purpose of acquiring lands, interests in lands, and improvements thereon as may be necessary for carrying out this Act.

14. El Morro National Monument

	Page
Acquisition and addition of certain lands to the monument authorized----Act of June 14, 1950	415

An Act To provide for the addition of certain lands to El Morro National Monument, in the State of New Mexico, and for other purposes, approved June 14, 1950 (64 Stat. 211)

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 hereby authorized to procure, for the protection and preservation of El Morro National Monument, the following-described land and interests in land: El Morro National Monument.

NEW MEXICO PRINCIPAL MERIDIAN

Township 9 north, range 14 west:

Section 5, lots 1, 2, 3, 4; south half northeast quarter; south half northwest quarter; southwest quarter; and southeast quarter, containing six hundred forty and eighty one-hundredths acres;

Section 6, lots 1, 2, 3, 4; north half northeast quarter; northeast quarter northwest quarter; south half southeast quarter and southeast quarter southwest quarter, containing three hundred ninety-seven and ninety-two one-hundredths acres.

Comprising in all an addition of one thousand thirty-eight and seventy-two one-hundredths acres.

SEC. 2. All property acquired pursuant to this Act shall become a part of the national monument upon the issuance of an appropriate order, or orders, by the Secretary of the Interior setting forth the revised boundaries of the monument, such order or orders to be effective upon publication in the Federal Register. Lands so added to the monument shall thereafter be subject to all laws and regulations applicable to the monument. Effective date.

15. Father Millet Cross National Monument

	Page
Abolishment of monument and transfer of lands to the State of New York authorized—Act of September 7, 1949	416

An Act To provide for the conveyance to the State of New York of certain historic property situated within Fort Niagara State Park, and for other purposes, approved September 7, 1949 (63 Stat. 691)

Fort Niagara State Park, N.Y. Conveyance.

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 convey to the State of New York, without consideration, for public use as a part of the Fort Niagara State Park, under such terms and conditions as the Secretary may deem advisable, that certain tract or parcel of land and appurtenances thereon comprising the Father Millet Cross National Monument. The national monument, upon conveyance of such property to the State of New York, is abolished.

16. Fort Frederica National Monument

	Page
Acquisition and addition of lands to the monument authorized----------	
----------Acts of September 20, 1950	417
----------and May 16, 1958	417

An Act Relating to the acquisition and addition of certain lands to Fort Frederica National Monument in the State of Georgia, and for other purposes, approved September 20, 1950 (64 Stat. 869)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the maximum acreage of the Fort Frederica National Monument, established pursuant to the Act of May 26, 1936 (49 Stat. 1373), is hereby increased from eighty acres to one hundred acres. 16 U.S.C. §§ 433g–433j.

SEC. 2. There is hereby authorized to be appropriated not to exceed $5,000 for the acquisition of land and interests in land for the said national monument. The Secretary of the Interior is authorized to use any funds so appropriated, together with any donated funds made available pursuant to the aforesaid Act of May 26, 1936, for the procurement of land and interests in land for the national monument. (16 U.S.C. § 433g note.) Appropriation authorized.

An Act To direct the Secretary of the Interior to acquire certain lands as an addition to the Fort Frederica National Monument, approved May 16, 1958 (72 Stat. 110)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to provide for the establishment of the Fort Frederica National Monument, at Saint Simon Island, Georgia, and for other purposes", approved May 26, 1936 (49 Stat. 1373), as amended, is amended by striking out "one hundred acres" and inserting in lieu thereof "two hundred and fifty acres". (16 U.S.C. § 433g note.) Fort Frederica National Monument, Ga. 16 U.S.C. 433g.

SEC. 2. The Secretary of the Interior is authorized and directed to acquire by purchase, condemnation, or otherwise, subject to the acreage limitation contained in the aforementioned Act, the site known as the Bloody Marsh Battle memorial monument located on Saint Simon Island, Georgia, together with such additional land, including the marshland across the river to the west of Fort Frederica National Monument, or interest in land, as in the judgment of the Secretary of the Interior might be desirable for the protection of such national monument. Such lands or interest in lands acquired by the Secretary pursuant to this Act shall be made a part of the Fort Frederica National Monument. (16 U.S.C. § 433h–1.) Acquisition.

Appropriation.

SEC. 3. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts, not to exceed $20,000, as may be necessary to carry out the provisions of this Act. (16 U.S.C. § 433h–1 note.)

17. Fort Jefferson National Monument

Page

Erection of a memorial tablet in honor of Doctor Samuel Alexander Mudd on the site of the ruins of Fort Jefferson authorized----------Joint Resolution of September 21, 1959 419

Joint Resolution Providing for the erection of a memorial tablet at Garden Key, Florida, in honor of Doctor Samuel Alexander Mudd, approved September 21, 1959 (73 Stat. 575)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the unselfish services rendered to fellow prisoners by Doctor Samuel Alexander Mudd while he was imprisoned, the Secretary of the Interior is authorized and directed to erect a memorial tablet of appropriate design on the site of the ruins of Fort Jefferson, Garden Key, Florida, to the memory of Doctor Samuel Alexander Mudd.

18. Fort McHenry National Monument and Historic Shrine

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Provision for preservation of Fort McHenry as a Government reservation	Act of August 16, 1912	420
Secretary of War authorized to grant use of Fort McHenry Reservation to mayor and city council of Baltimore	Act of May 26, 1914	420
Authorization for erection of monument at Fort McHenry in memory of Francis Scott Key	Excerpt from Act of July 29, 1914	422
Temporary jurisdiction over certain lands in reservation ceded to State of Maryland	Joint Resolution of April 3, 1916	422
Act authorizing Secretary of War to grant use of Fort McHenry Reservation to mayor and city council of Baltimore, approved May 26, 1914, repealed and reenacted	Act of March 3, 1925	423
Grant of easement to city of Baltimore authorized	Act of June 30, 1947	424

An Act To perpetuate and preserve Fort McHenry and the grounds connected therewith as a Government reservation under the control of the Secretary of War, approved August 16, 1912 (37 Stat. 311)

Fort McHenry, Md. To remain a Government reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Fort McHenry and the Government grounds therewith connected shall remain a Government reservation under the exclusive jurisdiction of the United States and in the control of the War Department: *Provided*, That nothing in this Act shall interfere with the present use of the piers now erected upon said fort grounds nor the erection by the Government of another pier thereupon for Government purposes with necessary ingress and egress thereto.

Proviso. Use of piers.

An Act Authorizing the Secretary of War to grant the use of the Fort McHenry Military Reservation, in the State of Maryland, to the mayor and city council of Baltimore, a municipal corporation of the State of Maryland, making certain provisions in connection therewith, providing access to and from the site of the new immigration station heretofore set aside, approved May 26, 1914 (38 Stat. 382)

Baltimore, Md. Granted part of Fort McHenry grounds as public park.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby authorized and directed to grant permission to the mayor and city council of Baltimore, a municipal corporation of the State of Maryland, to occupy and use the military reservation of Fort McHenry, Maryland, except that part mentioned in section three hereof, and that part now in use by the Department of Commerce for a light and fog signal station under revocable license from the War Department, with the maintenance of the electric lines therto, as a public park upon the agreement of said corporation to repair, maintain, and protect the reservation and the public property thereof during the continuance of its occupancy at its own expense: *Provided*, That the

Provisos. Conditions.

said permission shall be subject to such conditions, restrictions, rules, and regulations as the Secretary of War may from time to time prescribe: *Provided further*, That the Secretary of War may terminate the said permission to use said grounds whenever and at such time as he may deem it expedient to do so.

Termination.

SEC. 2. That any and all repairs, improvements, changes, and alterations in the grounds, buildings, and other appurtenances to the reservation, made by the mayor and city council of Baltimore, shall be made only according to detailed plans submitted to, and approved by, the Secretary of War in each case, prior to the commencement of any work under such plans, and that all such repairs, improvements, changes, or alterations, made by said corporation, shall be made without expense to the United States, and in the event of the withdrawal of said permission, such improvements as the Secretary of War may deem valuable to the military service shall become the property of the United States without cost to the Government; and such structures as may have been placed upon the reservation by said corporation, which are directed to be removed therefrom by the Secretary of War, shall be removed forthwith and the grounds placed in a condition entirely satisfactory to him, at the expense of the mayor and city council of Baltimore, and no claim of any character whatever incident to the occupation by the city of said reservation shall ever be made by said corporation against the United States.

Improvements etc., subject to approval by Secretary of War.

Removal of structures, etc.

SEC. 3. That permission is hereby granted the Secretary of the Treasury to use permanently a strip of land sixty feet wide belonging to said fort grounds, beginning at the north corner of the present grounds of the fort and extending south sixty-three degrees thirty minutes east, six hundred and fifty feet to the south corner of the site set aside for the immigration station at Baltimore, said strip of land being located along the northwest boundary of the land ceded to the Baltimore Dry Dock Company and the land of the said immigration station, the same to be used, if so desired, in lieu of acquiring, by purchase or condemnation, any of the lands of the dry dock company, so that the Secretary of the Treasury may, in connection with land to be acquired from the Baltimore and Ohio Railroad Company, have access to and from said immigration station and grounds over the right of way so acquired to the city streets and railroads beyond, the Secretary of the Treasury to have the same power to construct, contract for, and arrange for railroad and other facilities upon said outlet as fully as provided in the Act approved March fourth, nineteen hundred and thirteen, setting aside a site for an immigration station and providing for an outlet therefrom: *Provided, however*, That if the Secretary of the Treasury accepts and makes use of said strip of land for the purposes

Right of way for immigrant station reserved.

Vol. 37, p. 889.

Proviso.
Use of easement by War Department.

aforesaid, the War Department shall have equal use of the railroad track and other roads constructed over which to reach the city streets and railroads beyond from the other parts of the fort grounds. (Repealed and reenacted, 16 U.S.C. §§ 437–440. See pp. 423–424.)

Excerpt from "An Act Making appropriations to supply deficiencies in appropriations for the fiscal year 1914 and for prior years, and for other purposes," approved July 29, 1914 (38 Stat. 559, 568)

Fort McHenry, Md. Monument to Francis Scott Key, battle at North Point, etc.

To erect at Fort McHenry, Baltimore, Maryland, under the direction of the Secretary of War, a monument in memory of Francis Scott Key, author of The Star-Spangled Banner, and the soldiers and sailors who participated in the Battle of North Point and the attack on Fort McHenry in the War of Eighteen hundred and twelve, $75,000, or so much thereof as may be necessary.

Committee created.

In the preparation of the plans and selection of a site for said monument, and the execution of all work in connection therewith, the Secretary of War shall form a committee, composed of the mayor of Baltimore, the chairman of the National Star-Spangled-Banner Centennial, the president of the board of park commissioners of Baltimore, and two other persons, to be designated by the Secretary of War, whose suggestion he shall invite and with whom he may confer and consult: *Provided, however*, That the decision of the Secretary of War shall be final in all matters: *Provided*, That the money herein appropriated may be drawn from time to time, as required in the progress of the work, upon requisition of the Secretary of War.

Provisos. Secretary of War to control. Disbursements.

Joint Resolution To cede to the State of Maryland temporary jurisdiction over certain lands in the Fort McHenry Military Reservation, approved April 3, 1916 (39 Stat. 46)

Fort McHenry, Md. Jurisdiction ceded to State over portion of.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States hereby cedes to the State of Maryland such jurisdiction over the portion of the Fort McHenry Military Reservation permission to use which was granted to the city of Baltimore by Act of Congress of May twenty-sixth, nineteen hundred and fourteen, as the State now possesses elsewhere within its territory, such cession to be coextensive territorially with the said permit of June first, nineteen hundred and fourteen, and to terminate upon its expiration: *Provided*, That jurisdiction to try and punish all crimes committed within said portion of the military reservation prior to the date that this cession becomes effective is reserved to the United States: *Provided further*, That the cession of jurisdiction made by this resolution shall not take effect until the same is accepted by the Legislature of the State of Maryland or its duly appointed representative clothed with such authority: *And provided further*, That when

Vol. 38, p. 382.

Provisos. Punishment of crimes.

Acceptance by State.

Termination.

the United States shall resume possession of the said lands, or any part thereof, the jurisdiction herein ceded over lands so repossessed shall revest in the United States.

An Act To repeal and reenact chapter 100, 1914, Public, Numbered 108, to provide for the restoration of Fort McHenry, in the State of Maryland, and its permanent preservation as a national park and perpetual national memorial shrine as the birthplace of the immortal "Star-Spangled Banner," written by Francis Scott Key, for the appropriation of the necessary funds, and for other purposes, approved March 3, 1925 (43 Stat. 1109)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act authorizing the Secretary of War to grant the use of the Fort McHenry Military Reservation in the State of Maryland to the mayor and city council of Baltimore, a municipal corporation of the State of Maryland, making certain provisions in connection therewith, providing access to and from the site of the new immigration station heretofore set aside be, and hereby is, repealed and reenacted to read as follows: (See pp. 420–422.)

Fort McHenry, Md. Grant to Baltimore of portion of, for public park, repealed. Vol. 38, p. 382, repealed.

"That the Secretary of War be, and he is hereby, authorized and directed so soon as it may no longer be needed for uses and needs growing out of the late war, to begin the restoration of Fort McHenry, in the State of Maryland, now occupied and used as a military reservation, including the restoration of the old Fort McHenry proper to such a condition as would make it suitable for preservation permanently as a national park and perpetual national memorial shrine as the birthplace of the immortal 'Star-Spangled Banner,' written by Francis Scott Key, and that the Secretary of War be, and he is hereby, further authorized and directed, as are his successors, to hold the said Fort McHenry in perpetuity as a military reservation, national park, and memorial, and to maintain it as such, except that part mentioned in section 3 hereof, and that part now in use by the Department of Commerce for a light and fog-signal station under revocable license from the War Department with the maintenance of the electric lines thereto and such portion of the reservation, including improvement, as may be reserved by the Secretary of War for the use of the Chief of Engineers, the said reservation to be maintained as a national public park, subject to such regulations as may from time to time be issued by the Secretary of War.

Restoration of, directed to become a national park.

Maintenance by Secretary of War.

"That any and all repairs, improvements, changes, and alterations in the grounds, buildings, and other appurtenances to the reservation shall be made only according to detailed plans which shall be approved by the Secretary of War, and all such repairs, improvements, or alterations shall be made at the expense of the United

Repairs, etc., at Government expense.

States, and all such improvements, together with the reservation itself, shall become and remain permanently the property of the United States: *Provided*, That permission is hereby granted the Secretary of the Treasury to use permanently a strip of land sixty feet wide belonging to said fort grounds, beginning at the north corner of the present grounds of the fort and extending south sixty-three degrees thirty minutes east, six hundred and fifty feet to the south corner of the site set aside for the immigration station at Baltimore, said strip of land being located along the northwest boundary of the land ceded to the Baltimore Dry Dock Company and the land of the said immigration station, the same to be used, if so desired, in lieu of acquiring, by purchase or condemnation, any of the lands of the dry dock company so that the Secretary of the Treasury may, in connection with land acquired from the Baltimore and Ohio Railroad Company, have access to and from said immigration station and grounds over the right of way so acquired to the city streets and railroads beyond, the Secretary of the Treasury to have the same power to construct, contract for, and arrange for railroad and other facilities upon said outlet as fully as provided in the Act approved March 4, 1913, setting aside a site for an immigration station and providing for an outlet therefrom: *Provided, however*, That if the Secretary of the Treasury accepts and makes use of said strip of land for the purposes aforesaid the War Department shall have equal use of the railroad track and other roads constructed over which to reach the city streets and railroads beyond from the other parts of the fort grounds: *Provided further*, That the Secretary of War may in case of a national emergency close the said military reservation and use it for any and all military purposes during the period of the emergency, and for such period of time thereafter as the public needs may require: *And provided further*, That the Secretary of War is hereby authorized and directed to dispose of the useless temporary buildings and contents constructed during the recent war and from the proceeds thereof there is hereby authorized to be appropriated such sum as may be necessary not exceeding $50,000 for use by the Secretary of War in the restoration of said Fort McHenry reservation and for other purposes consistent with this Act. (16 U.S.C. §§ 437-440.)

Provisos.
Right of way to immigration station granted.

Construction of railroad facilities, etc.

Vol. 37, p. 889.

Use by War Department allowed.

Closing in case of national emergency.

Disposal of useless temporary buildings, etc.

Amount authorized for restoration, etc.

An Act To authorize the Secretary of the Interior to grant to the Mayor and City Council of Baltimore, State of Maryland, a permanent easement for the purpose of installing, maintaining, and servicing two subterranean water mains in, on, and across the land of Fort McHenry National Monument and Historic Shrine, Maryland, approved June 30, 1947 (61 Stat. 212)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-

sembled, That the Secretary of the Interior is hereby authorized and directed to grant to the Mayor and City Council of Baltimore, a municipal corporation of the State of Maryland, a permanent easement for the purpose of installing, maintaining, and servicing two subterranean water mains and their usual appurtenances in, on, and across the land of the Fort McHenry National Monument and Historic Shrine, under such terms and conditions as he may determine to be not inconsistent with the use of such land for purposes of the said shrine.

Mayor and City Council of Baltimore, Md. Easement.

19. Fort Sumter National Monument

Page

Establishment of monument and transfer of lands from Department of the Army authorized----------Joint Resolution of April 28, 1948 426

Joint Resolution To establish the Fort Sumter National Monument in the State of South Carolina, approved April 28, 1948 (62 Stat. 204)

Fort Sumter National Monument, S.C.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized and directed to transfer, without consideration, to the Secretary of the Interior title to the site of the historic structure known as Fort Sumter, situated in Charleston Harbor, Charleston, South Carolina, together with such buildings and other improvements as are appurtenant to such site. (16 U.S.C. § 450ee.)

SEC. 2. The property acquired by the Secretary of the Interior under this joint resolution shall constitute the Fort Sumter National Monument and shall be a public national memorial commemorating historical events at or near Fort Sumter. The Director of the National Park Service under the direction of the Secretary of the Interior shall have the supervision, management, and control of such national monument, and shall maintain and preserve it for the benefit and enjoyment of the people of the United States, subject to the provisions of the Act entitled "An Act to establish a National Park Service and for other purposes", approved August 25, 1916, as amended. (16 U.S.C. § 450ee–1.)

39 Stat. 535.
16 U.S.C. §§ 1–4, 22, 43.

20. Fort Union National Monument

Page
Establishment of monument authorized----------Act of June 28, 1954 427

An Act To authorize the establishment of the Fort Union National Monument, in the State of New Mexico, and for other purposes, approved June 28, 1954 (68 Stat. 298)

Fort Union National Monument, N. Mex. Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve and protect, in the public interest, the historic Old Fort Union, situated in the county of Mora, State of New Mexico, and to provide adequate public access thereto, the Secretary of the Interior is authorized to acquire on behalf of the United States by donation, or he may procure with donated funds, the site and remaining structures of Old Fort Union, together with such additional land, interests in land, and improvements thereon as the Secretary in his discretion may deem necessary to carry out the purposes of this Act. Donated lands may be accepted subject to such reservations, terms, and conditions as may be satisfactory to the Secretary, including right of reversion to donor, or its successors and assigns, upon abandonment as a national monument, and reservation of mineral rights subject to condition that surface of donated lands may not be used or disturbed in connection therewith, without the consent of the Secretary. (16 U.S.C. § 450kk.)

SEC. 2. Upon a determination of the Secretary of the Interior that sufficient land and other property have been acquired by the United States for national-monument purposes, as provided in section 1 of this Act, such property shall be established as the "Fort Union National Monument" and thereafter shall be administered by the Secretary of the Interior in accordance with the laws and regulations applicable to national monuments. An order of the Secretary, constituting notice of such establishment, shall be published in the Federal Register.

Publication in F.R.

Additional properties.

Following establishment of the national monument, additional properties may be acquired as provided in section 1 hereof, which properties, upon acquisition of title thereto by the United States, shall become a part of the national monument: *Provided*, That the total area of the national monument established pursuant to this Act shall not exceed one thousand acres, exclusive of such adjoining lands as may be covered by scenic easements. (16 U.S.C. § 450kk–1.)

21. Fossil Cycad National Monument

		Page
Monument abolished	Act of August 1, 1956	428

An Act To abolish the Fossil Cycad National Monument, South Dakota, and for other purposes, approved August 1, 1956 (70 Stat. 898)

Fossil Cycad National Monument, S. Dak.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective September 1, 1957, the Fossil Cycad National Monument, South Dakota, is hereby abolished and the lands contained therein shall be administered thereafter by the Secretary of the Interior as public lands in accordance with the public-land laws of the United States: *Provided*, That prior thereto the Secretary of the Interior may, under such regulations as he determines to be appropriate, issue permits to scientific and educational institutions for the discovery, excavation, and removal of fossil cycads for scientific and educational purposes; and

That if any excavations on such lands for the recovery of fissionable materials or any other minerals should be undertaken, such fossil remains discovered shall become the property of the Federal Government.

22. George Washington Carver National Monument

Page

Authorization for appropriation increased_____Act of September 9, 1950 429

An Act To amend the Act of July 14, 1943, relating to the establishment of the George Washington Carver National Monument, and for other purposes, approved September 9, 1950 (64 Stat. 828)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to permit the acquisition of the necessary land for establishment of the George Washington Carver National Monument, section 4 of the Act of July 14, 1943 (57 Stat. 563), is hereby amended to read as follows:

"SEC. 4. There are authorized to be appropriated such sums not to exceed $150,000 as may be necessary to carry out the provisions of this Act." (16 U.S.C. § 450aa note.)

Appropriation authorized.

23. Grand Portage National Monument

Page

Establishment of monument authorized.....Act of September 2, 1958 430

An Act To provide for the establishment of Grand Portage National Monument in the State of Minnesota, and for other purposes, approved September 2, 1958 (72 Stat. 1751)

Grand Portage National Monument, Minn., establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of preserving an area containing unique historical values, there is hereby authorized to be established, in the manner hereinafter provided, the Grand Portage National Monument in the State of Minnesota which, subject to valid existing rights, shall comprise the following described lands:

NORTHWEST COMPANY AREA

Tract numbered 1 beginning at a point about 28 feet from the water line of Lake Superior and on the east boundary of the southwest quarter of the southeast quarter of section 4, said point marked by a brass plug numbered I; thence northerly along said boundary line a distance of 273.70 feet to a point marked by a brass plug numbered II; thence in a westerly direction parallel to the south one-sixteenth line of section 4 a distance of 1,320 feet to the intersection of said line with the north-south quarter line of section 4, said point of intersection being in the bed of a stream and witnessed by an iron pipe located 60 feet southerly from said point and on the north-south quarter line, and on the west bank of said stream; thence southerly along said north-south quarter line a distance of 120 feet to the point of intersection of said north-south quarter line and the south one-sixteenth line of section 4 marked by an iron pipe set in concrete; thence westerly along said one-sixteenth line a distance of 120 feet to a point in path marked by brass plug numbered IV; thence southerly in a direction parallel to the north-south quarter line of section 4 a distance of 660 feet to an iron bolt in road intersection; thence westerly parallel to the south one-sixteenth line of section 4 a distance of 1,200 feet to the point of intersection of said line with the west one-sixteenth line of said section 4 and marked by a brass plug numbered VI; thence southerly along said west one-sixteenth line a distance of 1,760 feet to a point marked by a brass plug numbered VII; thence easterly along a line parallel to the north section line of section 9 a distance of 486.21 feet to a point marked by an inclined iron pipe, said point being the point where the said iron pipe enters the concrete; thence along the said line extended a distance of approximately 39 feet to the water's edge; thence along

the shore line of Lake Superior to the point where said shore line intersects the east one-sixteenth line of section 4 extended; thence northerly along said one-sixteenth line to place of beginning, all being located in sections 4 and 9, township 63 north, range 6 east, in Grand Portage Indian Reservation, State of Minnesota. Right-of-way for existing Bureau of Indian Affairs roads within the above described parcel of land is excluded therefrom.

NORTHWEST COMPANY AREA

Tract numbered 2 beginning at the point on the west one-sixteenth line of section 9 marked by brass plug numbered VII referred to in the description of tract numbered 1 above, thence westerly along a line parallel to the north section line of section 9 a distance of 275 feet to a point marked by an iron pipe; thence northerly along a line parallel to the west one-sixteenth line of section 9 a distance of 443.63 feet to a point marked by an iron pipe; thence easterly along a line parallel to the north section line of section 9 to the point of intersection of west one-sixteenth line of section 9; thence southerly along said one-sixteenth line to point of beginning, all lying in section 9 of township 63 north, range 6 east, in the Grand Portage Indian Reservation, State of Minnesota.

FORT CHARLOTTE AREA

The northeast quarter, section 29, township 64 north, range 5 east, or such lands within this quarter section as the Secretary of the Interior shall determine to be necessary for the protection and interpretation of the site of Fort Charlotte.

GRAND PORTAGE TRAIL SECTION

A strip of land 100 feet wide centering along the old Portage Trail beginning at the point where the trail intersects the present road to Grand Portage School, and continuing to the proposed United States Highway 61 right-of-way relocation in the northeast quarter of the northwest quarter, section 4, township 63 north, range 6 east, a strip of land 600 feet wide centering along the old Portage Trail as delineated on original General Land Office survey maps, from the north side of the proposed right-of-way to lands described at the Fort Charlotte site.

Establishment of the foregoing areas as the Grand Portage National Monument shall be effective when title to that portion of the aforesaid lands and interests in lands which is held in trust by the United States of America for the Minnesota Chippewa Tribe and the Grand Portage Band of Chippewa Indians, Minnesota, has been relinquished in accordance with section 2 hereof to the Secretary of the Interior for administration as a

part of the Grand Portage National Monument. Notice of the establishment of the monument as authorized and prescribed by this Act shall be published in the Federal Register. (16 U.S.C. § 450oo.)

SEC. 2. The Secretary of the Interior is authorized to accept, as a donation, the relinquishment of all right, title, and interest of the Minnesota Chippewa Tribe and the Grand Portage Band of Chippewa Indians, Minnesota, in and to any of the lands described in section 1 of this Act which is now held in trust by the United States of America for the said tribe or band; the executive committee of the Minnesota Chippewa Tribe and the tribal council of the Grand Portage Band of Chippewa Indians, Minnesota, are hereby authorized to execute such instruments of relinquishment in favor of the United States; and acceptance of the relinquishment by the Secretary shall operate as a transfer of custody, control and administration of such properties for administration and as a part of the Grand Portage National Monument: *Provided*, That upon the acceptance of any donated lands and interests therein the Secretary shall recognize, honor, and respect, in accordance with the terms thereof, any existing life assignments on such properties. (16 U.S.C. § 450oo–1.)

SEC. 3. The Secretary of the Interior is authorized to procure any and all other lands or interests therein within the monument, including, but not limited to, any and all nontrust lands therein owned in fee simple by the Grand Portage Band of Chippewa Indians, Minnesota, and the council of said band is authorized to sell and convey such nontrust lands to the United States of America. (16 U.S.C. § 450oo–2.)

SEC. 4. The Secretary of the Interior, under regulations prescribed by him, shall grant recognized members of the Minnesota Chippewa Tribe the preferential privilege to provide those visitor accommodations and services, including guide services, which he deems are necessary within the monument. (16 U.S.C. § 450oo–3.)

SEC. 5. The Secretary of the Interior shall, insofar as practicable, give first preference to employment of recognized members of the Minnesota Chippewa Tribe in the performance of any construction, maintenance, or any other service within the monument for which they are qualified.

SEC. 6. The Secretary of the Interior shall encourage recognized members of the Minnesota Chippewa Tribe in the production and sale of handicraft objects within the monument. The administration of the Grand Portage National Monument shall not in any manner interfere with the operation or existence of any trade or business of said tribe outside the boundaries of the national monument.

SEC. 7. Recognized members of the Minnesota Chippewa Tribe shall not be denied the privilege of traversing

the area included within the Grand Portage National Monument for the purposes of logging their land, fishing, or boating, or as a means of access to their homes, businesses, or other areas of use and they shall have the right to traverse such area in pursuit of their traditional rights to hunt and trap outside the monument: *Provided*, That, in order to preserve and interpret the historic features and attractions within the monument, the Secretary may prescribe reasonable regulations under which the monument may be traversed.

SEC. 8. The Secretary of the Interior, subject to the availability of appropriated funds, shall construct and maintain docking facilities at the Northwest Company area for use in connection with the monument. Such facilities shall be available for use by the Minnesota Chippewa Tribe and its recognized members, without charge to them, under regulations to be prescribed by the Secretary.

SEC. 9. To the extent that appropriated funds and personnel are available therefor, the Secretary of the Interior shall provide consultative or advisory assistance to the Minnesota Chippewa Tribe and the Grand Portage Band of Chippewa Indians, Minnesota, in the planning of facilities or developments upon the lands adjacent to the monument.

SEC. 10. When establishment of the monument has been effected, pursuant to this Act, the Secretary of the Interior shall administer, protect, and develop the monument in accordance with 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. 16 U.S.C. 1.

SEC. 11. In the event the Grand Portage National Monument is abandoned at any time after its establishment, title to the lands relinquished by the Minnesota Chippewa Tribe and the Grand Portage Band of Chippewa Indians, Minnesota, pursuant to section 2 hereof shall thereupon automatically revert to the Minnesota Chippewa Tribe and the Grand Portage Band of Chippewa Indians, Minnesota, their successors or assigns. In such event, the title will be taken in a fee simple status unless the United States holds other lands in trust for the Minnesota Chippewa Tribe or the Grand Portage Band of Chippewa Indians, Minnesota, in which event the title shall revert to the United States in trust for the Minnesota Chippewa Tribe or the Grand Portage Band of Chippewa Indians, Minnesota.

24. Harpers Ferry National Monument

	Page
Establishment of monument and acquisition of lands authorized---------- Act of June 30, 1944	434
Acquisition of certain lands for addition to monument authorized ---------- Act of July 14, 1960	435

An Act To provide for the establishment of the Harpers Ferry National Monument, approved June 30, 1944 (58 Stat. 645)

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 be, and he is hereby, authorized to accept donations of land, interest in land, buildings, structures, and other property in the vicinity of Harpers Ferry, West Virginia, not to exceed one thousand five hundred acres, as the Secretary of the Interior may deem necessary to carry out the purposes of this Act, and donations of funds for the purchase and maintenance thereof, the evidence of title to such lands to be satisfactory to the Secretary of the Interior. Any Federal land within the area designated by the Secretary of the Interior as necessary for monument purposes shall be transferred to the administration of the Department of the Interior and when so transferred shall become a part of the monument: *Provided*, That the Federal department or agency having administration over such land shall agree in advance to such transfer. (16 U.S.C. § 450bb.)

Harpers Ferry National Monument. Acceptance of donations.

Transfer of Federal land.

Property acquired to constitute national memorial.

SEC. 2. The property acquired under the provisions of section 1 of this Act shall constitute the Harpers Ferry National Monument and shall be a public national memorial commemorating historical events at or near Harpers Ferry. The Director of the National Park Service under the direction of the Secretary of the Interior, shall have the supervision, management, and control of such national monument, and shall maintain and preserve it for the benefit and enjoyment of the people of the United States, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended. (16 U.S.C. § 450bb–1.)

Control.

16 U.S.C. §§ 1–4, 22, 43.

SEC. 3. The Secretary of the Interior is authorized to—

Museum for relics and records.

(1) Maintain, either in an existing structure acquired under the provisions of section 1 of this Act or in a building constructed by him for the purpose, a museum for relics and records pertaining to historic events that took place at Harpers Ferry, and for other relics of national and patriotic interest, and to accept on behalf of the

United States, for installation in such museum, articles which may be offered as additions to the museum; and

Roads and facilities.

(2) Construct roads and facilities and mark with monuments, tablets, or otherwise, points of interest within the boundaries of the Harpers Ferry National Monument. (16 U.S.C. § 450bb–2.)

Appropriation authorized.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the improvements and maintenance on the lands and sites donated under the provisions of this Act. (16 U.S.C. § 450bb note.)

An Act To authorize the acquisition of certain lands for addition to Harpers Ferry National Monument, and for other purposes, approved July 14, 1960 (74 Stat. 520)

Harpers Ferry National Monument.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to further the commemorative purposes of the Act of June 30, 1944 (58 Stat. 645), by providing historic properties and administrative facilities, the Secretary of the Interior is hereby authorized to acquire, in the manner hereafter stated, the Storer College site, the original site of John Brown's "Fort" and the old Federal armory, comprising altogether approximately thirty acres for addition to Harpers Ferry National Monument. (16 U.S.C. § 450bb–3 [Supp. II].)

SEC. 2. (a) The Secretary of the Interior may accept the conveyance of all right, title, and interest of the trustees of Storer College in and to the lands and improvements in Harpers Ferry, West Virginia, granted to their predecessors for educational purposes pursuant to section 2 of the Act of December 15, 1868 (15 Stat. 266), upon payment to said trustees of not more than the current fair market value of the improvements located upon such lands. The Secretary may also purchase lands, interests therein, and improvements thereon, which lands were granted to the trustees of Storer College pursuant to such Act of 1868 and subsequently were alienated by the trustees: *Provided*, That he may pay not in excess of the amount paid therefor by the then owners plus the cost of existing improvements placed thereon by them, and, in no event may he pay more than the current fair market value. The Secretary may also purchase from the trustees of Storer College, at not more than their fair market value, other lands and interests in lands acquired by them or their predecessors as a part of the college site, together with any improvements thereon. In addition, up to seven acres of privately owned lands, interests therein, and improvements thereon, which are interspersed with the aforesaid college lands may be purchased by the Secretary. Lands and interests purchased under this subsection may be exchanged for other lands, and interests therein, of approximately equal value, which comprise the college and interspersed lands otherwise authorized herein for purchase.

(b) To facilitate the acquisition of the original site of the engine house known as John Brown's "Fort" and the old Federal arsenal, the Secretary of the Interior is hereby authorized to exchange therefor federally owned park lands or interests in lands of approximately equal value in the vicinity of Cumberland, Maryland, which he finds are no longer required for park purposes. (16 U.S.C. § 450bb–4 [Supp. II].)

Appropriation.

SEC. 3. There are authorized to be appropriated such sums, not to exceed $300,000, as may be necessary for the purchase of lands, interests therein, and improvements thereon pursuant to this Act. (16 U.S.C. § 450bb–5 [Supp. II].)

25. Holy Cross National Monument

Page

Monument abolished, lands transferred to national forest----------
----------Act of August 3, 1950 437

An Act To abolish the Holy Cross National Monument in the State of Colorado, and to provide for the administration of the lands contained therein as a part of the national forest within which such national monument is situated, and for other purposes, approved August 3, 1950 (64 Stat. 404)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Holy Cross National Monument, containing one thousand three hundred and ninety-two acres, established by Proclamation of May 11, 1929 (46 Stat. 2993), is hereby abolished, and the Federal lands and property therein shall hereafter be administered as a part of the national forest within which such properties are situated.

26. Joshua Tree National Monument

		Page
Boundaries revised	Acts of September 25, 1950	438
	and June 30, 1961	440

An Act To reduce and revise the boundaries of the Joshua Tree National Monument in the State of California, and for other purposes, approved September 25, 1950 (64 Stat. 1033)

Joshua Tree National Monument, Calif.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Joshua Tree National Monument, in the State of California, established by Proclamation Numbered 2193, of August 10, 1936 (50 Stat. 1760), hereafter shall comprise the following-described area:

SAN BERNARDINO MERIDIAN

Township 1 south, range 5 east, sections 22 to 27, inclusive, and sections 34 to 36, inclusive; township 2 south range 5 east, portion of east half lying north of the north right-of-way line of the Colorado River aqueduct but excluding therefrom that portion of the Long Canyon Camp and dump area in section 27; township 1 south, range 6 east, sections 19 to 36, inclusive; township 2 south, range 6 east, sections 1 to 30, inclusive, that portion of section 31 lying north of the north right-of-way line of the Colorado River aqueduct, and sections 32 to 36, inclusive; township 3 south, range 6 east, portion lying north of the north right-of-way line of the Colorado River aqueduct but excluding therefrom that portion of the Deception Camp and dump area in section 14, that portion of the West Deception Camp and dump area in section 10, and the portions of the East Wide Canyon Camps and dump areas in sections 5 and 6; township 1 south, range 7 east, sections 1 to 4, inclusive, and 9 to 15, inclusive, unsurveyed, section 16, sections 19 to 23, inclusive, section 24, unsurveyed, and sections 25 to 36, inclusive; township 2 south, range 7 east; township 3 south, range 7 east, portion lying north of the north right-of-way line of the Colorado River aqueduct but excluding therefrom that portion of the Fan Hill Camp and dump area in section 20; township 1 south, range 8 east, partly unsurveyed; townships 2 and 3 south, range 8 east; township 1 south, range 9 east, sections 5 to 9, inclusive, sections 16 to 23, inclusive, and sections 26 to 35, inclusive; township 2 south, range 9 east, sections 2 to 11, inclusive, and sections 14 to 36, inclusive, partly unsurveyed; township 3 south, range 9 east; township 4 south, range 9 east, sections 1 to 5, inclusive, and sections 11 to 14, inclusive; township 2 south, range 10 east, sections 25 to 36, inclusive unsurveyed; township 3 south, range 10 east, partly

unsurveyed; township 4 south, range 10 east, sections 1 to 18, inclusive, sections 22 to 26, inclusive, and sections 35 and 36; township 5 south, range 10 east, section 1; township 2 south, range 11 east, sections 25 to 36, inclusive, unsurveyed; townships 3 and 4 south, range 11 east, partly unsurveyed; township 5 south, range 11 east, sections 1 to 18, inclusive, sections 22 to 27, inclusive, and sections 34, 35, and 36; township 6 south, range 11 east, portion of sections 1, 2, and 3 lying north of north transmission line right-of-way which is adjacent to the north right-of-way line of the Colorado River aqueduct but excluding therefrom the Aggregate Deposit in section 3; township 2 south, range 12 east, section 13 and sections 23 to 36, inclusive, partly unsurveyed; townships 3 and 4 south, range 12 east, partly unsurveyed; township 5 south, range 12 east, sections 1 to 24, inclusive, and sections 26 to 34, inclusive, partly unsurveyed, and portions of sections 25 and 35 lying north of north transmission line right-of-way which is adjacent to the north right-of-way line of the Colorado River aqueduct; township 6 south, range 12 east, portions of sections 2, 3, 4, 5, 6, and 10, lying north of north transmission line right-of-way which is adjacent to the north right-of-way line of the Colorado River aqueduct, but excluding therefrom the Bumpani's Aggregate Deposit in section 4; township 2 south, range 13 east, sections 1 and 2 and sections 7 to 36, inclusive, partly unsurveyed; township 3 south, range 13 east, sections 1 to 18, inclusive, partly unsurveyed; township 5 south, range 13 east, sections 6, 7, 18, and 19, unsurveyed; township 1 south, range 14 east, sections 33 to 36, inclusive, partly unsurveyed; township 2 south, range 14 east, partly unsurveyed; township 3 south, range 14 east, sections 1 to 18, inclusive, partly unsurveyed; township 1 south, range 15 east, sections 31 to 35, inclusive, partly unsurveyed; township 2 south, range 15 east, sections 2 to 36, inclusive, partly unsurveyed; township 3 south, range 15 east, sections 1 to 12, inclusive, partly unsurveyed, and section 18, unsurveyed; township 2 south, range 16 east, sections 18, 19, 30, and 31, unsurveyed; and township 3 south, range 16 east, sections 6 and 7 unsurveyed. (16 U.S.C. § 450ii.)

Certain public-domain lands.

SEC. 2. All public-domain lands heretofore included within the Joshua Tree National Monument which are eliminated from the National Monument by this Act are hereby opened to location, entry, and patenting under the United States mining laws: *Provided*, That such public-domain lands or portions thereof shall be restored to application and entry under other applicable public land laws, including the mineral leasing laws. (16 U.S.C. § 450ii–1.)

Prior leases, etc.

SEC. 3. All leases, permits, and licenses issued or authorized by any department, establishment, or agency of the United States, with respect to the Federal lands ex-

cluded from the Joshua Tree National Monument by this Act, which are in effect on the date of the approval of this Act shall continue in effect, subject to compliance with the terms and conditions therein set forth, until terminated in accordance with the provisions thereof. (16 U.S.C. § 450ii–2.)

Survey.

SEC. 4. The Secretary of the Interior is authorized and directed, through the Bureau of Mines, the Geological Survey, and the National Park Service, to cause a survey to be made of the area within the revised boundaries of the Joshua Tree National Monument with a view to determining to what extent the said area is more valuable for minerals than for the National Monument purposes for which it was created. Report of said survey shall be filed with the President of the United States Senate and the Speaker of the House of Representatives on or before February 1, 1951. (16 U.S.C. § 450ii–3.)

An Act To include within the boundaries of Joshua Tree National Monument, in the State of California, certain federally owned lands used in connection with said monument, and for other purposes, approved June 30, 1961 (75 Stat. 197)

Joshua Tree National Monument, Calif.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of September 25, 1950, chapter 1030 (64 Stat. 1033; 16 U.S.C. 450ii), is hereby amended by inserting after the period at the end of section 1 the following: "Also, all that portion of the south half of the northeast quarter and of the north half of the southeast quarter of section 33, township 1 north, range 9 east, San Bernardino base and meridian, in the county of San Bernardino, State of California, shown on map titled 'Record of Survey' by H. F. Cameron, Junior, licensed engineer 6826, dated December 29, 1948, and James B. Hommon, licensed engineer 6916, dated October 5, 1949, and made for the National Park Service, Department of the Interior, and recorded October 17, 1949, in volume 7, page 72, of the official records of the county of San Bernardino, said land being described as follows:

"Beginning at the United States Government Land Office monument marked as the east quarter corner of said section 33, thence proceeding on a true bearing south 89 degrees 02 minutes 10 seconds west a distance of 50.01 feet to the true point of beginning of the hereinafter described parcel of land;

"Thence north 0 degrees 02 minutes 55 seconds west a distance 250.08 feet to a point of curve; thence along the arc of a curve to the left having a radius of 20.00 feet a distance of 31.73 feet to a point of tangency; thence south 89 degrees 02 minutes 40 seconds west a distance of 2,559.24 feet; thence south 0 degrees 19 minutes 50 seconds east a distance of 270.76 feet;

"Thence south 0 degrees 21 minutes 02 seconds east a distance of 409.32 feet to the beginning of a curve; thence along the arc of a curve to the left having a radius of 280.98 feet a distance of 275.93 feet to a point of compound curvature; thence along the arc of a curve to the left having a radius of 800.00 feet a distance of 753.98 feet to a point of tangency; thence north 69 degrees 22 minutes 58 seconds east a distance of 125.31 feet to the beginning of a curve;

"Thence along the arc of a curve to the right having a radius of 1,400.00 feet a distance of 1,042.74 feet to a point of tangency; thence south 67 degrees 56 minutes 33 seconds east a distance of 94.55 feet to the beginning of a curve; thence along the arc of a curve to the left having a radius of 700.00 feet a distance of 366.52 feet to a point of compound curvature;

"Thence along the arc of a curve to the left having a radius of 167.60 feet a distance of 240.17 feet to a point of tangency; thence north 0 degrees 02 minutes 55 seconds west a distance of 648.91 feet to the point of beginning containing 57.839 acres, more or less." (16 U.S.C. § 450ii.)

677-347—63——29

27. Katmai National Monument

Page

Removal of deposits of volcanic ash from monument authorized for purpose of aiding in development of building materials in Alaska---------
----------Act of April 15, 1954 442

An Act To facilitate the development of building materials in Alaska through the removal of volcanic ash from portions of Katmai National Monument, Alaska, and for other purposes, approved April 15, 1954 (68 Stat. 53)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of aiding in the development of building materials essential to the growth of Alaska, the Secretary of the Interior is authorized, in his discretion, for a period of fifteen years from the date of approval of this Act, pursuant to the provisions of the Act of July 31, 1947 (61 Stat. 681), as amended, to permit the removal of deposits of siliceous volcanic ash, commonly known as pumicite, from such areas as he may designate along the shores of Shelikof Strait in Katmai National Monument, Alaska.

Alaska.
Volcanic ash removal.

43 U.S.C. 1185–1188.

28. Montezuma Castle National Monument

		Page
Boundaries of monument revised	Act of June 23, 1959	443

An Act To revise the boundaries of the Montezuma Castle National Monument, Arizona, and for other purposes, approved June 23, 1959 (73 Stat. 108)

Montezuma Castle National Monument, Ariz. Boundary revision.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to facilitate the administration and protection of the Montezuma Castle National Monument, Arizona, the boundaries thereof are hereby revised to include the following described lands:

GILA AND SALT RIVER BASE AND MERIDIAN

Township 14 north, range 5 east: section 9, that portion of the southwest quarter southwest quarter located south and west of Beaver Creek, comprising about 2 acres; and section 16, southwest quarter southwest quarter northwest quarter and section 17, southeast quarter southwest quarter northeast quarter and south half southeast quarter northeast quarter, comprising about 40 acres.

Township 15 north, range 6 east: section 31, that portion of the northwest quarter southeast quarter located south and east of Beaver Creek and not heretofore included in the Montezuma Well section of the said monument, comprising approximately 17 acres.

Acquisition of lands.

SEC. 2. The Secretary of the Interior is authorized to acquire by purchase, donation, with donated funds, or otherwise and subject to such terms, reservations, and conditions as he may deem satisfactory, the land and interests in lands that are included within the boundaries of the Montezuma Castle National Monument as revised by section 1 of this Act. When so acquired, they shall be administered as a part of the Montezuma Castle National Monument, in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended.

16 U.S.C. 1–4, 22, 43.

29. Old Kasaan National Monument

		Page
Monument abolished	Act of July 26, 1955	444

An Act To abolish the Old Kasaan National Monument, Alaska, and for other purposes, approved July 26, 1955 (69 Stat. 380)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Old Kasaan National Monument, in Alaska, is hereby abolished, and the lands thereof shall hereafter be administered as a part of the Tongass National Forest.

30. Patrick Henry National Monument Project

		Page
Repeal of acts of August 15, 1935, and January 29, 1940, relating to establishment	Act of December 21, 1944	445

An Act To repeal the Acts of August 15, 1935, and January 29, 1940, relating to the establishment of the Patrick Henry National Monument and the acquisition of the estate of Patrick Henry, in Charlotte County, Virginia, approved December 21, 1944 (58 Stat. 852)

Patrick Henry National Monument, Va. Repeals.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the establishment of a national monument on the site of Red Hill estate of Patrick Henry," approved August 15, 1935, and the Act entitled "An Act to provide for the acquisition by the United States of the estate of Patrick Henry in Charlotte County, Virginia, known as Red Hill," approved January 29, 1940, are hereby repealed.

49 Stat. 652.

54 Stat. 18.

Unexpended balances.

SEC. 2. The Secretary of the Treasury is authorized and directed to cover into the surplus fund of the Treasury the unexpended balances of all amounts heretofore appropriated for the purposes of such Acts of August 15, 1935, and January 29, 1940. (16 U.S.C. §§ 450f–450k.

31. Pensacola National Monument Project

Page

Authority to accept lands and establish monument or transfer to State of Florida for State historical park use.....Act of July 2, 1948 446

An Act To provide for the establishment of the Pensacola National Monument, approved July 2, 1948 (62 Stat. 1220)

Pensacola National Monument, Fla. Acquisition of land.

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 receive on behalf of the United States, the following parcels of land, together with any improvements thereon, now located in the harbor defenses of Pensacola on lands owned by the Department of the Army, in Escambia County, State of Florida, not needed by either the War or Navy Department and transferred in accordance with existing law:

(1) Old Fort San Carlos and Old Fort Barrancas (approximate area four acres).

(2) Old Fort Redoubt (approximate area four acres).

(3) Old Fort Pickens (approximate area five acres). (16 U.S.C. § 450gg.)

SEC. 2. The property acquired under the provisions of section 1 of this Act shall be held by the Secretary of the Interior pending determination by the said Secretary as to its national significance for national monument purposes. In the event that the said Secretary shall determine it to be in the national interest the area, upon the publication of a Secretarial order in the Federal Register, shall constitute the Pensacola National Monument, set apart for the preservation of historical associations connected with Pensacola and its harbor defenses.

Publication in Federal Register.

Supervision, etc.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have supervision, management, and control of such national monument, and shall restore, maintain, and preserve it in a suitable and enduring manner which, in his judgment, will provide for the benefit and enjoyment of the people of the United States. (16 U.S.C. § 450gg–1.)

Museum.

SEC. 3. The Secretary of the Interior is authorized to maintain either in an existing structure acquired under the provisions of section 1 of this Act or in a building constructed by him for the purpose of a museum for relics and records pertaining to Pensacola and its harbor defenses and for other articles of national and patriotic interest, and to accept on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum. (16 U.S.C. § 450gg–2.)

Transfer of title, etc., to State.

Reversion to U.S.

SEC. 4. In the event that the said Secretary shall determine that the area would be more suitably administered as a State historical park, the said Secretary is hereby authorized to transfer title to the land, and jurisdiction of the area, to the State of Florida: *Provided*, That the State shall perpetually maintain the area for State historical park use. In the event that the State shall ever abolish the historical park, or attempt to alienate the lands, title shall revert to the United States. (16 U.S.C. § 450gg–3.)

Appropriation authorized.

SEC. 5. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. (16 U.S.C. § 450gg note.)

32. Pipestone National Monument

Page
Addition of certain lands to monument authorized____Act of June 18, 1956 448

An Act To authorize the addition of certain lands to the Pipestone National Monument in the State of Minnesota, approved June 18, 1956 (70 Stat. 290)

Pipestone National Monument, Minn.

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 hereby authorized to add to the Pipestone National Monument such part of the Pipestone school reserve, not exceeding two hundred and fifty acres, as he deems necessary to protect archeological remains, to acquire by purchase or condemnation not exceeding ten acres of non-Federal land, as he deems necessary to improve the boundary and administration of the Pipestone National Monument Federal land, and to redefine the exterior boundaries of the Pipestone National Monument to include the lands so transferred and acquired pursuant to this Act. All lands added to the Pipestone National Monument pursuant to this Act shall be subject to the provisions of sections 2 and 3 of the Act of August 25, 1937 (50 Stat. 804). (16 U.S.C. § 445d.)

33. Rainbow Bridge National Monument

		Page
Monument to be protected from impairment in connection with Colorado River storage project	Act of April 11, 1956	449

Excerpts from "An Act To authorize the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects, and for other purposes," approved April 11, 1956 (70 Stat. 105, 106)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to initiate the comprehensive development of the water resources of the Upper Colorado River Basin, for the purposes, among others, of regulating the flow of the Colorado River, storing water for beneficial consumptive use, making it possible for the States of the Upper Basin to utilize, consistently with the provisions of the Colorado River Compact, the apportionments made to and among them in the Colorado River Compact and the Upper Colorado River Basin Compact, respectively, providing for the reclamation of arid and semiarid land, for the control of floods, and for the generation of hydroelectric power, as an incident of the foregoing purposes, the Secretary of the Interior is hereby authorized (1) to construct, operate, and maintain the following initial units of the Colorado River storage project, consisting of dams, reservoirs, powerplants, transmission facilities and appurtenant works: Curecanti, Flaming Gorge, Navajo (dam and reservoir only), and Glen Canyon:

Colorado River storage project

63 Stat. 31.

Initial units.

* * * * *

Provided further, That as part of the Glen Canyon Unit the Secretary of the Interior shall take adequate protective measures to preclude impairment of the Rainbow Bridge National Monument.

Rainbow Bridge National Monument.

34. Saint Croix Island National Monument Project

Page

Establishment of monument and acceptance of lands authorized--------
----------Act of June 8, 1949 450

An Act To authorize the establishment of the Saint Croix Island National Monument in the State of Maine, approved June 8, 1949 (63 Stat. 158)

St. Croix Island National Monument, Maine. Acquisition of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of establishing a Federal area of national historical importance for the benefit of the people of the United States, the Secretary of the Interior is hereby authorized to accept, for national monument purposes, on behalf of the United States, the donation of all non-Federal lands and interests in land situated on Saint Croix (Dochet) Island, located in the Saint Croix River, in the State of Maine. The Secretary is authorized to acquire, in such manner as he may consider to be in the public interest, not to exceed fifty acres of land or interests therein situated on the mainland, such property to be used for general administrative purposes and for a landing dock in order to provide a suitable approach and ready access to the island. (16 U.S.C. § 450hh.)

SEC. 2. Upon a determination by the Secretary of the Interior that sufficient land and interests in land situated on the island have been acquired by the United States for the establishment of a suitable national monument, such acquired property, and any Federal properties on the island that are not required for other public purposes, shall be established as the "Saint Croix Island National Monument". An order of the Secretary of the Interior, constituting notice of such determination, shall be published in the Federal Register. Following establishment of the national monument, other properties situated upon the island may become a part of the monument upon acquisition of title to such properties by the United States, and Federal properties situated upon the island, upon a determination by the agency administering such Federal properties that they are no longer required by that agency, may be transferred to the Secretary of the Interior by such agency to become a part of the national monument. Notice of the addition of any such properties to the monument shall be published in the Federal Register by the Secretary of the Interior. There shall be excluded from the national monument, for such time as the United States Coast Guard shall consider it to be necessary, any portion of the island which is being used and which is required for the purposes of

Publication of notice. Acquisition of additional property.

a Coast Guard light station. (16 U.S.C. § 450hh–1.)

SEC. 3. The national monument shall be administered by the Secretary of the Interior, through the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467). (16 U.S.C. § 450hh–2.)

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. (16 U.S.C. § 450hh note.)

Appropriation authorized.

35. Santa Rosa Island National Monument

		Page
Abolishment of monument and transfer of land to Escambia County, Florida, authorized	Act of July 30, 1946	452

An Act To abolish the Santa Rosa Island National Monument and to provide for the conveyance to Escambia County, State of Florida, of that portion of Santa Rosa Island which is under the jurisdiction of the Department of the Interior, approved July 30, 1946 (60 Stat. 712)

Santa Rosa Island National Monument, Fla.

Abolishment; conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Santa Rosa Island National Monument, Florida, is hereby abolished, and the Secretary of the Interior is authorized and directed to donate and convey to Escambia County, State of Florida, all the right, title, and interest of the United States in and to that portion of Santa Rosa Island, Florida, which is under the jurisdiction of the Department of the Interior, to be retained by the said Escambia County and to be used by it for such purposes as it shall deem to be in the public interest or to be leased by it from time to time in whole or in part or parts to such persons and for such purposes as it shall deem to be in the public interest and upon such terms and conditions as it shall fix and always to be subject to regulation by said county whether leased or not leased but never to be otherwise disposed of or conveyed by it: *Provided*, That nothing herein shall prevent the said county from conveying said property back to the Federal Government or to the State of Florida or any agency thereof.

36. Scotts Bluff National Monument

		Page
Boundary revision authorized	Act of June 30, 1961	453

An Act To revise the boundaries of the Scotts Bluff National Monument, Nebraska, and for other purposes, approved June 30, 1961 (75 Stat. 148)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve the scenic and historic integrity of Scotts Bluff and adjacent features, the Secretary of the Interior may revise the boundaries of the Scotts Bluff National Monument so as to exclude from it certain private and Federal lands and substitute other private lands more essential to the purposes of the monument: *Provided*, That the revised boundaries shall encompass an area which is about three hundred and fifty acres less than the acreage of the monument as of the date of this Act. Notice of the designation of the revised boundaries pursuant to this section shall be given by publication in the Federal Register.

Scotts Bluff National Monument, Nebr.

SEC. 2. The Secretary, in furtherance of the purposes of this Act, may procure, in such manner as he may deem to be in the public interest, lands and interests in lands within the revised boundaries designated pursuant to section 1 of this Act. To avoid the undesirable severance of parcels in private ownership which extend beyond the revised boundaries, the Secretary may, in his discretion and with the consent of the owners, acquire lands or interests in lands that are in private ownership but which lie outside the revised boundary. Property so acquired outside the revised boundary and federally owned lands excluded from the monument pursuant to section 1 of this Act may be exchanged by the Secretary of the Interior for any land of approximately equal value within the revised boundaries. Nothing in this section shall be construed as repealing or limiting the existing jurisdiction, power, or authority of the Secretary prescribed by the public land laws.

Land acquisition. Authority.

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

Appropriation.

37. Shoshone Cavern National Monument

	Page
Abolishment of monument and transfer of land to city of Cody, Wyoming, authorized—Act of May 17, 1954	454

An Act To authorize the abolishment of the Shoshone Cavern National Monument and the transfer of the land therein to the city of Cody, Wyoming, for public recreational use, and for other purposes, approved May 17, 1954 (68 Stat. 98)

Shoshone Cavern National Monument. Abolishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Shoshone Cavern National Monument, established by Executive proclamation of September 21, 1909 (36 Stat. 2501), is hereby abolished and the Secretary of the Interior is authorized to convey, without cost, the lands embraced therein, aggregating two hundred and ten acres, to the city of Cody, Wyoming, for public recreational use, upon such terms and conditions as he shall find to be equitable and in the public interest.

In order that the city may provide adequate public access to such property from the Cody-Yellowstone Highway (U.S. Nos. 14 and 20), the Secretary of the Interior is also authorized to convey without cost a right-of-way to the city.

In the event that the city of Cody shall fail to devote the said monument lands to the purposes of public park and recreational site within ten years after the date of the enactment of this Act or shall fail to maintain such land for such purposes for any period of five consecutive years subsequent to its devotion to such use or shall fail to provide adequate measures for fire control and watershed protection for the lands, or shall devote such lands or any part thereof to any other use not consistent with the purposes of this Act, such lands and all improvements thereon shall revert to the United States. In such an event, the Secretary of the Interior is hereby authorized to declare a forfeiture of all grants and conveyances made pursuant to this Act and to administer such properties in accordance with the public land laws of the United States.

38. Statue of Liberty National Monument

	Page
Secretary of War authorized to accept funds donated for construction of an electric lighting plant for Statue---------- Excerpt from Act of July 27, 1916	455
New York City National Shrines Advisory Board authorized---------- Act of August 11, 1955	455
Name of Bedloe's Island changed to Liberty Island---------- Joint Resolution of August 3, 1956	456
Amendment to Act of August 11, 1955---------- Act of August 14, 1958	457

Excerpt from "An Act Making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 27, 1916 (39 Stat. 391, 411)

Statue of Liberty, New York Harbor. Acceptance, etc., of donated electric plant for lighting.

SEC. 5. That the Secretary of War be, and he is hereby, authorized to accept for and on behalf of the United States, with thanks to the donors, funds raised or to be raised by the New York World by popular subscription for the construction of an electric lighting plant adequate for the illumination of the Statue of Liberty on Bedloes Island, New York Harbor, with the understanding that the funds will be applied to the purpose for which donated, and that the lighting plant, after construction, will be maintained at the expense of the United States.

An Act To promote public cooperation in the rehabilitation and preservation of the Nation's important historic properties in the New York City area, and for other purposes, approved August 11, 1955 (69 Stat. 632)

New York City National Shrines Advisory Board.

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 appoint an advisory board, to be known as the New York City National Shrines Advisory Board. The membership of the Board may not exceed eleven persons. The Secretary shall appoint one member to represent the city of New York, one member to represent the State of New York, and one member to represent the Borough of Manhattan, after consideration of such recommendations as may be made by the mayor of New York City, the Governor of New York State, and the President of the Borough of Manhattan for the appointment of the representatives of their respective jurisdictions. The remaining membership of the Board shall be appointed from the various historical and civic organizations interested in effectuating the purposes of this Act. The Secretary shall, at the time of appointment, designate one of the members to serve as Chairman. Members of the Board shall receive no compensation for their services, but may be paid any necessary traveling and subsistence expenses incurred in the discharge of their duties, when authorized by the Secretary of the Interior.

Preservation of historic properties.

The functions of the Board shall be to render advice to the Secretary of the Interior and to further public participation in the rehabilitation and the preservation of those historic properties in the New York City area that are of great national significance, identified as the Federal Hall National Memorial, Castle Clinton National Monument, and the Statue of Liberty National Monument. The Board shall conduct a study of these historic properties and submit recommendations concerning their preservation and administration to the Secretary of the Interior, such report and recommendations of the Board to be transmitted to the Congress by the Secretary of the Interior, together with his recommendations thereon, within one year following the date of the establishment of the Board. The Board shall cease to exist when the Secretary of the Interior shall find that its purposes have been accomplished.

Report to Congress.

SEC. 2. The Secretary of the Interior is authorized to accept donations of funds for rehabilitation and preservation of the historic properties including any made upon condition that such funds are to be expended only if Federal funds in an amount equal to the donated funds are appropriated for such purposes. There are authorized to be appropriated such funds as may be necessary to match funds that may be donated for purposes of this Act.

Appropriation.

16 U.S.C. 461–467.

SEC. 3. The Federal Hall Memorial National Historic Site, established pursuant to the Historic Sites Act of August 21, 1935 (49 Stat. 666), shall hereafter be known as the "Federal Hall National Memorial". (16 U.S.C. § 463 note, as amended. See p. 457.)

Joint Resolution To change the name of Bedloe's Island in New York Harbor to Liberty Island, approved August 3, 1956 (70 Stat. 956)

Whereas the Statue of Liberty is to the world the symbol of the dreams and aspirations which have drawn so many millions of immigrants to America;

Whereas to all Americans the Statue of Liberty stands eternal as the symbol of the freedom which has been made a living reality in the United States for all sorts and conditions of mankind, united in allegiance to the Constitution of the United States and to the imperishable ideals of our free society;

Whereas the majestic meaning of the Statue of Liberty is to be made more brilliant by the establishment, at its foot, of The American Museum of Immigration as the gift of individual Americans to the American people for all future generations;

Whereas The American Museum of Immigration will tell for all time the story of the making of this great Nation of nations by the contributions of men and women who have been coming here since the earliest times from all over the world in search of liberty;

Whereas the Statue of Liberty stands on Federal land known as Bedloe's Island, which name today has no special significance and which is the latest of a series of other names by which such island has been known in the past; and

Whereas it is meet, fitting, and proper that the Statue of Liberty, with The American Museum of Immigration at its foot, be accorded a setting most appropriate for the great shrine of the American people: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Bedloe's Island, which is located in New York Harbor, shall hereafter be known as Liberty Island, and any law, regulation, document, or record of the United States in which such island is designated or referred to under the name Bedloe's Island shall be held to refer to such island under and by the name of Liberty Island.

Liberty Island, N.Y., formerly Bedloe's Island.

An Act To amend the Act of August 11, 1955 (69 Stat. 632), relating to the rehabilitation and preservation of historic properties in the New York City area, and for other purposes, approved August 14, 1958 (72 Stat. 613)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to promote public cooperation in the rehabilitation and preservation of the Nation's important historic properties in the New York City area, and for other purposes," approved August 11, 1955 (69 Stat. 632), is hereby amended as follows:

New York City area. Historic properties. 16 U.S.C. 463 note.

(a) In the first sentence of the second paragraph of section 1 of such Act insert a comma and the word "development" after the word "rehabilitation."

(b) In the first sentence of section 2 of such Act insert a comma and the word "development" after the word "rehabilitation." (16 U.S.C. § 463 note. See p. 456.)

39. Verendrye National Monument

Page

Monument abolished with provision for its continued public use by the State of North Dakota----------Act of July 30, 1956 458

An Act To abolish the Verendrye National Monument, and to provide for its continued public use by the State of North Dakota for a State historic site, and for other purposes, approved July 30, 1956 (70 Stat. 730)

Verendrye National Monument, N. Dak. Abolishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Verendrye National Monument, North Dakota, is hereby abolished, and the Secretary of the Interior is authorized to convey the lands contained therein, together with any improvements thereon, subject to the reservation to the United States of the right to flood such lands in connection with the operation and maintenance of the Garrison Dam and Reservoir project, to the State of North Dakota for public recreation use and as a State historic site.

Deed provisions.

SEC. 2. The Secretary is authorized to execute, on behalf of the United States, the necessary deed or other instrument to effect the purposes of this Act. Such deed or instrument shall contain the express provision that the grantee shall use the lands conveyed exclusively for public recreation and State historic site purposes and may contain such other provisions as the Secretary and the grantee shall agree upon.

Reversionary condition.

SEC. 3. The conveyance authorized herein shall be made upon the further express condition that the title and right to possession to any land so conveyed, together with any improvements thereon, shall revert to the United States upon a finding by the Secretary, after notice to such grantee and after an opportunity for a hearing, that the grantee has not complied with the provisions of the conveyance during a period of more than three years, which finding shall be final and conclusive and such lands and improvements, upon reversion to the United States, shall be returned to the administrative jurisdiction of the Department of the Interior for appropriate administration or disposition as determined by the Secretary: *Provided*, That this condition shall cease to be in effect as to any lands conveyed hereunder twenty-five years after the conveyance of such lands.

40. Wheeler National Monument

	Page
Monument abolished, lands transferred to national forest----------Act of August 3, 1950	459

An Act To abolish the Wheeler National Monument, in the State of Colorado, and to provide for the administration of the lands contained therein as a part of the national forest within which such national monument is situated, and for other purposes, approved August 3, 1950 (64 Stat. 405)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Wheeler National Monument, containing three hundred acres, established by proclamation of December 7, 1908 (35 Stat. 2214), is hereby abolished, and the Federal lands and property therein shall hereafter be administered as a part of the national forest within which such properties are situated.

41. Wupatki National Monument

Page

Boundaries revised and public access to certain ruins provided----------
----------Act of August 10, 1961 460

An Act To authorize an exchange of lands at Wupatki National Monument, Arizona, to provide access to certain ruins in the monument, to add certain federally owned lands to the monument, and for other purposes, approved August 10, 1961 (75 Stat. 337)

Wupatki National Monument, Ariz. Lands, exchange.

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 may, in his discretion, obtain a valid title for the United States to the lands described as: southeast quarter, section 17, and section 29, township 26 north, range 10 east, Gila and Salt River meridian, for addition to the Wupatki National Monument in exchange for lands of approximately equal value described as: southwest quarter, section 16, township 26 north, range 10 east, and section 32, township 26 north, range 9 east, Gila and Salt River meridian. The lands conveyed by the Secretary and the privately owned land known as northwest quarter, section 21, township 26 north, range 10 east, Gila and Salt River meridian, shall, after execution of the exchange, cease to be a part of the Wupatki National Monument.

SEC. 2. The Secretary may, in his discretion, accept the donation of a permanent easement for a road right-of-way two hundred feet wide for the purpose of providing public access to the significant Crack-in-Rock Ruin which lies within the monument: *Provided*, That no road may be constructed upon the right-of-way without further legislative authority. The right-of-way to the ruin shall extend across terrain suitable to the Secretary from any point on the north line of township 25 north, ranges 9 or 10 east, Gila and Salt River meridian, which he may select.

SEC. 3. Subject to valid existing rights, the public lands lying west of the west right-of-way line of United States Highway 89 in section 3, township 25 north, range 8 east, Gila and Salt River meridian, consisting of lot 4, southwest quarter northwest quarter, northwest quarter southwest quarter and the westerly portions of lot 3, southeast quarter northwest quarter, and east one-half southwest quarter are added to and made a part of the Wupatki National Monument.

XII. LEGISLATION RELATING TO NATIONAL PARKWAYS

1. Blue Ridge Parkway

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Easements authorized for C&O Railway	Act of December 22, 1944	461
Exchange of lands with Eastern Band of Cherokee Indians effected	Act of October 10, 1949	463
Transfer of lands from jurisdiction of the Secretary of the Interior to jurisdiction of the Secretary of Agriculture authorized	Act of May 13, 1952	471
Purchase and exchange of land authorized	Act of June 30, 1961	471
Section of parkway transferred to Shenandoah National Park	Act of June 30, 1961	472
Appropriation authorized for survey of proposed national parkway from the Blue Ridge Parkway into the State of Georgia	Act of August 10, 1961	472

An Act Authorizing the conveyance by the Secretary of the Interior to The Chesapeake and Ohio Railway Company, a railroad corporation, of certain perpetual easements, near Afton, in Augusta and Nelson Counties, Virginia, being a portion of the Blue Ridge Parkway land of the Shenandoah National Park, approved December 22, 1944 (58 Stat. 909)

The Chesapeake and Ohio Railway Company.

Conveyance of certain perpetual easements near Afton, Va.

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 be, and he is hereby, authorized to grant and convey to The Chesapeake and Ohio Railway Company, a corporation organized and existing under and by virtue of the laws of the State of Virginia, its successors or assigns, perpetual easements across and under two parcels of land located near Afton, in Augusta and Nelson Counties, Virginia, more particularly described as follows:

Parcel 1.

Parcel Numbered 1, now owned in fee simple by the United States of America in Nelson County, Virginia:

Beginning at a point twenty-five feet southwesterly and radially from the located center line of a proposed main track and tunnel on the Mountain Subdivision of The Chesapeake and Ohio Railway Company, also being in property line dividing the lands of the United States of America used for Blue Ridge Parkway and the Swannanoa Development Corporation which bears north eighty-seven degrees sixteen minutes east through proposed center line of main track at station 1197+09.72 which is on a three degree fifteen minute curve (the tangent of this curve produced intersects said property line at a point ninety-six and six-tenths feet south thirty-four degrees forty-four minutes east from the point of tangent of curve and at a point one hundred and seventy-seven and three one-hundredths feet south eighty-seven degrees sixteen minutes west measured along property line from

corner numbered 5 and one hundred and twenty-four and eighty one-hundredths feet north eighty-seven degrees sixteen minutes east measured along property line from monument numbered 4); thence north eighty-seven degrees sixteen minutes east on property line and across proposed center line of main track fifty-nine and eight-tenths feet, more or less, to a point twenty-five feet northeasterly and radially from proposed center line of main track; thence southeasterly parallel with and twenty-five feet from proposed center line of main track which is on a three degree fifteen minute curve to the left sixty-eight and five-tenths feet, more or less, to a point in property line dividing the lands of the United States of America used for Blue Ridge Parkway and the Commonwealth of Virginia used for United States Route Numbered 250 which bears south sixty-seven degrees forty-eight minutes west through proposed center line at station 1196+30.97 which is thirty and thirteen one-hundredths feet south sixty-seven degrees forty-eight minutes west from northeast end of course and one hundred and twenty-two and twenty-one one-hundredths feet north sixty-seven degrees forty-eight minutes east from southwest end of course; thence south sixty-seven degrees forty-eight minutes west on property line and across proposed center line fifty-two and five-tenths feet, more or less, to a point twenty-five feet southwesterly and radially from proposed center line of main track; thence northwesterly parallel with and twenty-five feet from proposed center line of main track which is on a three degree fifteen minute curve to the right eighty-nine and no tenths feet, more or less, to point of beginning; and containing nine one-hundredths acre, more or less.

Parcel 2.

Parcel Numbered 2, now owned in fee simple by the United States of America in Augusta County, Virginia:

Beginning at a point twenty-five feet northeasterly at right angles from the located center line of a proposed main track and tunnel on the Mountain Subdivision of The Chesapeake and Ohio Railway Company, also being in property line dividing the lands of the United States of America used for Blue Ridge Parkway and the Commonwealth of Virginia used for United States Route Numbered 250, which bears north three degrees sixteen minutes west through proposed center line of main track at station 1211+23.87; thence south thirty-four degrees forty-four minutes east parallel with and twenty-five feet from proposed center line of main track and tunnel across Skyline Drive six hundred and eighty-five and seventy-six one-hundredths feet to a point in property line dividing the lands of the United States of America used for Blue Ridge Parkway and the Swannanoa Development Corporation, which bears south one degree forty-two minutes thirty seconds east through proposed center line of main track at station 1204+40.5 which is one

hundred and eighty-seven and twenty one-hundredths feet south one degree forty-two minutes thirty seconds east measured along property line from iron pin corner numbered 20 and seventy-one and forty one-hundredths feet north one degree forty-two minutes thirty seconds west measured along property line from corner numbered 1; thence south one degree forty-two minutes thirty seconds east on property line and across center line ninety-one and seventy-four one-hundredths feet to a point twenty-five feet southwesterly at right angles from proposed center line of main track; thence north thirty-four degrees forty-four minutes west parallel with and twenty-five feet from proposed center line of main track and tunnel six hundred and eighty and ninety-eight one-hundredths feet to a point in first above-described property line; thence north three degrees sixteen minutes west on property line ninety-five and seventy-eight one-hundredths feet to point of beginning; and containing seventy-eight one hundredths acre, more or less.

Use for railroad tunnel.

The said easements are to be used for location of a railroad tunnel under the said Blue Ridge Parkway property near Afton, Virginia, and shall be conveyed subject to such terms and conditions as the Secretary of the Interior may deem advisable.

Reversionary provision.

No part of the said easements shall be used for any other than railroad purposes, and in the event of any breach of this restriction, or in the event any part of said easements ceases to be used for railroad purposes, the entire interest herein authorized to be granted shall forthwith revert to the United States of America.

Federal right reserved.

The United States of America shall have the right to use the said property in any way or manner not inconsistent with or conflicting with the use of the easements for railroad purposes as authorized herein to be granted to said The Chesapeake and Ohio Railway Company.

Consideration for conveyance.

The Secretary of the Interior shall cause an appraisal to be made of the value of the said easements, including the resulting damage, if any, to the residue of the land, which said appraisal, after approval by the Secretary of the Interior, shall be paid in cash by The Chesapeake and Ohio Railway Company as the consideration for the conveyance of said easements to it by the United States of America.

An Act To effect an exchange of certain lands in the State of North Carolina between the United States and the Eastern Band of Cherokee Indians, and for other purposes, approved October 10, 1949 (63 Stat. 726)

Eastern Band of Cherokee Indians. Exchange of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of acquiring suitable right-of-way property for the Blue Ridge Parkway consistent with Resolution Numbered 33 of October 17,

1947, adopted by the tribal council of the Eastern Band of Cherokee Indians, there is hereby granted to the United States, subject to the provisions of the said resolution and this Act, all the right, title, and interest of the Eastern Band of Cherokee Indians in and to the following-described lands, which shall hereafter constitute a part of the right-of-way of the Blue Ridge Parkway:

TRACT NUMBERED 2—MOLLIE GAP

Beginning at an iron rod located on the boundary line between the Qualla tract of the Cherokee Indian Reservation and the lands of the Plott heirs, said iron rod being further described as being located approximately one thousand two hundred and fifty feet northwest from transit point numbered 71, a point on the Blue Ridge Parkway boundary line, and running thence the following courses and distances, to wit:

North eighty-four degrees fifty-four and one-half minutes west two hundred thirty-four and ninety-six one-hundredths feet to an iron rod; north eighty-four degrees forty-two and one-half minutes west fifty and seventy-four one-hundredths feet to an iron rod; north eighty-three degrees fifty-two and one-half minutes west fifty-two and twenty-seven one-hundredths feet to an iron rod; north eighty-two degrees eight and one-half minutes west fifty-three and eighty one-hundredths feet to an iron rod; north seventy-nine degrees twenty-nine minutes west fifty-five and twenty-one one-hundredths feet to an iron rod; north seventy-six degrees eleven minutes west fifty-six and ten one-hundredths feet to an iron rod; north seventy-two degrees thirty-nine minutes west fifty-six and ten one-hundredths feet to an iron rod; north sixty-nine degrees ten and one-half minutes west fifty-six and ten one-hundredths feet to an iron rod; north sixty-five degrees thirty-nine minutes west fifty-six and ten one-hundredths feet to an iron rod; north sixty-two degrees ten minutes west fifty-six and ten one-hundredths feet to an iron rod;

North fifty-eight degrees forty-one minutes west fifty-six and ten one-hundredths feet to an iron rod; north fifty-five degrees eleven minutes west fifty-six and ten one-hundredths feet to an iron rod; north fifty-one degrees forty minutes west fifty-six and ten one-hundredths feet to an iron rod; north forty-eight degrees thirty-eight minutes west forty and twenty-five one-hundredths feet to an iron rod; north forty-six degrees three minutes west fifty-five and forty-four one-hundredths feet to an iron rod; north forty-three degrees seven minutes west fifty-three and eighty-two one-hundreths feet to an iron rod; north forty-one degrees twenty-five and one-half minutes west fifty-two and twenty-nine one-hundredths feet to an iron rod; north forty degrees thirty-three minutes west fifty and seventy-

six one-hundredths feet to an iron rod; north forty degrees nineteen minutes west forty-nine and twenty-seven one-hundredths feet to an iron rod; north forty degrees forty-four minutes west forty-eight and thirty-seven one-hundredths feet to an iron rod;

North forty-two degrees thirty-nine minutes west forty-five and ten one-hundredths feet to an iron rod; north forty-six degrees forty-four minutes west forty-one and eighty-three one-hundredths feet to an iron rod; north fifty-one degrees twenty-eight minutes west thirty-eight and ninety-four one-hundredths feet to an iron rod; north fifty-eight degrees fifty-seven and one-half minutes west thirty-six and ninety-one one-hundredths feet to an iron rod; north sixty-six degrees twenty-six minutes west thirty-six and ninety-one one-hundredths feet to an iron rod; north seventy-three degrees fifty-seven minutes west thirty-six and ninety-one one-hundredths feet to an iron rod; north eighty-one degrees thirty-three and one-half minutes west twenty-one and eighty one-hundredths feet to an iron rod; north eighty-six degrees twenty-five and one-half minutes west thirty-eight and forty-five one-hundredths feet to an iron rod;

South eighty-eight degrees fifty-five minutes west forty-one and eighty-three one-hundredths feet to an iron rod; south eighty-four degrees fifty and one-half minutes west forty-five and ten one-hundredths feet to an iron rod; south eighty-two degrees fifty-three and one-half minutes west forty-eight and thirty-seven one-hundredths feet to an iron rod; south eighty-two degrees thirty-six minutes west forty and four one-hundredths feet to an iron rod; south eighty-two degrees forty-eight minutes west fifty-one and nine one-hundredths feet to an iron rod; south eighty-four degrees five and one-half minutes west fifty-three and twenty-seven one-hundredths feet to an iron rod, south eighty-six degrees thirty-four minutes west fifty-five and forty-five one-hundredths feet to an iron rod;

North eighty-nine degrees fifty-three minutes west fifty-seven and fifty-nine one-hundredths feet to an iron rod; north eighty-four degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north seventy-nine degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north seventy-four degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north sixty-nine degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north sixty-four degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north fifty-nine degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north fifty-four degrees fifty-eight minutes west fifty-eight and

seventy-three one-hundredths feet to an iron rod; north forty-nine degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north forty-four degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north thirty-nine degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod;

North thirty-four degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north twenty-nine degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north twenty-four degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north nineteen degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north fourteen degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north nine degrees fifty-eight minutes west fifty-eight and seventy-three one-hundredths feet to an iron rod; north seven degrees twenty-seven and one-half minutes west fifteen and ninety-seven one-hundredths feet to an iron rod; north three degrees fourteen and one-half minutes west fifty-nine and eighty-five one-hundredths feet to an iron rod; north no degrees thirty-eight and one-half minutes east fifty-seven and nine one-hundredths feet to an iron rod; north three degrees forty-three and one-half minutes east fifty-four and twenty-five one-hundredths feet to an iron rod;

North six degrees three and one-half minutes east fifty-one and forty-two one-hundredths feet to an iron rod; north seven degrees forty-one and one-half minutes east fifty-two and sixty-two one-hundredths feet to an iron rod; north nine degrees twelve minutes east fifty-two and sixty-two one-hundredths feet to an iron rod; north ten degrees forty-two and one-half minutes east fifty-two and sixty-two one-hundredths feet to an iron rod; north twelve degrees twelve minutes east fifty-two and sixty-two one-hundredths feet to an iron rod; north thirteen degrees forty-three minutes east fifty-two and sixty-two one-hundredths feet to an iron rod; north fifteen degrees thirteen minutes east fifty-two and sixty-two one-hundredths feet to an iron rod; north sixteen degrees thirty-five minutes east forty and thirty-one one-hundredths feet to an iron rod; north seventeen degrees fifty-seven and one-half minutes east fifty-one and sixty-two one-hundredths feet to an iron rod; north twenty degrees twenty-nine and one-half minutes east fifty-four and eighty-six one-hundredths feet to an iron rod;

North twenty-four degrees one and one-half minutes east fifty-eight and ten one-hundredths feet to an iron rod; north twenty-nine degrees twenty-six and one-half

minutes east sixty-one and twenty-eight one-hundredths feet to an iron rod; north thirty-four degrees fifty-eight and one-half minutes east sixty and thirty-eight one-hundredths feet to an iron rod; north forty degrees fifty-five and one-half minutes east sixty and thirty-eight one-hundredths feet to an iron rod; north forty-six degrees fifty-two and one-half minutes east sixty and thirty-eight one-hundredths feet to an iron rod; north fifty-two degrees forty-nine and one-half minutes east sixty and thirty-eight one-hundredths feet to an iron rod; north fifty-seven degrees forty-eight minutes east thirty-nine and seventy-six one-hundredths feet to an iron rod; north sixty-two degrees fourteen minutes east fifty-nine and fourteen one-hundredths feet to an iron rod; north sixty-seven degrees five minutes east fifty-six and forty-seven one-hundredths feet to an iron rod; north sixty-nine degrees twenty-nine and one-half minutes east thirty-five and twenty-five one-hundredths feet to an iron rod; located on the boundary line between the Qualla tract of the Cherokee Indian Reservation and the Great Smoky Mountains National Park; thence with said boundary line south forty degrees nine minutes east, seventy and twenty-seven one-hundredths feet to a one-and-one-half inch iron pipe, said iron pipe being further described as a common corner between the Qualla tract of the Cherokee Indian Reservation, the Great Smoky Mountains National Park, and the Plott heirs; thence with the Indian Reservation and the Plott heirs boundary line south thirty-nine degrees thirty-four minutes east eight hundred twenty-eight and fifty-four one-hundredths feet to a two-inch iron pipe; thence south thirty-nine degrees forty-two and one-half minutes east, two thousand and nine and seventy one-hundredths feet to the point of beginning, and containing forty-seven and sixty-nine one-hundredths acres, more or less, of which forty-seven and eighteen one-hundredths acres are in Haywood County and fifty-one one-hundredths acre is in Swain County.

TRACT NUMBERED 3—WOLF LAUREL GAP

Begininng at a point, a cross mark cut on a rock, on the Blue Ridge Parkway boundary line, section 2–Y, said point being further described as bearing north fifty-seven degrees one-half minutes west thirty-eight and sixty-eight one-hundredths feet from transit point numbered 65 of said Parkway boundary; and running thence the following courses and distances, to wit:

North eighteen degrees twenty-two minutes east sixty and twenty-eight one-hundredths feet to an iron rod; north twenty-one degrees one minute east sixty-two and twenty-three one-hundredths feet to an iron rod; north twenty-six degrees nineteen and one-half minutes east sixty-two and twenty-three one-hundredths feet to an

iron rod; north thirty-two degrees forty-five and one-half minutes east fifty-eight and twenty-nine one-hundredths feet to an iron rod; north thirty-four degrees one minute east fifty-eight and eighteen one-hundredths feet to an iron rod; north forty-two degrees fifty-eight and one-half minutes east fifty-seven and eighty-four one-hundredths feet to an iron rod; north forty-three degrees eleven and one-half minutes east fifty-seven and forty-six one-hundredths feet to an iron rod; north fifty-one degrees eighteen and one-half minutes east fifty-seven and seven one-hundredths feet to an iron rod; north fifty-one degrees thirty-two minutes east fifty-six and seventy-three one-hundredths feet to an iron rod; north fifty-eight degrees forty-nine and one-half minutes east fifty-six and thirty-eight one-hundredths feet to an iron rod; north fifty-nine degrees one and one-half minutes east fifty-six feet to an iron rod;

North sixty-five degrees twenty-nine and one-half minutes east fifty-five and sixty-one one-hundredths feet to an iron rod; north sixty-five degrees forty-two minutes east fifty-five and twenty-seven one-hundredths feet to an iron rod; north seventy-one degrees nineteen and one-half minutes east fifty-four and ninety-one one-hundredths feet to an iron rod; north seventy-one degrees thirty-two and one-half minutes east fifty-four and fifty-five one-hundredths feet to an iron rod; north seventy-six degrees twenty-five minutes east one hundred and eight feet to an iron rod; north eighty degrees thirty-five minutes east one hundred six and fifty-four one-hundredths feet to an iron rod; north eighty-three degrees fifty-five minutes east one hundred five and nine one-hundredths feet to an iron rod; north eighty-six degrees twenty-four and one-half minutes east one hundred three and sixty-five one-hundredths feet to an iron rod;

North eighty-eight degrees four and one-half minutes east one hundred and two and sixteen one-hundredths feet to an iron rod; north eighty-eight degrees fifty-two and one-half minutes east one hundred and seventy-five one-hundredths feet to an iron rod; north eighty-nine degrees one and one-half minutes east four hundred and twenty-nine one-hundredths feet to an iron rod; north eighty-eight degrees twenty-six and one-half minutes east forty-six and ninety-five one-hundredths feet to an iron rod; north eighty-five degrees three minutes east forty and eighty-three one-hundredths feet to an iron rod; north seventy-six degrees no minutes east thirty-four and seventy-two one-hundredths feet to an iron rod; north seventy degrees nine and one-half minutes east twenty-eight and twenty-three one-hundredths feet to an iron rod; north fifty-eight degrees nine and one-half minutes east twenty and fifty-six one-hundredths feet to an iron rod;

located on the boundary line between the Qualla tract of the Cherokee Indian Reservation and the lands of the Plott heirs; thence with said boundary line south thirty-nine degrees forty-two and one-half minutes east two hundred ninety and eighty-three one-hundredths feet to a two-inch iron pipe; thence south thirty-nine degrees thirty-four minutes east six hundred ninety-five and sixty-three one-hundredths feet to a cross mark cut on a rock, said cross mark being transit point numbered 71 of the Blue Ridge Parkway, section 2–Y, boundary line; thence with said Parkway boundary:

South seventy-two degrees twenty-seven minutes west nine hundred twelve and eighty-five one-hundredths feet to an iron rod, transit point numbered 70; south seventy-three degrees twenty-seven and one-half minutes west one hundred ninety-nine and fifty-seven one-hundredths feet to an iron rod, transit point numbered 69; north seventy-two degrees seven and one-half minutes west three hundred forty-four and seventy-one one-hundredths feet to an iron rod, transit point numbered 68; north sixty-five degrees forty-three minutes west six hundred forty-seven and seventy-one one-hundredths feet to an iron rod, transit point numbered 67; south eighty-four degrees twenty-seven and one-half minutes west one hundred thirty and sixteen one-hundredths feet to an iron rod, transit point numbered 66; north eighty-one degrees five minutes west two hundred seventy-eight and two one-hundredths feet to an iron rod, transit point numbered 65; north fifty-seven degrees one-half minute west thirty-eight and sixty-eight one-hundredths feet to the point of beginning, and containing thirty-eight and forty-five one-hundredths acres, more or less, and lying entirely within Haywood County.

Grant to Eastern Band of Cherokee Indians.

In exchange for the lands so granted to the United States, there is hereby granted to the Eastern Band of Cherokee Indians the beneficial interest in the following-described lands of approximately equal value, which lands shall hereafter be excluded from the Blue Ridge Parkway:

TRACT NUMBERED 1—BUNCHES GAP

Beginning at an iron rod, transit point numbered 43 on the Blue Ridge Parkway boundary line, section 2–Y, said point being further described as being located approximately six hundred and fifty feet northwest from Bunches Gap and approximately one hundred and thirty feet north of the Indian Service Road; running thence the following courses and distances, to wit:

South eighty-five degrees forty-four and one-half minutes east one thousand four hundred seventy-three and seventy-three one-hundredths feet to an iron rod, transit point numbered 44; north sixty-four degrees twenty-nine minutes east eight hundred ninety-four and fifty-three

one-hundredths feet to an iron rod, transit point numbered 45; south seventy-one degrees twenty-six and one-half minutes east one thousand fourteen and eighty-nine one-hundredths feet to an iron rod, transit point numbered 46; north three degrees thirty-two minutes east six hundred ninety-three and ninety-five one-hundredths feet to an iron rod, transit point numbered 47; north three degrees eleven and one-half minutes west nine hundred seventy-nine and eighty-two one-hundredths feet to an iron rod, transit point numbered 48;

said transit point being located on the boundary line between the Qualla tract of the Cherokee Indian Reservation and the Great Smoky Mountains National Park; thence with said boundary line south forty degrees twelve minutes east, one thousand sixty-nine and fifty-three one-hundredths feet to an iron rod, transit point numbered 49, and there leaving said National Park and Indian Reservation boundary line; thence—

South two degrees sixteen and one-half minutes east five hundred and sixty-nine and twenty-three one-hundredths feet to an iron rod, transit point numbered 50; south seventeen degrees seventeen and one-half minutes west nine hundred and sixteen and seventy-eight one-hundredths feet to an iron rod, transit point numbered 51; south fifty-six degrees twenty-four and one-half minutes west four hundred and ninety-four and forty-six one-hundredths feet to an iron rod, transit point numbered 52; north seventy-eight degrees twenty-nine minutes west six hundred and seventy and fifty-two one-hundredths feet to an iron rod, transit point numbered 53; north fifty-nine degrees twenty-five minutes west three hundred and eight and fifty-seven one-hundredths feet to an iron rod, transit point numbered 54; south forty-eight degrees thirty-four minutes west one thousand and thirty-eight and fifteen one-hundredths feet to an iron rod, transit point numbered 55;

North forty-five degrees fifty-nine minutes west nine hundred two and seventy-nine one-hundredths feet to an iron rod; north thirty-three degrees thirty minutes west three hundred twenty-four and twenty-eight one-hundredths feet to an iron rod; north eighty-two degrees fifty-one and one-half minutes west one hundred fifty-seven and forty-nine one-hundredths feet to an iron rod; north forty-eight degrees forty-three minutes west forty-four and seventy one-hundredths feet to an iron rod; south eighty-two degrees forty-eight minutes east one hundred seventy-three and two one-hundredths feet to an iron rod; north thirty-three degrees thirty minutes west three hundred ninety-eight and ninety-six one-hundredths feet to an iron rod; north eighty-four degrees fifteen and one-half minutes west four hundred ninety and seventy-eight one-hundredths feet to the point of beginning, and containing eighty-one and eighty-five one-

hundredths acres, more or less, and lying entirely within Swain County.

The lands last above described shall constitute a part of the Cherokee Indian Reservation in North Carolina and shall be held by the United States in trust for said band and shall be nontaxable and nonalienable as other lands of said reservation.

Agreement.

SEC. 2. The Secretary of the Interior, for the purpose of insuring prompt and full compliance with the conditions relating to the exchange of lands hereby affected, as set forth in the said Resolution Numbered 33 of October 17, 1947, is hereby authorized and directed to enter into an agreement with the Governor of the State of North Carolina which shall contain assurance that the present Indian Service road at Wolf Laurel shall remain open for Indian use without restriction; provide for the construction by the North Carolina State Highway and Public Works Commission, at its own expense, of a hard-surface access road of suitable width from Mollie Gap to the site of the proposed tourist development to be made on tribal land in the vicinity of Soco Bald; and set forth such other terms and conditions as may be mutually desirable for effectuating the purposes of the said resolution.

An Act To authorize the transfer of certain lands of the Blue Ridge Parkway from the jurisdiction of the Secretary of the Interior to the jurisdiction of the Secretary of Agriculture, approved May 13, 1952 (66 Stat. 69)

Blue Ridge Parkway.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, when in his judgment the public interest will be served thereby, the Secretary of the Interior is hereby authorized, upon concurrence of the Secretary of Agriculture, to transfer to the jurisdiction of the Secretary of Agriculture for national forest purposes lands or interests in lands acquired for or in connection with the Blue Ridge Parkway. Lands transferred under this Act shall become national forest lands subject to all laws, rules, and regulations applicable to lands acquired pursuant to the Weeks Law of March 1, 1911 (36 Stat. 961), as amended. (16 U.S.C. § 460a–4.)

16 U.S.C. §§ 480, 500, 513–519, 521, 552, 563.

An Act To authorize the purchase and exchange of land and interests therein on the Blue Ridge and Natchez Trace Parkways, approved June 30, 1961 (75 Stat. 196)

Blue Ridge and Natchez Trace Parkways. Land acquisition.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to consolidate, on the Blue Ridge Parkway and the Natchez Trace Parkway, the land forming each such parkway, to adjust ownership lines, and to eliminate hazardous crossings of and accesses to these parkways, the Secretary of the Interior is authorized to acquire, by purchase or exchange, land

and interests in land contiguous to the parkways. In consummating exchanges under this Act, the Secretary may transfer parkway land, interests therein, and easements: *Provided*, That the property rights so exchanged shall be approximately equal in value. (16 U.S.C. § 460a–5.)

An Act To transfer a section of Blue Ridge Parkway to the Shenandoah National Park, in the State of Virginia, and for other purposes, approved June 30, 1961 (75 Stat. 192)

Blue Ridge Parkway, Va. Transfer of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to valid existing rights, the lands and interests in lands which comprise section 1–A of the Blue Ridge Parkway and lie between the southern boundary of the Shenandoah National Park at Jarman Gap and parkway centerline station 448+00 at Rockfish Gap are excluded from the parkway, made a part of the Shenandoah National Park, and shall be administered in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented. (16 U.S.C. § 403–3.)

An Act To provide for an appropriation of a sum not to exceed $35,000 with which to make a survey of a proposed national parkway from the Blue Ridge Parkway at Tennessee Bald or Beech Gap southwest and running into the State of Georgia, approved August 10, 1961 (75 Stat. 337)

Blue Ridge Parkway survey. Appropriation authorization.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a sum not exceeding $35,000 is hereby authorized to be appropriated out of the Treasury of the United States, to be used by the Department of the Interior through the National Park Service and by the Department of Commerce through the Bureau of Public Roads, with which to make a survey, now directed, of the route of a proposed national parkway extending from the Blue Ridge Parkway at or near Tennessee Bald or Beech Gap in North Carolina and running in a southwesterly direction by Cashiers, North Carolina, and Highlands, North Carolina, into the State of Georgia in the direction of Atlanta, Georgia, the survey to recommend the most desirable terminating point of said parkway. An estimate of the cost of construction of an appropriate national parkway, comparable with the Blue Ridge Parkway, over the indicated route, together with such other data as may be of value, shall be obtained through the said survey, hereby authorized, for the purpose of determining the feasibility and desirability of constructing the proposed national parkway, or any portions thereof. Final report of such survey, accompanied by full information and data, with recommendations, shall, at the earliest possible date, be made and submitted to the Congress of the United States for its

Report to Congress.

consideration: *Provided*, That the survey of such portions of the proposed national parkway as may be located within the exterior boundaries of a national forest shall be made in cooperation with the Secretary of Agriculture, and the comments and recommendations of the Secretary of Agriculture with respect to such portions shall be set forth in the final report to be submitted to the Congress by the Secretary of the Interior.

677-347—63——31

2. George Washington Memorial Parkway

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An Act For the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital, approved May 29, 1930 (46 Stat. 482)

District of Columbia. Park and playground system. Sum authorized for lands in Maryland and Virginia, for development of. *Post*, pp. 864, 1411. Vol. 43, p. 463. U.S.C., p. 1292.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated the sum of $9,000,000, or so much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated, for acquiring and developing, except as in this section otherwise provided, in accordance with the provisions of the Act of June 6, 1924, entitled "An Act providing for a comprehensive development of the park and playground system of the National Capital," as amended, such lands in the States of Maryland and Virginia as are necessary and desirable for the park and parkway system of the National Capital in the environs of Washington. Such funds shall be appropriated as required for the expeditious, economical, and efficient development and completion of the following projects:

Available for designated projects and George Washington Memorial Parkway.

Area included.

Description.

(a) For the George Washington Memorial Parkway, to include the shores of the Potomac, and adjacent lands, from Mount Vernon to a point above the Great Falls on the Virginia side, except within the city of Alexandria, and from Fort Washington to a similar point above the Great Falls on the Maryland side except within the District of Columbia, and including the protection and preservation of the natural scenery of the Gorge and the Great Falls of the Potomac, the preservation of the historic Patowmack Canal, and the acquisition of that portion of the Chesapeake and Ohio Canal below Point of

Rocks, $7,500,000: *Provided*, That the acquisition of any land in the Potomac River Valley for park purposes shall not debar or limit, or abridge its use for such works as Congress may in the future authorize for the improvement and the extension of navigation, including the connecting of the upper Potomac River with the Ohio River, or for flood control or irrigation or drainage, or for the development of hydroelectric power. The title to the lands acquired hereunder shall vest in the United States, and said lands, including the Mount Vernon Memorial Highway authorized by the Act approved May 23, 1928, upon its completion, shall be maintained and administered by the Director of Public Buildings and Public Parks of the National Capital, who shall exercise all the authority, power, and duties with respect to lands acquired under this section as are conferred upon him within the District of Columbia by the Act approved February 26, 1925; and said director is authorized to incur such expenses as may be necessary for the proper administration and maintenance of said lands within the limits of the appropriations from time to time granted therefor from the Treasury of the United States, which appropriations are hereby authorized. The National Capital Park and Planning Commission is authorized to occupy such lands belonging to the United States as may be necessary for the development and protection of said parkway and to accept the donation to the United States of any other lands by it deemed desirable for inclusion in said parkway. As to any lands in Maryland or Virginia along or adjacent to the shores of the Potomac within the proposed limits of the parkway that would involve great expense for their acquisition and are held by said commission not to be essential to the proper carrying out of the project, the acquisition of said lands shall not be required, upon a finding of the commission to that effect. Said parkway shall include a highway from Fort Washington to the Great Falls on the Maryland side of the Potomac and a free bridge across the Potomac at or near Great Falls and necessary approaches to said bridge: *Provided*, That no money shall be expended by the United States for lands for any unit of this project until the National Capital Park and Planning Commission shall have received definite commitments from the State of Maryland or Virginia, or political subdivisions thereof or from other responsible sources for one-half the cost of acquiring the lands in its judgment necessary for such unit of said project deemed by said commission sufficiently complete, other than lands now belonging to the United States or donated to the United States: *Provided further*, That no money shall be expended by the United States for the construction of said highway on the Maryland side of the Potomac, except as part of the Federal-aid highway program:

Provisos.
Acquired lands not to debar future navigation improvements, etc., of Potomac River.

Title to vest in United States.

Administration of, and Mount Vernon Memorial Highway, by Director of Public Buildings and Parks, D.C.
Ante, p. 139.
Post, p. 1555.
Vol. 45, p. 721.
Vol. 43, p. 983.
U.S.C., p. 1292.

Park and Planning Commission may occupy Government lands, and accept donations, for development of Park.

Adjacent lands, at prohibitive cost, not to be acquired.

Highway connecting Fort Washington and Great Falls, Md., and free bridge, included.

No expenditures for land, until commitments for one-half cost received from the State, etc.

Federal expenditures limited to Federal-aid highway system.

Full construction, etc., costs may be advanced by United States upon agreements for reimbursement within eight years.

Provided, That in the discretion of the National Capital Park and Planning Commission, upon agreement duly entered into by the State of Maryland or Virginia or any political subdivision thereof to reimburse the United States as hereinafter provided, it may advance the full amount of the funds necessary for the acquisition of the lands and the construction of said roads in any such unit referred to in this paragraph, such agreement providing for reimbursement to the United States to the extent of one-half of the cost thereof without interest within not more than eight years from the date of any such expenditure. The appropriation of the amount necessary for such advance, in addition to the contribution by the United States, is hereby authorized from any money in the Treasury not otherwise appropriated.

Additional appropriation authorized.

Rock Creek Park. Agreement for extension of, with Maryland National Capital Park and Planning Commission. Territory included.

(b) For the extension of Rock Creek Park into Maryland as may be agreed upon between the National Capital Park and Planning Commission and the Maryland National Capital Park and Planning Commission, for the preservation of the flow of water in Rock Creek, for the extension of the Anacostia Park system up the valley of the Anacostia River, Indian Creek, the Northwest Branch, and Sligo Creek, and of the George Washington Memorial Parkway up the valley of Cabin John Creek, as may be agreed upon between the National Capital Park and Planning Commision and the Maryland National Capital Park and Planning Commission, $1,500,000: *Provided*, That no appropriation authorized in this subsection shall be available for expenditure until a suitable agreement is entered into by the National Capital Park and Planning Commission and the Washington Suburban Sanitary Commission as to sewage disposal and storm water flow: *Provided further*, That no money shall be contributed by the United States for any unit of such extensions until the National Capital Park and Planning Commission shall have received definite commitments from the Maryland National Capital Park and Planning Commission for the balance of the cost of acquiring such unit of said extensions deemed by said commission sufficiently complete, other than lands now belonging to the United States or donated to the United States: *Provided further*, That in the discretion of the National Capital Park and Planning Commission upon agreement duly entered into with the Maryland National Capital Park and Planning Commission to reimburse the United States as hereinafter provided, it may advance the full amount of the funds necessary for the acquisition of the lands required for such extensions referred to in this paragraph, such advance, exclusive of said contribution of $1,500,000 by the United States, not to exceed $3,000,000, the appropriation of which amount from funds in the Treasury of the United States not otherwise appropriated is hereby authorized, such agree-

Sum authorized for.

Provisos. Agreement for sewage disposal.

No Federal contribution for extension unit, until definite commitment for balance of cost from Maryland Commission.

Advancement of full amount, to be reimbursed within eight years.

Appropriation authorized. *Post*, p. 1411.

ment providing for reimbursement to the United States of such advance, exclusive of said Federal contribution, without interest within not more than eight years from the date of any such expenditure. The title to the lands acquired hereunder shall vest in the State of Maryland. The development and administration thereof shall be under the Maryland National Capital Park and Planning Commission and in accordance with plans approved by the National Capital Park and Planning Commission. The United States is not to share in the cost of construction of roads in the areas mentioned in this paragraph, except if and as Federal-aid highways.

Title vested in Maryland and development, etc., under Maryland Commission.

Federal expense limited to Federal-aid highways.

SEC. 2. Whenever it becomes necessary to acquire by condemnation proceedings any lands in the States of Virginia or Maryland for the purpose of carrying out the provisions of this Act, such acquisition shall be under and in accordance with the provisions of the Act of August 1, 1888 (U.S.C., p. 1302, sec. 257). No payment shall be made for any such lands until the title thereto in the United States shall be satisfactory to the Attorney General of the United States.

Condemnation proceedings for lands in Virginia and Maryland under laws thereof. Vol. 25, p. 357.

U.S.C., p. 1302. No payments, until title secured.

SEC. 3. Whenever the use of the Forts Washington, Foote, and Hunt, or either of them, is no longer deemed necessary for military purposes they shall be turned over to the Director of Public Buildings and Public Parks of the National Capital, without cost, for administration and maintenance as a part of the said George Washington Memorial Parkway.

Forts Washington, Foote, and Hunt, when abandoned, made part of George Washington Memorial Parkway.

SEC. 4. There is hereby further authorized to be appropriated the sum of $16,000,000, or so much thereof as may be necessary, out of any money in the Treasury of the United States not otherwise appropriated, for the acquiring of such lands in the District of Columbia as are necessary and desirable for the suitable development of the National Capital park, parkway, and playground system, in accordance with the provisions of the said Act of June 6, 1924, as amended, except as in this section otherwise provided. Such funds shall be appropriated for the fiscal year 1931 and thereafter as required for the expeditious, economical, and efficient accomplishment of the purposes of this Act and shall be reimbursed to the United States from any funds in the Treasury to the credit of the District of Columbia as follows, to wit: $1,000,000 on the 30th day of June, 1931; and $1,000,000 on the 30th day of June each year thereafter until the full amount expended hereunder is reimbursed without interest. The National Capital Park and Planning Commission shall, before purchasing any lands hereunder for playground, recreation center, community center, and similar municipal purposes, request from the Commissioners of the District of Columbia a report thereon.

Additional sum authorized for acquisition of lands in the District. *Post*, p. 865.

Vol. 43, p. 463. Amount authorized annually.

Reimbursement to the United States, from District revenues.

Commissioners to report on sites for playgrounds, etc.

Donations of lands, etc., to be accepted.

Said commission is authorized to accept the donation to the United States of any lands deemed desirable for inclusion in said park, parkway, and playground system, and the donation of any funds for the acquisition of such lands under this Act.

Amendment.

SEC. 5. The right of Congress to alter or amend this Act is hereby reserved.

Bridge across the Potomac at Great Falls, Va.
Vol. 45, p. 443, amended.

SEC. 6. Section 4 of Public Act 297 of the Seventieth Congress, entitled "An Act authorizing the Great Falls Bridge Company, its successors and assigns, to construct, maintain, and operate a bridge across the Potomac River at or near Great Falls," approved April 21, 1928, as amended, is hereby amended by adding at the end of said section the following:

Rights, title, etc., to, may be acquired by United States, after establishment of George Washington Memorial Parkway.

"*Provided*, That after the George Washington Memorial Parkway is established and the lands necessary for such parkway at and near Great Falls have been acquired by the United States, the United States may at any time acquire and take over all right, title, and interest in such bridge, its approaches and approach roads, and any interest in real property necessary therefor, by purchase or by condemnation, paying therefor not more than the cost of said bridge and its approaches and approach roads, as determined by the Secretary of War under section 6 of this Act plus 10 per centum."

Payment.
Vol. 45, p. 444.

An Act To amend the Act entitled: "An Act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital," approved May 29, 1930, approved August 8, 1946 (60 Stat. 960)

George Washington Memorial Parkway.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1(a) of the Act entitled "An Act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital", approved May 29, 1930 (46 Stat. 482), is amended by striking out the third proviso and by striking out of the fourth proviso the words "and the construction of said roads".

46 Stat. 484.

SEC. 2. Section 1(b) of such Act is amended by striking out the last sentence thereof.

SEC. 3. So much of section 1(b) of such Act as precedes the first proviso thereof is amended to read as follows:

Extension of Rock Creek Park, etc.

"(b) For the extension of Rock Creek Park into Maryland, as may be agreed upon between the National

Capital Park and Planning Commission and the Maryland National Capital Park and Planning Commission, for the preservation of the flow of water in Rock Creek for the extension of the Anacostia Park system up the valley of the Anacostia River, Indian Creek, Paint Branch and Little Paint Branch, the Northwest Branch and Sligo Creek; of the Oxon Run Parkway from the District of Columbia line to Marlboro Road; and of the George Washington Memorial Parkway up the valley of Cabin John Creek, Little Falls Branch, and Willet Run, as may be agreed upon between the National Capital Park and Planning Commission and the Maryland National Capital Park and Planning Commission, $1,500,000:".

Excerpts from "An Act To authorize and direct the construction of bridges over the Potomac River, and for other purposes," approved August 30, 1954 (68 Stat. 961, 963, 964)

TITLE II—BRIDGE IN VICINITY OF JONES POINT

SEC. 201. (a) The Secretary of the Interior (referred to hereinafter as the "Secretary") is authorized and directed to construct, maintain, and operate a six-lane bridge over the Potomac River, from a point at or near Jones Point, Virginia, across a certain portion of the District of Columbia, to a point in Maryland, together with bridge approaches on property owned by the United States in the State of Virginia.

Structure.

(b) The bridge shall be of deck girder structure with a swing span having a one-hundred-and-fifty-foot horizontal clearance on each side of the pivot pier and a seventy-foot vertical clearance above mean low water, and shall be constructed in accordance with the provisions of subsection (b) of Section 502 of the "General Bridge Act of 1946," approved August 2, 1946 (60 Stat. 847), as amended, and subject to the conditions and limitations in this title.

33 U.S.C. 525.

Design, recommendations.

(c) The Secretary shall request recommendations and suggestions of the National Capital Planning Commission relative to the design of such bridge and approaches.

* * * * *

Approaches, assurances of Va. and Md.

SEC. 204. Notwithstanding any other provision of this title, the Secretary shall not begin construction of the bridge above referred to until the State of Virginia and the State of Maryland have taken such steps as the Secretary deems adequate to give assurances that there will be constructed and maintained, by and in such States, such approaches to such bridge as will be reasonably adequate to make possible the full and efficient utilization of such bridge.

An Act To amend title II of the Act of August 30, 1954, entitled "An Act to authorize and direct the construction of bridges over the Potomac River, and for other purposes," approved May 22, 1956 (70 Stat. 184)

Jones Point bridge.
Potomac River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 201 of title II of the Act of August 30, 1954, entitled "An Act to authorize and direct the construction of bridges over the Potomac River, and for other purposes" (68 Stat. 963), is hereby amended to read as follows:

Construction.

"SEC. 201. (a) The Secretary of Commerce (referred to hereinafter as the "Secretary") is authorized and directed to construct a six-lane bridge over the Potomac River, from a point at or near Jones Point, Virginia, across a certain portion of the District of Columbia, to a point in Maryland, together with bridge approaches on property owned by the United States in the State of Virginia: *Provided*, That nothing in this section or in other sections of this Act shall be construed as authorizing or as requiring the Secretary to construct any ingress or egress approaches to the bridge which will directly connect with or empty into those streets within the corporate limits of the city of Alexandria, Virginia, which are east of Mount Vernon Boulevard (now known as Washington Street) and are now known as Potomac Street, South Lee Street, South Fairfax Street, South Royal Street, South Pitt Street, South St. Asaph Street, Green Street, and Jefferson Street.

Approaches.

Structure.

"(b) The bridge shall be of deck girder construction, with a movable span of the double-leaf bascule type over the navigable channel having horizontal clearance of approximately one hundred and fifty feet and vertical clearance above mean low water of approximately forty feet, and shall be constructed in accordance with the provisions of subsection (b) of section 502 of the "General Bridge Act of 1946", approved August 2, 1946 (60 Stat. 847), as amended, and subject to the conditions and limitations in this title.

33 U.S.C. 525.

Design, recommendations.

"(c) The Secretary shall request the recommendations and suggestions of the National Capital Planning Commission relative to the design of such bridge and approaches and shall consult with the Secretary of the Interior with respect to all plans for overpasses, approaches, interchanges, and connecting roads at both ends of the bridge which affect lands and facilities administered or authorized to be administered by the Department of the Interior.

Jurisdiction, etc., of acquired land.

"(d) Upon the completion of the bridge project all lands acquired pursuant to this Act that are located within the authorized boundaries of the George Washington Memorial Parkway, with the exception of such portions thereof that shall be actually occupied by the bridge

structure and main approaches leading thereto and the bridge itself, shall be under the administrative control and jurisdiction of the Secretary of the Interior for purposes of the Parkway."

SEC. 2. Section 204 of the said title II is hereby amended by inserting, immediately before the period at the end thereof, the words "and that such bridge will be maintained and operated by the said States". 68 Stat. 964.

SEC. 3. There shall be transferred to the Department of Commerce so much of the records, property, and funds of the Department of the Interior as may be appropriate by reason of the enactment of the foregoing provisions of this Act. Such measures and dispositions as the Director of the Bureau of the Budget shall deem to be necessary to effectuate the said transfers shall be carried out in such manner as he shall direct and by such agencies as he shall designate. Transfer of records, etc.

An Act To authorize land exchanges for purposes of the George Washington Memorial Parkway in Montgomery County, Maryland, and for other purposes, approved August 27, 1958 (72 Stat. 931)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of relocating electric trolley lines, electrical transmission lines, and related facilities of the D.C. Transit System, Inc., and the Potomac Electric Power Company, Inc., in order to eliminate the necessity for crossings between the George Washington Memorial Parkway and the facilities of the aforesaid corporations in Montgomery County, Maryland, and to preserve more effectively the historic properties of the Chesapeake and Ohio Canal, the Secretary of the Interior is authorized to consummate desirable exchanges as hereinafter prescribed. George Washington Memorial Parkway. Land exchange.

In furtherance of these purposes, the Secretary is authorized on behalf of the United States to accept, from the aforesaid corporations or their successors or assigns, title to non-Federal land and interests in land adjacent to and situated in the vicinity of the George Washington Memorial Parkway in Montgomery County, Maryland, and in exchange therefor to convey to the aforesaid grantors or their successors or assigns land or interests in land of the United States comprising a part of or located in the vicinity of the George Washington Memorial Parkway in Montgomery County, Maryland: *Provided*, That Federal lands or interests outside the administrative control of said Secretary may be conveyed only with the approval of the administering agency. The aforesaid exchanges are authorized to be made without additional compensation by either party to the exchange when the properties to be exchanged are of approximately equal value. When, however, the properties are not of approximately equal value, as may be deter-

mined by the Secretary, an additional payment of funds shall be required by the Secretary or by the grantors of non-Federal properties, as the case may be, in order to make an equal exchange. The Secretary is authorized to use any funds available for the George Washington Memorial Parkway project for such purposes. The Secretary may consummate land exchanges herein authorized upon such terms, conditions, and procedures as he may find to be necessary or desirable in carrying out the purposes of this Act.

An Act Authorizing the National Capital Transportation Agency to carry out part 1 of its transit development program and to further the objectives of the Act approved July 14, 1960 (74 Stat. 537), approved October 4, 1961 (75 Stat. 776)

Whereas the National Capital Transportation Agency on July 31, 1961, transmitted to the Congress, pursuant to section 204(c) of the National Capital Transportation Act of 1960 (74 Stat. 537), a report entitled "Report on Part One of the Transit Development Program, July 1961"; and

40 U.S.C. 651 note.

Whereas part 1 of the transit development program provides for acquisition by the National Capital Transportation Agency of land for future express transit service in conjunction with the development of certain new highways and parkways in the National Capital region:

National Capital Transportation Agency.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of enabling the National Capital Transportation Agency to carry out that part of its transit development program described in its report entitled "Report on Part One of the Transit Development Program, July 1961," transmitted to the Congress on July 31, 1961, pursuant to the provisions of subsection (c) of section 204 of the National Capital Transportation Act of 1960, the National Capital Transportation Agency is hereby authorized, subject to the provisions of such Act, to acquire, or enter into agreements for the acquisition or use of, facilities, property, and rights-of-way for express transit:

Land acquisition, etc., authority.

40 U.S.C. 664.

(1) in the center median area and elsewhere in, adjacent to, or in conjunction with (A) Interstate Route 66 in Fairfax County and Arlington County, Virginia; and (B) Interstate Route 95 in Prince Georges County, Maryland;

(2) adjacent to, or in conjunction with (A) the George Washington Memorial Parkway; (B) the Little Falls Branch Parkway from the George Washington Memorial Parkway to the vicinity of Massachusetts Avenue; (C) the Parkway Spur through the Cabin John Valley from Cabin John to

the Capital Beltway; and (D) the Capital Beltway from the George Washington Memorial Parkway to the vicinity of Bradley Boulevard, all in Montgomery County, Maryland:

Provided, That the Agency is further authorized to carry out, as part of part 1 of its transit development program, such construction in connection with the land acquisition projects provided for herein, as must necessarily be undertaken at the time the aforesaid highways and parkways are constructed: *Provided further*, That the authority granted the Agency under subparagraph (2) above shall in no way diminish the powers of the Secretary of the Interior under other Federal laws.

Construction.

3. Mississippi River Parkway Project

Page

Survey to determine feasibility of parkway authorized----------
----------Act of August 24, 1949 484

An Act To authorize the survey of a proposed Mississippi River Parkway for the purpose of determining the feasibility of such a national parkway, and for other purposes, approved August 24, 1949 (63 Stat. 626)

Mississippi River Parkway. Appropriation authorized for survey. *Post*, p. 980.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated a sum not exceeding $250,000 to be used by the Department of the Interior through the National Park Service and by the Federal Works Agency through the Public Roads Administration to make a joint survey of a route for a national parkway to be known as the Mississippi River Parkway. The survey shall follow, in general, the route of the Mississippi River. An estimate of cost of construction of the national parkway or any portions thereof found to be practicable by said survey, together with such other data as will be valuable, shall be obtained with the objective of determining the desirability of authorizing the construction of the parkway or any portion thereof. A report of the survey, upon its completion, shall be transmitted to the Congress by the Secretary of the Interior and the Administrator of the Federal Works Agency, together with their recommendations thereon.

Report to Congress.

Time limitation.

SEC. 2. The Secretary of the Interior and the Administrator of the Federal Works Agency are hereby directed to complete such joint survey within two years after the enactment of this Act.

4. Natchez Trace Parkway

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Secretary of the Interior authorized to enter into agreement for relocating portions of parkway	Act of August 25, 1958	485
Purchase and exchange of land authorized	Act of June 30, 1961	485
Ackia Battleground and Meriwether Lewis National Monuments included in Natchez Trace Parkway	Act of August 10, 1961	486

An Act To authorize the Secretary of the Interior to enter into an agreement for relocating portions of the Natchez Trace Parkway, Mississippi, and for other purposes, approved August 25, 1958 (72 Stat. 839)

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 enter into an agreement with the Pearl River Valley Water Supply District which shall provide for the district, upon terms and conditions which the Secretary determines are in the public interest, to relocate those portions of sections 3–0 and 3–N of the Natchez Trace Parkway in Madison County, Mississippi, required in connection with the Pearl River Reservoir.

Natchez Trace Parkway, Miss. Relocation.

SEC. 2. To cooperate in the relocation, the Secretary of the Interior is authorized to transfer to the Pearl River Valley Water Supply District the aforesaid portions of the existing Natchez Trace Parkway lands and roadway in exchange for the contemporaneous transfer to the United States of relocated parkway lands and roadway situated and constructed in accordance with the terms and conditions of the agreement authorized by the first section of this Act: *Provided*, That such exchange shall be made on the basis of approximately equal values.

SEC. 3. The Secretary of the Interior is authorized to accept and to use until expended without additional authority any funds provided by the district for the purpose of this Act pursuant to agreement with the Secretary of the Interior, and any such funds shall be placed in a separate account in the Treasury which shall be available for such purpose. (16 U.S.C. § 460 note.)

An Act To authorize the purchase and exchange of land and interests therein on the Blue Ridge and Natchez Trace Parkways, approved June 30, 1961 (75 Stat. 196)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to consolidate, on the Blue Ridge Parkway and the Natchez Trace Parkway, the land forming each such parkway, to adjust ownership lines, and to eliminate hazardous crossings of and accesses to these parkways, the Secretary of the Interior

Blue Ridge and Natchez Trace Parkways. Land acquisition.

is authorized to acquire, by purchase or exchange, land and interests in land contiguous to the parkways. In consummating exchanges under this Act, the Secretary may transfer parkway land, interests therein, and easements: *Provided*, That the property rights so exchanged shall be approximately equal in value. (16 U.S.C. § 460a–5.)

An Act To include Ackia Battleground National Monument, Mississippi, and Meriwether Lewis National Monument, Tennessee, in the Natchez Trace Parkway, and to provide appropriate designations for them, and for other purposes, approved August 10, 1961 (75 Stat. 335)

Natchez Trace Parkway, Miss.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to facilitate the administration of two areas of the national park system, known as Ackia Battleground National Monument, Mississippi, and Meriwether Lewis National Monument, Tennessee, those areas are included in the Natchez Trace Parkway, which they adjoin; and they shall be administered as a part of the parkway. In order to provide continued recognition of the significance of these portions of the parkway, the Secretary of the Interior shall provide them with appropriate designations in accordance with the historical events which occurred on them. (16 U.S.C. § 460–1.)

5. President Adams Parkway Project

Page

Authorization for a study of the feasibility of establishing parkway------
----------Act of September 21, 1959 487

An Act To provide for a study of the feasibility of establishing the President Adams Parkway, approved September 21, 1959 (73 Stat. 598)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated a sum not exceeding $25,000 to be used by the Department of the Interior through the National Park Service and by the Department of Commerce through the Bureau of Public Roads to make a joint survey of a route for a national memorial parkway to be known as the President Adams Parkway in memory of John Adams and John Quincy Adams, second and sixth Presidents of the United States. The survey shall extend from Faneuil Hall, Boston, Massachusetts, to Plymouth, Massachusetts, via Quincy, Massachusetts (in the vicinity of the homes and burial places of John Adams and John Quincy Adams). An estimate of cost of construction of the national parkway or any portions thereof found to be practicable by said survey, together with such other data as will be valuable, shall be obtained with the objective of determining the desirability of authorizing the construction of the parkway or any portion thereof. A report of the survey, upon its completion, shall be transmitted to the Congress by the Secretary of the Interior and the Secretary of Commerce, together with their recommendations thereon.

President Adams Parkway.

SEC. 2. The Secretary of the Interior and the Secretary of Commerce are hereby directed to complete such joint survey within one year after the enactment of this Act.

Report to Congress.

XIII. LEGISLATION RELATING TO NATIONAL SEASHORES

1. Cape Cod National Seashore

Page
Establishment authorized----------Act of August 7, 1961 489

An Act To provide for the establishment of Cape Cod National Seashore, approved August 7, 1961 (75 Stat. 284)

Cape Cod National Seashore, Mass. Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the area comprising that portion of the land and waters located in the towns of Provincetown, Truro, Wellfleet, Eastham, Orleans, and Chatham in the Commonwealth of Massachusetts, and described in subsection (b), is designated for establishment as Cape Cod National Seashore (hereinafter referred to as "the seashore").

(b) The area referred to in subsection (a) is described as follows:

Beginning at a point in the Atlantic Ocean one-quarter of a mile due west of the mean low-water line of the Atlantic Ocean on Cape Cod at the westernmost extremity of Race Point, Provincetown, Massachusetts;

thence from the point of beginning along a line a quarter of a mile offshore of and parallel to the mean low-water line of the Atlantic Ocean, Cape Cod Bay, and Provincetown Harbor in generally southerly, easterly, and northerly directions rounding Long Point and then southwesterly to a point a quarter of a mile offshore of the mean low-water line on the harbor side of the dike depicted on the United States Geological Survey Provincetown quadrangle sheet (1949) crossing an arm of the Provincetown Harbor;

thence northerly, along a line a quarter of a mile offshore of and parallel to the low-water line at the dike to a point easterly of the point of intersection of the said dike with the boundary of the Province Lands Reservation as depicted on the said Provincetown quadrangle sheet;

thence westerly to the said point of intersection of the dike and the Province Lands Reservation boundary;

thence along the boundaries of the Province Lands Reservation northwesterly, northeasterly, northerly, and easterly to the easternmost corner of the reservation being near United States Route 6;

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thence leaving the said easternmost corner along an extension of the southerly reservation boundary line easterly to the northerly right-of-way line of United States Route 6;

thence along the northerly right-of-way line of United States Route 6 in a general easterly direction crossing the Truro-Provincetown line and continuing in the town of Truro in a generally southeasterly direction to a point four-tenths of a mile southeasterly of the southerly right-of-way line of Highland Road;

thence easterly five-tenths of a mile to a point;

thence turning and running in a southeasterly direction paralleling the general alinement of United States Route 6 and generally distant therefrom five-tenths of a mile to a point approximately 700 feet northwesterly of Long Nook Road;

thence southwesterly along a ridge generally paralleling the alinement of Long Nook Road and distant approximately 700 feet therefrom to a point two-tenths of a mile northeasterly of the northerly right-of-way line of United States Route 6;

thence southeasterly paralleling the general alinement of United States Route 6 and generally distant two-tenths of a mile northeasterly thereof to a point 300 feet south of the southerly right-of-way line of Higgins Hollow Road;

thence in a general easterly direction paralleling the southerly alinement of Higgins Hollow Road and 300 feet distant southerly therefrom to a point five-tenths of a mile east of the easterly right-of-way line of said Route 6;

thence turning and running in a southeasterly and southerly direction paralleling the general alinement of United States Route 6 and distant five-tenths of a mile easterly therefrom to a point 300 feet north of the northerly right-of-way line of North Pamet Road;

thence in a generally southwesterly direction paralleling the general alinement of North Pamet Road and generally distant 300 feet northerly therefrom to a point approximately two-tenths of a mile east of the easterly right-of-way line of United States Route 6;

thence in a southerly direction paralleling the alinement of United States Route 6 and generally distant two-tenths of a mile easterly therefrom to a point three-tenths of a mile south of South Pamet Road;

thence west to the intersection of Old County Road and Mill Pond Road;

thence following the easterly right-of-way line of Old County Road southward to a point opposite the

southerly right-of-way line of Ryder Beach Road at its intersection with Old County Road;

thence eastward to a point 300 feet east of the easterly right-of-way line of said Old County Road;

thence in a southerly direction paralleling Old County Road at a distance of 300 feet to the east of the easterly right-of-way line of said road to a point 600 feet south of the southerly right-of-way line of Prince Valley Road;

thence in a generally westerly direction, crossing Old County Road and the New York, New Haven, and Hartford Railroad right-of-way to the southern extremity of the town landing and beach in the Ryder Beach area, and continuing to a point in Cape Cod Bay a quarter of a mile offshore from the mean low-water line of Cape Cod Bay;

thence turning and running along a line a quarter of a mile offshore of and parallel to the mean low-water line of Cape Cod Bay in a general southerly and easterly direction rounding Jeremy Point and thence in a general northerly direction along a line a quarter of a mile offshore of and parallel to the mean low-water line on the westerly side of Wellfleet Harbor, to a point one quarter of a mile due north of the mean low-water line at the eastern tip of Great Island as depicted on the United States Geological Survey Wellfleet quadrangle sheet (1958);

thence north to the mean high-water line on the north shore of the Herring River estuary in the vicinity of its confluence with Wellfleet Harbor;

thence following the mean high-water line southwesterly, northwesterly, and northeasterly to the easterly right-of-way line of Chequesset Neck Road at its crossing of Herring River;

thence following the course of Herring River along the 20-foot contour line of the southeasterly shore thereof to a point near Mill Creek;

thence crossing Mill Creek in a northeasterly direction to the 20-foot contour level near to and northeast of the confluence of Mill Creek and Herring River;

thence following generally northerly and easterly along the easterly edge of the Herring River marshes on the 20-foot contour to a point north of which the easterly right-of-way line of a medium duty road, as depicted on said Wellfleet quadrangle sheet, crosses northward across a marshy stream near the juncture of said medium duty road with Bound Brook Island Road;

thence crossing said marshy stream along said easterly right-of-way line of said medium duty road, and continuing in a northerly direction to the 20-foot contour level on the north side of said marshy stream;

thence following the 20-foot contour line westward approximately 1,000 feet to its intersection with an unimproved dirt road, as depicted on said Wellfleet quadrangle sheet, leading from a point near the juncture of Bound Brook Island Road and the said medium duty road;

thence following said unimproved dirt road northwesterly for approximately 1,600 feet to the 20-foot contour line bordering the southerly edge of the Herring River marshes;

thence following said 20-foot contour line in an easterly direction to Route 6;

thence crossing Route 6 and continuing to a point on the easterly right-of-way line of a power transmission line as depicted on said Wellfleet quadrangle sheet;

thence in a general southerly direction along the said easterly right-of-way line of a power transmission line to the Eastham-Wellfleet town line;

thence southeasterly for a distance of approximately 5,200 feet to a point due north of the intersection of the easterly right-of-way line of Nauset Road with the northerly right-of-way line of Cable Road;

thence due south to the intersection of the said easterly right-of-way line of Nauset Road and the said northerly right-of-way line of Cable Road;

thence in a general southerly direction crossing Cable Road and along said easterly right-of-way line of Nauset Road to a point 500 feet north of the northerly right-of-way line of Doane Road and its intersection with Nauset Road;

thence west to a point 500 feet west of the westerly right-of-way line of Nauset Road;

thence southerly and westerly 500 feet from and parallel to the said right-of-way line of Nauset Road to the easterly right-of-way line of Salt Pond Road;

thence southerly along the easterly right-of-way line of said Salt Pond Road to its intersection with the southerly right-of-way line of Nauset Road;

thence westerly along the southerly right-of-way line of Nauset Road to its intersection with the easterly right-of-way line of United States Route 6;

thence southerly along the easterly right-of-way line of said Route 6 a distance of about four-tenths of a mile to the northerly boundary of the Eastham town hall property;

thence easterly to a point one-tenth of a mile from United States Route 6;

thence turning and running in a generally southerly direction paralleling the general alinement of United States Route 6 and generally distant therefrom one-tenth of a mile to a small stream approx-

imately one-tenth of a mile beyond Governor Prence Road extended;

thence southeasterly along the said stream to the Orleans-Eastham town line;

thence along the Orleans-Eastham town line to the southerly tip of Stony Island;

thence generally southeasterly in the town of Orleans by Nauset Harbor Channel to a point due north of the northerly tip of Nauset Heights as depicted on United States Geological Survey Orleans quadrangle sheet (1946);

thence due south to the 20-foot contour line in Nauset Heights as delineated on the said Orleans quadrangle sheet;

thence generally southerly along the said 20-foot contour to a point about one-tenth of a mile northerly of Beach Road;

thence southwesterly along a line intersecting Beach Road at a point two-tenths of a mile easterly of the so-called Nauset Road leading northerly to Nauset Heights;

thence southerly to a head of a tributary to Little Pleasant Bay at the northerly tip of Pochet Neck as depicted on the said Orleans quadrangle sheet;

thence generally southerly along the thread of channel of the said tributary passing westerly and southwesterly around Pochet Island and thence southwesterly into Little Pleasant Bay passing to westerly of the northerly tip of Sampson Island, the westerly tip of Money Head, and the southwesterly tip of Hog Island following in general the centerline of Little Pleasant Bay to Pleasant Bay;

thence generally southeasterly in Pleasant Bay along a line passing midway between Sipson Island and Nauset Beach to a point on the Chatham-Orleans town line one-quarter of a mile westerly of the mean low-water line of Pleasant Bay on the westerly shore of Nauset Beach;

thence generally southerly in Pleasant Bay in the town of Chatham along a line a quarter of a mile offshore of and parallel to the said mean low-water line of Pleasant Bay on the westerly shore of Nauset Beach to a point a quarter of a mile south of the mean low-water line of the southern tip of Nauset Beach;

thence easterly rounding the southern tip of Nauset Beach along a line a quarter of a mile offshore of and parallel thereto;

thence generally northerly and northwesterly, and westerly along a line a quarter of a mile offshore of and parallel to the mean low-water line of the Atlantic Ocean on the easterly shore of Nauset Beach

and on to the outer cape to the point of beginning. (16 U.S.C. § 459b.)

Acquisition of land, etc. Authority.

SEC. 2(a) The Secretary of the Interior (hereinafter referred to as "Secretary") is authorized to acquire by purchase, gift, condemnation, transfer from any Federal agency, exchange, or otherwise, the land, waters, and other property, and improvements thereon and any interest therein, within the area which is described in section 1 of this Act or which lies within the boundaries of the seashore as described pursuant to section 3 of this Act (both together hereinafter in this Act referred to as "such area"). Any property, or interest therein, owned by the Commonwealth of Massachusetts, by any of the towns referred to in section 1 of this Act, or by any other political subdivision of said Commonwealth may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act.

Funds.

(b) The Secretary is authorized (1) to use donated and appropriated funds in making acquisitions under this Act, and (2) to pay therefor not more than the fair market value of any acquisitions which he makes by purchase under this Act.

(c) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property located within such area and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary within such area. The properties so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

Report to Congress.

The Secretary shall report to the Congress on every exchange carried out under authority of this Act within thirty days from its consummation, and each such report shall include a statement of the fair market values of the properties involved and of any cash equalization payment made or received.

"Fair market value."

(d) As used in this Act the term "fair market value" shall mean the fair market value as determined by the Secretary, who may in his discretion base his determination on an independent appraisal obtained by him. (16 U.S.C. § 459b–1.)

Notice. Publication in F.R.

SEC. 3. (a) As soon as practicable after the date of enactment of this Act and following the acquisition by the Secretary of an acreage in the area described in section 1 of this Act that is in the opinion of the Secretary efficiently administrable to carry out the purposes

of this Act, the Secretary shall establish Cape Cod National Seashore by the publication of notice thereof in the Federal Register.

(b) Such notice referred to in subsection (a) of this section shall contain a detailed description of the boundaries of the seashore which shall encompass an area as nearly as practicable identical to the area described in section 1 of this Act. The Secretary shall forthwith after the date of publication of such notice in the Federal Register (1) send a copy of such notice, together with a map showing such boundaries, by registered or certified mail to the Governor of the Commonwealth of Massachusetts and to the board of selectmen of each of the towns referred to in section 1 of this Act; (2) cause a copy of such notice and map to be published in one or more newspapers which circulate in each of such towns; and (3) cause a certified copy of such notice, a copy of such map, and a copy of this Act to be recorded at the registry of deeds for Barnstable County, Massachusetts. (16 U.S.C. § 459b–2.)

Acquisition by condemnation. Provisions.

SEC. 4. (a) (1) The beneficial owner or owners, not being a corporation, of a freehold interest in improved property which the Secretary acquires by condemnation may elect, as a condition to such acquisition, to retain the right of use and occupancy of the said property for noncommercial residential purposes for a term of twenty-five years, or for such lesser time as the said owner or owners may elect at the time of such acquisition.

(2) The beneficial owner or owners, not being a corporation, of a freehold estate in improved property which property the Secretary acquires by condemnation, who held, on September 1, 1959, with respect to such property, an estate of the same nature and quality, may elect, as an alternative and not in addition to whatever right of election he or they might have under paragraph (1) of this subsection to retain the right of use and occupancy of the said property for noncommercial residential purposes (i) for a term limited by the nature and quality of his or their said estate, if his or their said estate is a life estate or an estate pur auter vie, or (ii) for a term ending at the death of such owner or owners, or at the death of the survivor of them, if his or their said estate is an estate of fee simple.

"The life tenant."

(3) Where such property is held by a natural person or persons for his or their own life or lives or for the life or lives of another or others (such person or persons being hereinafter called "the life tenant"), with remainder in another or others, any right of election provided for in paragraph (2) of this subsection shall be exercised by the life tenant, and any right of election provided for in paragraph (1) of this subsection shall be exercised by the concurrence of the life tenant and the remainderman or remaindermen.

(4) The beneficial owner or owners of a term of years in improved property which the Secretary acquires by condemnation may elect, as a condition to such acquisition, to retain the right of use and occupancy of the said property for noncommercial residential purposes for a term not to exceed the remainder of his or their said term of years, or a term of twenty-five years, whichever shall be the lesser. The owner or owners of the freehold estate or estates in such property may, subject to the right provided for in the preceding sentence, exercise such right or rights of election as remain to them under paragraphs (1) and (2) of this subsection.

(5) No right of election accorded by paragraphs (1), (2), or (4) of this subsection shall be exercised to impair substantially the interests of holders of encumbrances, liens, assessments, or other charges upon or against the property.

(6) Any right or rights of use and occupancy retained pursuant to paragraphs (1), (2), and (4) of this subsection shall be held to run with the land, and may be freely transferred and assigned.

(7) In any case where a right of use and occupancy for life or for a fixed term of years is retained as provided in paragraph (1), (2), or (4) of this subsection, the compensation paid by the Secretary for the property shall not exceed the fair market value of the property on the date of its acquisition by the Secretary, less the fair market value on such date of the said right retained.

Violation of regulations.

(8) The Secretary shall have authority to terminate any right of use and occupancy of property, retained as provided in paragraph (1), (2), or (4) of this subsection, at any time after the date when any use occurs with respect to such property which fails to conform or is in any manner opposed to or inconsistent with any applicable standard contained in regulations issued pursuant to section 5 of this Act and in effect on said date: *Provided*, That no use which is in conformity with the provisions of a zoning bylaw approved in accordance with said section 5 which is in force and applicable to such property shall be held to fail to conform or be opposed to or inconsistent with any such standard. In the event that the Secretary exercises the authority conferred by this paragraph, he shall pay to the owner of the right so terminated an amount equal to the fair market value of the portion of said right which remained on the date of termination.

Suspension of authority.

(b) (1) The Secretary's authority to acquire property by condemnation shall be suspended with respect to all improved property located within such area in all of the towns referred to in section 1 of this Act for one year following the date of its enactment.

(2) Thereafter such authority shall be suspended with respect to all improved property located within such area in any one of such towns during all times when such

town shall have in force and applicable to such property a duly adopted, valid zoning bylaw approved by the Secretary in accordance with the provisions of section 5 of this Act.

(c) The Secretary's authority to acquire property by condemnation shall be suspended with respect to any particular property which is used for commercial or industrial purposes during any periods when such use is permitted by the Secretary and during the pendency of the first application for such permission made to the Secretary after the date of enactment of this Act provided such application is made not later than the date of establishment of the seashore.

"Improved property."

(d) The term "improved property," wherever used in this Act, shall mean a detached, one-family dwelling the construction of which was begun before September 1, 1959 (hereinafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated. The amount of the land so designated shall in every case be at least three acres in area, or all of such lesser amount as may be held in the same ownership as the dwelling, and in making such designation the Secretary shall take into account the manner of noncommercial residential use in which the dwelling and land have customarily been enjoyed: *Provided, however*, That the Secretary may exclude from the land so designated any beach or waters, together with so much of the land adjoining such beach or waters as the Secretary may deem necessary for public access thereto.

(e) Nothing in this section or elsewhere in this Act shall be construed to prohibit the use of condemnation as a means of acquiring a clear and marketable title, free of any and all encumbrances. (16 U.S.C. § 459b–3.)

Issuance of regulations.

SEC. 5. (a) As soon after the enactment of this Act as may be practicable, the Secretary shall issue regulations specifying standards for approval by him of zoning bylaws for purposes of section 4 of this Act. The Secretary may issue amended regulations specifying standards for approval by him of zoning bylaws whenever he shall consider such amended regulations to be desirable due to changed or unforeseen conditions.

Submission to Congress.

All regulations and amended regulations proposed to be issued under authority of the two preceding sentences of this subsection shall be submitted to the Congress and to the towns named in section 1 of this Act at least ninety calendar days (which ninety days, however, shall not include days on which either the House of Representa-

tives or the Senate is not in session because of an adjournment of more than three calendar days to a day certain) before they become effective and the Secretary shall, before promulgating any such proposed regulations or amended regulations in final form, take due account of any suggestions for their modification which he may receive during said ninety-day period. All such regulations and amended regulations shall, both in their proposed form and in their final form, be published in the Federal Register.

Publication in F.R.

Zoning bylaws. Approval.

The Secretary shall approve any zoning bylaw and any amendment to any approved zoning bylaws submitted to him which conforms to the standards contained in the regulations in effect at the time of the adoption by the town of such bylaws or such amendment unless before the time of adoption he has submitted to the Congress and the towns and published in the Federal Register as aforesaid proposed amended regulations with which the bylaw or amendment would not be in conformity, in which case he may withhold his approval pending completion of the review and final publication provided for in this subsection and shall thereafter approve the bylaw or amendment only if it is in conformity with the amended regulations in their final form. Such approval shall not be withdrawn or revoked, nor shall its effect be altered for purposes of section 4 of this Act by issuance of any such amended regulations after the date of such approval, so long as such bylaw or such amendment remains in effect as approved.

Special provisions.

(b) The standards specified in such regulations and amended regulations for approval of any zoning bylaw or zoning bylaw amendment shall contribute to the effect of (1) prohibiting the commercial and industrial use, other than any commercial or industrial use which is permitted by the Secretary, of all property within the boundaries of the seashore which is situated within the town adopting such bylaw; and (2) promoting the preservation and development, in accordance with the purposes of this Act, of the area comprising the seashore, by means of acreage, frontage, and setback requirements and other provisions which may be required by such regulations to be included in a zoning bylaw consistent with the laws of Massachusetts.

(c) No zoning bylaw or amendment of a zoning bylaw shall be approved by the Secretary which (1) contains any provision which he may consider adverse to the preservation and development, in accordance with the purposes of this Act, of the area comprising the seashore, or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under and any exception made to the application of such bylaw or amendment.

(d) If any improved property with respect to which the Secretary's authority to acquire by condemnation has been suspended by reason of the adoption and approval, in accordance with the foregoing provisions of this section, of a zoning bylaw applicable to such property (hereinafter referred to as "such bylaw")—

(1) is made the subject of a variance under or an exception to such bylaw, which variance or exception fails to conform or is in any manner opposed to or inconsistent with any applicable standard contained in the regulations issued pursuant to this section and in effect at the time of the passage of such bylaw, or

(2) is property upon or with respect to which there occurs any use, commencing after the date of the publication by the Secretary of such regulations, which fails to conform or is in any manner opposed to or inconsistent with any applicable standard contained in such regulations (but no use which is in conformity with the provisions of such bylaw shall be held to fail to conform or be opposed to or inconsistent with any such standard),

the Secretary may, at any time and in his discretion, terminate the suspension of his authority to acquire such improved property by condemnation: *Provided, however*, That the Secretary may agree with the owner or owners of such property to refrain from the exercise of the said authority during such time and upon such terms and conditions as the Secretary may deem to be in the best interests of the development and preservation of the seashore. (16 U.S.C. § 459 b–4.)

Certificate.

SEC. 6. The Secretary shall furnish to any party in interest requesting the same, a certificate indicating, with respect to any property located within the seashore as to which the Secretary's authority to acquire such property by condemnation has been suspended in accordance with the provisions of this Act, that such authority has been so suspended and the reasons therefor. (16 U.S.C. § 459 b–5.)

Administration.

SEC. 7. (a) Except as otherwise provided in this Act, the property acquired by the Secretary under this Act shall be administered by the Secretary subject 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, and in accordance with laws of general application relating to the national park system as defined by the Act of August 8, 1953 (67 Stat. 496); except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

16 U.S.C. 1–4.

16 U.S.C. 1b–1d.

Protection and development.

(b) (1) In order that the seashore shall be permanently preserved in its present state, no development or plan for the convenience of visitors shall be undertaken therein which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing or with the preservation of such historic sites and structures as the Secretary may designate: *Provided*, That the Secretary may provide for the public enjoyment and understanding of the unique natural, historic, and scientific features of Cape Cod within the seashore by establishing such trails, observation points, and exhibits and providing such services as he may deem desirable for such public enjoyment and understanding: *Provided further*, That the Secretary may develop for appropriate public uses such portions of the seashore as he deems especially adaptable for camping, swimming, boating, sailing, hunting, fishing, the appreciation of historic sites and structures and natural features of Cape Cod, and other activities of similar nature.

(2) In developing the seashore the Secretary shall provide public use areas in such places and manner as he determines will not diminish for its owners or occupants the value or enjoyment of any improved property located within the seashore.

Hunting and fishing. Regulations.

(c) The Secretary may permit hunting and fishing, including shellfishing, on lands and waters under his jurisdiction within the seashore in such areas and under such regulations as he may prescribe during open seasons prescribed by applicable local, State and Federal law. The Secretary shall consult with officials of the Commonwealth of Massachusetts and any political subdivision thereof who have jurisdiction of hunting and fishing, including shellfishing, prior to the issuance of any such regulations, and the Secretary is authorized to enter into cooperative arrangements with such officials regarding such hunting and fishing, including shellfishing, as he may deem desirable, except that the Secretary shall leave all aspects of the propagation and taking of shellfish to the towns referred to in section 1 of this Act.

Navigation.

The Secretary shall not interfere with navigation of waters within the boundaries of the Cape Cod National Seashore by such means and in such areas as is now customary. (16 U.S.C. § 459b–6.)

Cape Cod National Seashore Advisory Commission.

SEC. 8. (a) There is hereby established a Cape Cod National Seashore Advisory Commision (hereinafter referred to as the "Commission"). Said Commission shall terminate ten years after the date the seashore is established under section 3 of this Act.

Membership.

(b) The Commission shall be composed of ten members each appointed for a term of two years by the Secretary as follows:

(1) Six members to be appointed from recom-

mendations made by each of the boards of selectmen of the towns referred to in the first section of this Act, one member from the recommendations made by each such board;

(2) One member to be appointed from recommendations of the county commissioners of Barnstable County, Commonwealth of Massachusetts;

(3) Two members to be appointed from recommendations of the Governor of the Commonwealth of Massachusetts; and

(4) One member to be designated by the Secretary.

(c) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

Compensation.

(d) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this Act upon vouchers signed by the Chairman.

Duties.

(e) The Commission established by this section shall act and advise by affirmative vote of a majority of the members thereof.

(f) The Secretary or his designee shall, from time to time, consult with the members of the Commission with respect to matters relating to the development of Cape Cod National Seashore and shall consult with the members with respect to carrying out the provisions of sections 4 and 5 of this Act.

(g) No permit for the commercial or industrial use of property located within the seashore shall be issued by the Secretary, nor shall any public use area for recreational activity be established by the Secretary within the seashore, without the advice of the Commission, if such advice is submitted within a reasonable time after it is sought.

Exemptions.

(h) (1) Any member of the Advisory Commission appointed under this Act shall be exempted, with respect to such appointment, from the operation of sections 281, 283, 284, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U.S.C. 99) except as otherwise specified in subsection (2) of this section.

62 Stat. 697, 793.

(2) The exemption granted by subsection (1) of this section shall not extend—

(i) to the receipt or payment of salary in connection with the appointee's Government service from any sources other than the private employer of the appointee at the time of his appointment; or

(ii) during the period of such appointment, and the further period of two years after the termination thereof, to the prosecution or participation in the

prosecution, by any person so appointed, of any claim against the Government involving any matter concerning which the appointee had any responsibility arising out of his appointment during the period of such appointment. (16 U.S.C. § 459b–7.)

Appropriation.

SEC. 9. 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 $16,000,000 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. (16 U.S.C. § 459b–8.)

Separability.

SEC. 10. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby. (16 U.S.C. § 459b note.)

2. Cape Hatteras National Seashore

		Page
Reversionary provision extended to fifteen years from August 17, 1937	Act of March 6, 1946	503
Addition of certain surplus Government lands effected	Act of June 3, 1948	503
Naval Amphibious Training Station lands added to area	Act of July 14, 1953	504
Act of August 31, 1954, relating to acquisition of non-Federal land within national parks, amended to extend Secretary's authority contained therein to Cape Hatteras	Act of August 6, 1956	504
Addition of certain excess Federal property authorized	Act of July 18, 1958	505
Disposal of certain lands held for inclusion in the seashore, authorized	Act of September 26, 1961	505
Secretary authorized to participate in cost of bridge construction	Act of October 11, 1962	505

An Act To amend the Act of August 17, 1937, as amended, relating to the establishment of the Cape Hatteras National Seashore Recreational Area in the State of North Carolina, approved March 6, 1946 (60 Stat. 32)

Cape Hatteras National Seashore Recreational Area, N.C.
50 Stat. 670; 54 Stat. 702.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the first paragraph of section 4 of the Act approved August 17, 1937, as amended (U.S.C., 1940 edition, title 16, sec. 459a–2), relating to the establishment of the Cape Hatteras National Seashore Recreational Area in the State of North Carolina, is amended to read as follows: "*Provided*, That the Secretary of the Interior may, in his discretion, accept for administration, protection, and development by the National Park Service a minimum of ten thousand acres within the area described in section 1 of this Act, including the existing Cape Hatteras State Park, and, in addition, any other portions of the area described in section 1 hereof if the State of North Carolina shall agree that if all the lands described in section 1 of this Act shall not have been conveyed to the United States within fifteen years from August 17, 1937, the establishment of the aforesaid national seashore recreational area may, in the discretion of the said Secretary, be abandoned, and that, in the event of such abandonment, the said State will accept a reconveyance of title to all lands conveyed by it to the United States for said national seashore recreational area". (16 U.S.C. § 459a–2.)

Acquisition of property.

50 Stat. 669.
16 U.S.C. § 459.

An Act To provide for the addition of certain surplus Government lands to the Cape Hatteras National Seashore Recreational Area project, and for other purposes, approved June 3, 1948 (62 Stat. 301)

Cape Hatteras National Seashore Recreational Area project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of surplus Federal property,

comprising eight and one-tenth acres of land situated in Dare County, North Carolina, approximately two miles north of Kitty Hawk, and designated as "Surplus Real Property No. WH–NC–29, Kitty Hawk, North Carolina," which is now subject to disposition by the War Assets Administration, is hereby transferred, without exchange of funds, to the administrative jurisdiction of the National Park Service of the Department of the Interior to be administered as a part of the Cape Hatteras National Seashore Recreational Area project, authorized by the Act of August 17, 1937, as amended (50 Stat. 669; 16 U.S.C., secs. 459–459a–3), and shall be subject to all laws applicable thereto. (16 U.S.C. § 459a–4.)

An Act To provide for the addition of certain Government lands to the Cape Hatteras National Seashore Recreational Area project, and for other purposes, approved July 14, 1953 (67 Stat. 148)

Cape Hatteras National Seashore Recreational Area.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby transferred to the Secretary of the Interior without reimbursement or transfer of funds, administrative jurisdiction over an area of approximately twenty-one and eight-tenths acres of federally owned land, formerly designated as the Naval Amphibious Training Station, together with any improvements thereon which may exist at the time of the transfer, situated on Ocracoke Island within the village of Ocracoke, County of Hyde, in the State of North Carolina. The property so transferred shall be administered by the Department of the Interior and shall become a part of the Cape Hatteras National Seashore Recreational Area, when established. (16 U.S.C. § 459a–5.)

An Act To amend the Act of August 31, 1954[1] (68 Stat. 1037), relating to the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes, approved August 6, 1956 (70 Stat. 1066)

Cape Hatteras National Seashore Recreational Area. 16 U.S.C. 452a. Funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 31, 1954 (68 Stat. 1037), is hereby amended to extend the authority of the Secretary of the Interior, contained therein, to the Cape Hatteras National Seashore Recreational Area. (16 U.S.C. § 459a–6.)

SEC. 2. Any funds appropriated to the Department of the Interior for the acquisition of non-Federal lands within areas of the National Park System shall hereafter be available for the acquisition of non-Federal lands within the Cape Hatteras National Seashore Recreational Area, and the appropriation of funds for the

[1] General Legislation, p. 5.

acquisition of such lands is hereby authorized. (16 U.S.C. § 459a–7.)

SEC. 3. The total amount which may be expended for the land acquisition program at Cape Hatteras National Seashore Recreational Area, pursuant to the authorizations contained in this Act, is hereby expressly limited to $250,000. (16 U.S.C. § 459a–8.) Limitation.

An Act To provide for the addition of certain excess Federal property in the village of Hatteras, North Carolina, to the Cape Hatteras National Seashore Recreational Area, and for other purposes, approved July 18, 1958 (72 Stat. 398)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tracts of excess Federal lands and improvements thereon in the village of Hatteras, Dare County, North Carolina, bearing General Services Administration control numbers T–NC–442 and C–NC–444, comprising forty-three one-hundredths and one and five-tenths acres of land, respectively, the exact descriptions for which shall be determined by the Administrator of General Services, are hereby transferred, without exchange of funds, to the administrative jurisdiction of the Secretary of the Interior to be administered as a part of the Cape Hatteras National Seashore Recreational Area, authorized by the Act of August 17, 1937, as amended (50 Stat. 669; 16 U.S.C. 459–459–a–4), and shall be subject to all the laws and regulations applicable thereto. (16 U.S.C. § 459a–5a.) Cape Hatteras National Seashore Recreational Area, N.C.

An Act To provide for the disposal of certain lands held for inclusion in the Cape Hatteras National Seashore Recreational Area, North Carolina, and for other purposes, approved September 26, 1961 (75 Stat. 675)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tract of Federal property comprising eight and one-tenth acres of land situated in Dare County, North Carolina, approximately two miles north of Kitty Hawk, which was transferred to the administrative jurisdiction of the Department of the Interior by the Act of June 3, 1948 (62 Stat. 301; 16 U.S.C. 459a–4), to be administered as a part of the Cape Hatteras National Seashore Recreational Area, may be disposed of by the Administrator of General Services in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, as amended. (16 U.S.C. § 459a–4 note.) Cape Hatteras National Seashore Recreational Area, N.C. Land disposal. 63 Stat. 377. 40 U.S.C. 471 note.

An Act To authorize the Secretary of the Interior to participate in financing the construction of a bridge at Cape Hatteras National Seashore, in the State of North Carolina, and for other purposes, approved October 11, 1962 (76 Stat. 909)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Oregon Inlet, N.C.

Bridge construction cost, participation authorization.

assembled, That in order to facilitate visitor travel within Cape Hatteras National Seashore the Secretary of the Interior is authorized to pay $500,000 toward the cost of construction of a bridge across Oregon Inlet between Bodie and Hatteras Islands, in the State of North Carolina, exclusive of any financing for which the project may qualify under the Federal aid to highway laws: *Provided*, That the bridge shall constitute and be maintained as a part of the State highway system.

SEC. 2. The Secretary may make payments on the cost of construction of the bridge referred to in section 1 of this Act only from funds specifically appropriated for that purpose.

3. Padre Island National Seashore

		Page
Establishment authorized	Act of September 28, 1962	507

An Act To provide for the establishment of the Padre Island National Seashore, approved September 28, 1962 (76 Stat. 650)

Padre Island National Seashore, Tex. Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to save and preserve, for purposes of public recreation, benefit, and inspiration, a portion of the diminishing seashore of the United States that remains undeveloped, the Secretary of the Interior shall take appropriate action in the public interest toward the establishment of the following described lands and waters as the Padre Island National Seashore: Beginning at a point one statute mile northerly of North Bird Island on the easterly line of the Intracoastal Waterway; thence due east to a point on Padre Island one statute mile west of the mean high water line of the Gulf of Mexico; thence southwesterly paralleling the said mean high water line of the Gulf of Mexico a distance of about three and five-tenths statute miles; thence due east to the two-fathom line on the east side of Padre Island as depicted on United States Coast and Geodetic Survey chart numbered 1286; thence along the said two-fathom line on the east side of Padre Island as depicted on United States Coast and Geodetic Survey charts numbered 1286, 1287, and 1288 to the Willacy-Cameron County line extended; thence westerly along said county line to a point 1,500 feet west of the mean high water line of the Gulf of Mexico as that line was determined by the survey of J. S. Boyles and is depicted on sections 9 and 10 of the map entitled "Survey of Padre Island made for the office of the Attorney General of the State of Texas", dated August 7 to 11, 1941, and August 11, 13, and 14, 1941, respectively; thence northerly along a line parallel to said survey line of J. S. Boyles and distant therefrom 1,500 feet west to a point on the centerline of the Port Mansfield Channel; thence westerly along said centerline to a point three statute miles west of the said two-fathom line; thence northerly parallel with said two-fathom line to 27 degrees 20 minutes north latitude; thence westerly along said latitude to the easterly line of the Intracoastal Waterway; thence northerly following the easterly line of the Intracoastal Waterway as indicated by channel markers in the Laguna Madre to the point of beginning.

Acquisition of land, etc.

SEC. 2. (a) The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by donation, purchase with donated or appropri-

ated funds, condemnation, transfer from any Federal agency, exchange, or otherwise, the land, waters, and other property, and improvements thereon and any interest therein, within the areas described in the first section of this Act or which lie within the boundaries of the seashore as established under section 3 of this Act (hereinafter referred to as "such area"). Any property, or interest therein, owned by the State of Texas or political subdivision thereof may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act.

(b) The Secretary is authorized to pay for any acquisitions which he makes by purchase under this Act their fair market value, as determined by the Secretary, who may in his discretion base his determination on an independent appraisal obtained by him.

(c) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property located within such area and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary within such area. The properties so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

SEC. 3. (a) As soon as practicable after the date of enactment of this Act and following the acquisition by the Secretary of an acreage in the area described in section 1 of this Act, that is in the opinion of the Secretary efficiently administrable to carry out the purposes of this Act, the Secretary shall establish the area as a national seashore by the publication of notice thereof in the Federal Register.

Publication in F.R.

(b) Such notice referred to in subsection (a) of this section shall contain a detailed description of the boundaries of the seashore which shall encompass an area as nearly as practicable identical to the area described in section 1 of this Act. The Secretary shall forthwith after the date of publication of such notice in the Federal Register (1) send a copy of such notice, together with a map showing such boundaries, by registered or certified mail to the Governor of the State and to the governing body of each of the political subdivisions involved; (2) cause a copy of such notice and map to be published in one or more newspapers which circulate in each of the localities; and (3) cause a certified copy of such notice,

Notice.

a copy of such map, and a copy of this Act to be recorded at the registry of deeds for the county involved.

Mineral reservation.

SEC. 4. (a) When acquiring land, waters, or interests therein, the Secretary shall permit a reservation by the grantor of all or any part of the oil and gas minerals in such land or waters and of other minerals therein which can be removed by similar means, with the right of occupation and use of so much of the surface of the land or waters as may be required for all purposes reasonably incident to the mining or removal of such from beneath the surface of these lands and waters and the lands and waters adjacent thereto, under such regulations as may be prescribed by the Secretary with respect to such mining or removal.

(b) Any acquisition hereunder shall exclude and shall not diminish any right of occupation or use of the surface under grants, leases, or easements existing on April 11, 1961, which are reasonably necessary for the exploration, development, production, storing, processing, or transporting of oil and gas minerals that are removed from outside the boundaries of the national seashore and the Secretary may grant additional rights of occupation or use of the surface for the purposes aforesaid upon the terms and under such regulations as may be prescribed by him.

Administration.

SEC. 5. Except as otherwise provided in this Act, the property acquired by the Secretary under this Act shall be administered by the Secretary, subject 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, and in accordance with other laws of general application relating to the areas administered and supervised by the Secretary through the National Park Service; except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

16 U.S.C. 1.

Roadways.

SEC. 6. The Secretary may provide for roadways from the north and south boundaries of such public recreation area to the access highways from the mainland to Padre Island.

Gunnery or bombing ranges.

SEC. 7. The Secretary of the Interior shall enter into such administrative agreements with the Secretary of the Navy as the Secretary of the Navy may deem necessary to assure that the Secretary of the Interior will not exercise any authority granted by this Act so as to interfere with the use by the Department of the Navy of any aerial gunnery or bombing range located in the vicinity of Padre Island.

Appropriation.

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 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.

4. Point Reyes National Seashore

		Page
Establishment authorized	Act of September 13, 1962	511

An Act To establish the Point Reyes National Seashore in the State of California, and for other purposes, approved September 13, 1962 (76 Stat. 538)

California. Point Reyes National Seashore. Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to save and preserve, for purposes of public recreation, benefit, and inspiration, a portion of the diminishing seashore of the United States that remains undeveloped, the Secretary of the Interior (hereinafter referred to as the "Secretary") is hereby authorized to take appropriate action in the public interest toward the establishment of the national seashore set forth in section 2 of this Act.

SEC. 2. (a) The area comprising that portion of the land and waters located on Point Reyes Peninsula, Marin County, California, which shall be known as the Point Reyes National Seashore, is described as follows by reference to that certain boundary map, designated NS–PR–7001, dated June 1, 1960, on file with the Director, National Park Service, Washington, District of Columbia.

Beginning at a point, not monumented, where the boundary line common to Rancho Punta de los Reyes (Sobrante) and Rancho Las Baulines meets the average high tide line of the Pacific Ocean as shown on said boundary map;

Thence southwesterly from said point 1,320 feet offshore on a prolongation of said boundary line common to Rancho Punta de los Reyes (Sobrante) and Rancho Las Baulines;

Thence in a northerly and westerly direction paralleling the average high tide line of the shore of the Pacific Ocean; along Drakes Bay, and around Point Reyes;

Thence generally northerly and around Tomales Point, offshore a distance of 1,320 feet from average high tide line;

Thence southeasterly along a line 1,320 feet offshore and parallel to the average high tide line along the west shore of Bodega Bay and Tomales Bay to the intersection of this line with a prolongation of the most northerly tangent of the boundary of Tomales Bay State Park;

Thence south 54 degrees 32 minutes west, 1,320 feet along the prolongation of said tangent of Tomales Bay State Park boundary to the average high tide line on the shore of Tomales Bay;

Thence following the boundary of Tomales Bay State Park in a southerly direction to a point lying 105.4 feet

north 41 degrees east of an unimproved road heading westerly and northerly from Pierce Point Road;

Thence south 41 degrees west 105.4 feet to a point on the north right-of-way of said unimproved road;

Thence southeasterly along the north right-of-way of said unimproved road and Pierce Point Road to a point at the southwest corner of Tomales Bay State Park at the junction of the Pierce Point Road and Sir Francis Drake Boulevard;

Thence due south to a point on the south right-of-way of said Sir Francis Drake Boulevard;

Thence southeasterly along said south right-of-way approximately 3,100 feet to a point;

Thence approximately south 19 degrees west approximately 300 feet;

Thence south approximately 400 feet;

Thence southwest to the most northerly corner of the Inverness watershed area;

Thence southerly and easterly along the west property line of the Inverness watershed area approximately 9,040 feet to a point near the intersection of this property line with an unimproved road as shown on said boundary map;

Thence southerly along existing property lines that roughly follow said unimproved road to its intersection with Drakes Summit Road and to a point on the north right-of-way of Drakes Summit Road;

Thence easterly approximately 1,000 feet along the north right-of-way of said Drakes Summit Road to a point which is a property line corner at the intersection with an unimproved road to the south;

Thence southerly and easterly and then northerly, as shown approximately on said boundary map, along existing property lines to a point on the south right-of-way of the Bear Valley Road, approximately 1,500 feet southeast of its intersection with Sir Francis Drake Boulevard;

Thence easterly and southerly along said south right-of-way of Bear Valley Road to a point on a property line approximately 1,000 feet west of the intersection of Bear Valley Road and Sir Francis Drake Boulevard in the village of Olema;

Thence south approximately 1,700 feet to the northwest corner of property now owned by Helen U. and Mary S. Shafter;

Thence southwest and southeast along the west boundary of said Shafter property to the southwest corner of said Shafter property;

Thence approximately south 30 degrees east on a course approximately 1,700 feet to a point;

Thence approximately south 10 degrees east on a course to the centerline of Olema Creek;

Thence generally southeasterly up the centerline of Olema Creek to a point on the west right-of-way line of State Route Numbered 1;

Thence southeasterly along westerly right-of-way line to State Highway Numbered 1 to a point where a prolongation of the boundary line common to Rancho Punta de los Reyes (Sobrante) and Rancho Las Baulines would intersect right-of-way line of State Highway Numbered 1;

Thence southwesterly to and along said south boundary line of Rancho Punta de los Reyes (Sobrante) approximately 2,900 feet to a property corner;

Thence approximately south 38 degrees east approximately 1,500 feet to the centerline of Pine Gulch Creek;

Thence down the centerline of Pine Gulch Creek approximately 400 feet to the intersection with a side creek flowing from the west;

Thence up said side creek to its intersection with said south boundary line of Rancho Punta de los Reyes (Sobrante);

Thence southwest along said south boundary line of Rancho Punta de los Reyes to the point of beginning, containing approximately 53,000 acres. Notwithstanding the foregoing description, the Secretary is authorized to include within the Point Reyes National Seashore the entire tract of land owned by the Vedanta Society of Northern California west of the centerline of Olema Creek, in order to avoid a severance of said tract.

(b) The area referred to in subsection (a) shall include also a right-of-way, to be selected by the Secretary, of not more than 400 feet in width to the aforesaid tract from the intersection of Sir Francis Drake Boulevard and Haggerty Gulch.

SEC. 3. (a) Except as provided in section 4, the Secretary is authorized to acquire, and it is the intent of Congress that he shall acquire as rapidly as appropriated funds become available for this purpose or as such acquisition can be accomplished by donation or with donated funds or by transfer, exchange, or otherwise the lands, waters, and other property, and improvements thereon and any interest therein, within the areas described in section 2 of this Act or which lie within the boundaries of the seashore as established under section 5 of this Act (hereinafter referred to as "such area"). Any property, or interest therein, owned by a State or political subdivision thereof may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act. In exercising his authority to acquire prop-

erty in accordance with the provisions of this subsection, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized by section 8 of this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred.

(b) The Secretary is authorized to pay for any acquisitions which he makes by purchase under this Act their fair market value, as determined by the Secretary, who may in his discretion base his determination on an independent appraisal obtained by him.

(c) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property located within such area and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary within California and adjacent States, notwithstanding any other provision of law. The properties so exchanged shall be approximately equal in fair market value, provided that the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

SEC. 4. No parcel of more than five hundred acres within the zone of approximately twenty-six thousand acres depicted on map numbered NS–PR–7002, dated August 15, 1961, on file with the director, National Park Service, Washington, District of Columbia, exclusive of that land required to provide access for purposes of the national seashore, shall be acquired without the consent of the owner so long as it remains in its natural state, or is used exclusively for ranching and dairying purposes including housing directly incident thereto. The term "ranching and dairying purposes", as used herein, means such ranching and dairying, primarily for the production of food, as is presently practiced in the area.

"Ranching and dairying purposes."

In acquiring access roads within the pastoral zone, the Secretary shall give due consideration to existing ranching and dairying uses and shall not unnecessarily interfere with or damage such use.

Publication in F.R.

SEC. 5. (a) As soon as practicable after the date of enactment of this Act and following the acquisition by the Secretary of an acreage in the area described in section 2 of this Act, that is in the opinion of the Secretary efficiently administrable to carry out the purposes of this Act, the Secretary shall establish Point Reyes National Seashore by the publication of notice thereof in the Federal Register.

Notification of Governor, etc.

(b) Such notice referred to in subsection (a) of this section shall contain a detailed description of the boundaries of the seashore which shall encompass an area as nearly as practicable identical to the area described in

section 2 of this Act. The Secretary shall forthwith after the date of publication of such notice in the Federal Register (1) send a copy of such notice, together with a map showing such boundaries, by registered or certified mail to the Governor of the State and to the governing body of each of the political subdivisions involved; (2) cause a copy of such notice and map to be published in one or more newspapers which circulate in each of the localities; and (3) cause a certified copy of such notice, a copy of such map, and a copy of this Act to be recorded at the registry of deeds for the county involved.

SEC. 6. (a) Any owner or owners (hereinafter in this subsection referred to as "owner") of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the improved property for noncommercial residential purposes for a term of fifty years. 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.

"Improved property."

(b) As used in this Act, the term "improved property" shall mean a private noncommercial dwelling, including the land on which it is situated, whose construction was begun before September 1, 1959, and structures accessory thereto (hereinafter in this subsection referred to as "dwelling"), together with such amount and locus of the property adjoining and in the same ownership as such dwelling as the Secretary designates to be reasonably necessary for the enjoyment of such dwelling for the sole purpose of noncommercial residential use and occupancy. In making such designation the Secretary shall take into account the manner of noncommercial residential use and occupancy in which the dwelling and such adjoining property has usually been enjoyed by its owner or occupant.

SEC. 7. (a) Except as otherwise provided in this Act, the property acquired by the Secretary under this Act shall be administered by the Secretary, subject 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, and in accordance with other laws of general application relating to the national park system as defined by the Act of August 8, 1953 (67 Stat. 496), except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

16 U.S.C. 1.

16 U.S.C. 1c.

(b) The Secretary may permit hunting and fishing on lands and waters under his jurisdiction within the seashore in such areas and under such regulations as he

may prescribe during open seasons prescribed by applicable local, State, and Federal law. The Secretary shall consult with officials of the State of California and any political subdivision thereof who have jurisdiction of hunting and fishing prior to the issuance of any such regulations, and the Secretary is authorized to enter into cooperative agreements with such officials regarding such hunting and fishing as he may deem desirable.

Appropriation.

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 $14,000,000 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.

XIV. LEGISLATION RELATING TO NATIONAL CEMETERIES [1]

1. Approach Roads to National Cemeteries and National Military Parks

		Page
Conveyance to States of approach roads to national cemeteries and military parks	Act of March 3, 1925	517

An Act To authorize the Secretary of War to convey to the States in which located Government owned or controlled approach roads to national cemeteries and national military parks, and for other purposes, approved March 3, 1925 (43 Stat. 1104)

National cemeteries and parks. Conveyance to State, etc., of approach roads to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, authorized in his discretion, subject to such conditions as may seem to him proper, to convey by proper quitclaim deed to any State, county, municipality, or proper agency thereof, in which the same is located, all the right, title, and interest of the United States in and to any Government owned or controlled approach road to any national cemetery or national military park: *Provided*, That prior to the delivery of any conveyance under this Act the State, county, or municipality to which the conveyance herein authorized is to be made shall notify the Secretary of War in writing of its willingness to accept and maintain the road or roads included in such conveyance: *Provided further*, That upon the execution and delivery of any conveyance herein authorized, the jurisdiction of the United States of America, which has been heretofore ceded to the United States by a State over the roads conveyed, shall thereby cease and determine and shall thereafter vest and be in the particular State in which such roads are located. (Repealed. See 16 U.S.C. § 418. See 16 U.S.C. § 8e for same delegation of power to Secretary of the Interior, p. 16.)

Provisos. Notification of acceptance, etc., required.

Jurisdiction of United States to cease on execution of deed.

[1] See also "An Act To establish and to protect National Cemeteries," approved February 22, 1867 (14 Stat. 399), and amendments thereto approved July 1, 1870 (16 Stat. 188); May 18, 1872 (17 Stat. 135); and June 8, 1872 (17 Stat. 345).

2. Selection of Superintendents of National Cemeteries

Page

Superintendents of national cemeteries to be selected from meritorious disabled veterans----------Act of March 24, 1948 518

An Act To provide for selection of superintendents of national cemeteries from meritorious and trustworthy members of the armed forces who have been disabled in line of duty for active field service, approved March 24, 1948 (62 Stat. 84)

Superintendents of national cemeteries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That superintendents of the national cemeteries shall be selected from meritorious and trustworthy members of the armed forces who have been honorably separated from the service of the United States, and who have been disabled in line of duty for active field service.

Repeal.

SEC. 2. Section 4874, Revised Statutes (U.S.C., title 24, sec. 275), is hereby repealed. (24 U.S.C. § 275.)

3. Antietam National Cemetery

	Page
Authorization for Secretary of War to take charge of the Gettysburg and Antietam National Cemeteries---------- Resolution of July 14, 1870	519
Authorization for preserving lines of battle and for placing under supervision of Secretary of War all lands acquired for this purpose---------- Excerpt from Act of August 30, 1890	519

A Resolution Authorizing the Secretary of War to take charge of the Gettysburg and Antietam National Cemeteries, approved July 14, 1870 (16 Stat. 390)

Secretary of War to take charge of the Gettysburg and Antietam national cemeteries.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and is hereby, directed to accept and take charge of the soldiers' national cemetery at Gettysburg, Pennsylvania, and the Antietam national cemetery at Sharpsburg, Maryland, whenever the commissioners and trustees having charge of said cemeteries are ready to transfer their care to the general government. That when the afore-mentioned cemeteries are placed under the control of the Secretary of War, *that* they be taken care of and maintained in accordance with the provisions of the act of Congress entitled "An Act to establish and protect national cemeteries," approved February twenty-two, eighteen hundred and sixty-seven.

1867, ch. 61, Vol. 14, p. 399.

Excerpt from "An Act Making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1891, and for other purposes," approved August 30, 1890 (26 Stat. 371, 401)

National Cemetery, Antietam, Maryland: * * *

* * * * *

Preserving, etc., lines of battle, etc.

For the purpose of surveying, locating, and preserving the lines of battle of the Army of the Potomac and of the Army of Northern Virginia at Antietam, and for marking the same, and for locating and marking the position of each of the forty-three different commands of the Regular Army engaged in the battle of Antietam, and for the purchase of sites for tablets for the marking of such positions, fifteen thousand dollars. And all lands acquired by the United States for this purpose, whether by purchase, gift, or otherwise, shall be under the care and supervision of the Secretary of War. (16 U.S.C. § 446.)

Sites for tablets.

Supervision of lands acquired.

4. Chattanooga National Cemetery

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Transferred to War Department	Act of December 7, 1944	520

An Act To transfer jurisdiction over the Chattanooga National Cemetery, Chattanooga, Tennessee, from the Department of the Interior to the War Department, and for other purposes, approved December 7, 1944 (58 Stat. 797)

Chattanooga National Cemetery, Tenn. Transfer of jurisdiction.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chattanooga National Cemetery, Chattanooga, Tennessee, is hereby transferred from the jurisdiction of the Secretary of the Interior to the jurisdiction of the Secretary of War for administration in accordance with the laws and regulations applicable to national cemeteries administered by the War Department.

Transfer of funds.

The unexpended balance of any funds available for administration of the Chattanooga National Cemetery, as determined by the Director of the Bureau of the Budget, shall be transferred to the Secretary of War, and may be expended hereafter by him for the same purposes for which such funds were made available.

5. Gettysburg National Cemetery

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Acquisition of certain land authorized	Act of June 19, 1948	521

A Resolution Authorizing the Secretary of War to take charge of the Gettysburg and Antietam National Cemeteries, approved July 14, 1870 (16 Stat. 390)

Secretary of War to take charge of the Gettysburg and Antietam national cemeteries.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and is hereby, directed to accept and take charge of the soldiers' national cemetery at Gettysburg, Pennsylvania, and the Antietam national cemetery at Sharpsburg, Maryland, whenever the commissioners and trustees having charge of said cemeteries are ready to transfer their care to the general government. That when the afore-mentioned cemeteries are placed under the control of the Secretary of War, *that* they be taken care of and maintained in accordance with the provisions of the act of Congress entitled "An Act to establish and protect national cemeteries," approved February twenty-two, eighteen hundred and sixty-seven.

1867, ch. 61, Vol. 14, p. 399.

An Act To enlarge the Gettysburg National Cemetery, approved June 19, 1948 (62 Stat. 502)

Gettysburg National Cemetery. Additional land.

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 and directed to acquire, on behalf of the United States, by purchase, condemnation, or otherwise, the following-described land in the Borough of Gettysburg, Adams County, Pennsylvania:

Beginning at a point at the corner of South Washington Street (also known as Taneytown Road) and the United States Government National Cemetery; thence along said street north one and one-half degrees west three hundred and fifty-six feet to a point; thence north fifty-seven degrees east three hundred and twenty-one feet to a point at the corner of lands of Paul H. Ketterman; thence north fifty-seven degrees west one hundred and seventy-nine and three-tenths feet to a point at corner of lands of Paul H. Ketterman on Steinwehr Avenue; thence along Steinwehr Avenue north thirty-three degrees east one hundred and seventy-nine and two-tenths feet to a point at corner of lands of Thomas J. Winebrenner and Son; thence south thirty-five degrees east two hundred and thirty-six and six-tenths feet to a point at corner of lands of Emma Noel Estate;

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thence north fifty-nine degrees east one hundred and thirty-seven feet to a point at corner of lands of Emma Noel Estate and lands of Harry Koch; thence south thirty degrees east one hundred and twenty-nine and five-tenths feet to a point; thence north fifty-seven degrees east two hundred feet to a point on Baltimore Street; thence south thirty degrees east along Baltimore Street fifty feet to a point at corner of lands of Margaret E. Kissinger; thence south fifty-seven degrees west three hundred and twelve feet to a point; thence south thirty degrees east one hundred and twenty and five-tenths feet to a point along the north side of United States Government National Cemetery; thence along same south fifty-seven degrees west six hundred and sixteeen feet to a point, the place of beginning, containing five acres and four perches, more or less.

Burial of veterans of World Wars I and II.

SEC. 2. The land acquired pursuant to the first section of this Act shall constitute a part of the Gettysburg National Cemetery and shall be reserved for the burial of World War I and World War II veterans and such other persons as may be entitled to interment in national cemeteries.

Appropriation authorized.

SEC. 3. There is authorized to be appropriated not to exceed the sum of $10,000 to carry out the purposes of this Act.

6. Vicksburg National Cemetery

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Authorization for Messrs. George and Frank Houston to construct and operate an electric railway over the cemetery road----------Act of January 18, 1907	523
Authorization for Messrs. Bomer and Wilson to construct and operate an electric railway over the cemetery road and repeal of Act of January 18, 1907----------Act of February 21, 1911	523

An Act To authorize George T. Houston and Frank B. Houston to construct and operate an electric railway over the national cemetery road at Vicksburg, Mississippi, approved January 18, 1907 (34 Stat. 849)

National Cemetery, Vicksburg, Miss. Right of way granted over road to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That permission is hereby given to George T. Houston and Frank B. Houston, their associates, successors, and assigns, to erect, construct, operate, and maintain an electric railway over and along the national cemetery road at Vicksburg, Mississippi, from said city of Vicksburg northward to the northern boundary of the Government right of way for said road: *Provided*, That a minimum width of thirty feet of the roadway, over and above that used by the railway tracks, be left all along said road for a driveway, sidewalk, and gutters; that the licensees, their associates, successors, and assigns, shall repair all damage done to the Government roadway by the construction of their line of railway, and shall maintain their railway and said roadway within the tracks and for two feet on each side of the tracks in proper state of repair thereafter: *And provided further*, That said electric railway shall be constructed, operated, and maintained according to plans and specifications to be submitted to and approved by the Secretary of War, and under such regulations as may be prescribed by him. (Repealed. 36 Stat. 927.)

Provisos. Driveway, etc.

Secretary of War to approve plans, etc.

An Act To authorize E. J. Bomer and S. B. Wilson to construct and operate an electric railway over the National Cemetery road at Vicksburg, Mississippi, approved February 21, 1911 (36 Stat. 926)

National cemetery, Vicksburg, Miss. Right of way granted over road to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That permission is hereby given to E. J. Bomer and S. B. Wilson, their associates, successors, and assigns, to erect, construct, operate, and maintain an electric railway over and along the National Cemetery road, at Vicksburg, Mississippi, from said city of Vicksburg northward to the northern boundary of the government right of way for said road: *Provided*, That a minimum width of thirty feet of roadway, over and above

Provisos. Driveway, etc.

that used by the railway tracks, be left all along said road for a driveway, sidewalk, and gutters; that the licensees, their associates, successors, and assigns, shall repair all damage done to the government roadway by the construction of their line of railway, and shall maintain their railway and said roadway within the tracks and for two feet on each side of the tracks in proper state and repair thereafter: *And provided further*, That said electric railway shall be constructed, operated and maintained according to plans and specifications to be submitted to and approved by the Secretary of War, and under such regulations as may be prescribed by him; and that chapter one hundred and fifty-two of the Act of the second session of the Fifty-ninth Congress, entitled "An Act to authorize George T. Houston and Frank B. Houston to construct and operate an electric railway over the National Cemetery road at Vicksburg, Mississippi," approved January eighteenth, nineteen hundred and seven, be, and the same is hereby, repealed: *Provided further*, That it shall be in the power of the Secretary of War, at any time, to revoke the license granted in this Act.

Secretary of War to approve plans, etc.

Former law repealed. Vol. 34, p. 849.

Revocation.

Amendment.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

XV. LEGISLATION RELATING TO NATIONAL HISTORIC SITE NOT OWNED BY FEDERAL GOVERNMENT

1. Gloria Dei (Old Swedes') Church National Historic Site

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Acquisition of abutting properties authorized	Act of August 21, 1958	525

An Act to preserve Gloria Dei (Old Swedes') Church national historic site by authorizing the acquisition of abutting properties, and for other purposes, approved August 21, 1958 (72 Stat. 706)

Gloria Dei Church, Philadelphia. Preservation. 16 U.S.C. 461–467.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to assure the preservation of Gloria Dei (Old Swedes') Church, designated a national historic site pursuant to the Act of August 21, 1935 (49 Stat. 666), the Secretary of the Interior is authorized to acquire by purchase, donation, or with donated funds, lands, improvements thereon, and interests in lands within the city block of Philadelphia, Pennsylvania, bounded by Washington Avenue, Christian, Swanson, and Water Streets, exclusive of Gloria Dei (Old Swedes') Church national historic site located within said block; and the Secretary is further authorized to develop, as a part of the national historic site, federally owned lands within said block by landscaping in such manner as to provide a dignified open setting for Gloria Dei (Old Swedes') Church.

SEC. 2. Nothing herein shall affect the continuing ownership, administration, and maintenance of the church property by The Corporation of Gloria Dei (Old Swedes') Church.

XVI. LEGISLATION RELATING TO MISCELLANEOUS AREAS

1. International Peace Garden

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Appropriation to assist in completion of peace garden authorized	Act of October 25, 1949	527
Increase of appropriation authorized	Acts of June 28, 1954 and August 28, 1958	527

An Act To authorize an appropriation to complete the International Peace Garden, North Dakota, approved October 25, 1949 (63 Stat. 888)

International Peace Garden, N. Dak.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of assisting the State of North Dakota to complete, in accordance with plans heretofore approved, the International Peace Garden established in North Dakota on the international boundary line between United States and Canada for the purpose of furthering international peace among the nations of the world, there is hereby authorized to be appropriated not to exceed the sum of $100,000.

Appropriation authorized. *Ante*, p. 875.

SEC. 2. Any funds appropriated pursuant hereto shall be expended only in accordance with the terms of an agreement to be entered into between the Secretary of the Interior and the State of North Dakota to govern such expenditures.

Agreement governing expenditures.

An Act To authorize the appropriation of additional funds to complete the International Peace Garden, North Dakota, approved June 28, 1954 (68 Stat. 300)

International Peace Garden, N. Dak.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to authorize an appropriation to complete the International Peace Garden, North Dakota", approved October 25, 1949 (63 Stat. 888), is amended by striking out "$100,000" and by inserting in lieu thereof "$200,000".

An Act To increase the authorization for the appropriation of funds to complete the International Peace Garden, North Dakota, approved August 28, 1958 (72 Stat. 985)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to authorize an appropriation to complete the International Peace Garden, North Dakota", approved October 25, 1949 (63 Stat. 888), as amended, is amended by striking out "$200,000" and by inserting in lieu thereof "$400,000".

68 Stat. 300.

2. Silver Creek Recreational Demonstration Project

Page
Exchange of lands authorized.....Act of June 9, 1947 528

An Act To authorize the exchange of lands acquired by the United States for the Silver Creek recreational demonstration project, Oregon, for the purpose of consolidating holdings therein, and for other purposes, approved June 9, 1947 (61 Stat. 129)

Silver Creek recreational demonstration project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of consolidating Federal holdings of lands acquired for the Silver Creek recreational demonstration project, in the State of Oregon, the Secretary of the Interior is hereby authorized to exchange any such lands for other lands of approximately equal value when in his opinion such action is in the interest of the United States, the title to any lands acquired hereunder to be satisfactory to the Attorney General. Upon the vesting of title thereto in the United States, any lands acquired pursuant to this authorization shall become a part of the Silver Creek recreational demonstration project, and shall be subject to the laws applicable thereto.

Exchange of lands.
Post, p. 519.

SEC. 2. Upon the conveyance of the Silver Creek recreational demonstration project to the State of Oregon, or political subdivision thereof, pursuant to the Act of June 6, 1942 (56 Stat. 326), the Secretary of the Interior may authorize the grantee to exchange or otherwise dispose of any lands so conveyed in order to acquire other lands of approximately equal value for the purpose of consolidating the holdings of the grantee, the title to lands so acquired to be satisfactory to the Attorney General. For the aforesaid purpose the Secretary is authorized to execute a release, as to the particular lands involved, of any condition providing for a reversion of title to the United States, that may be contained in the conveyance by the United States to said grantee. No such release shall be executed, however, unless the grantee shall agree, in form satisfactory to the Secretary, that the lands to be acquired by it shall be subject to the conditions contained in the original conveyance from the United States, except that, in lieu of a provision for reversion, the grantee shall agree to convey said lands to the United States upon a finding by the Secretary in accordance with the procedure provided in said Act of June 6, 1942, that the grantee has not complied with such conditions during a period of more than three years. Lands so conveyed to the United States shall be subject to administration or disposition in like manner as recreational demonstration project lands that revert to the United States under the terms of the aforesaid Act. (16 U.S.C. § 459s note.)

16 U.S.C. §§ 459r–459t.

Release of condition providing for reversion of title to U.S.

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to

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[2] Date of act is July 3, 1926, instead of July 3, 1928.

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[2] Date of act is July 3, 1926, instead of July 3, 1928.

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[3] Formerly designated as "Abraham Lincoln National Historical Park."
[4] See Abraham Lincoln Birthplace National Historic Site.
[5] Included in Natchez Trace Parkway by Act of August 10, 1961. See S. II 486.

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[6] Proposed.
[7] See Appomattox Court House National Historical Park.
[8] Formerly designated as "Appomattox Court House National Historical Monument."

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[9] Formerly designated as "Cape Hatteras National Seashore Recreational Area."
[10] See Cape Hatteras National Seashore.

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[11] Formerly designated as "Colonial National Monument."

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[12] See Colonial National Historical Park.
[13] See Coronado National Memorial.
[14] See also General Legislation, S. II 16–17.

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[17] Formerly designated as "Custer Battlefield National Cemetery."

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[20] Act of February 26, 1929, repealed by act of September 14, 1950.

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[21] Formerly designated as "Hawaii National Park." See also Haleakala National Park.
[22] See also Haleakala National Park.
[23] As "Hawaii National Park."

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[24] See also "General Grant National Park."

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[25] Included in Natchez Trace Parkway by Act of August 10, 1961. See S. II 486.

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[26] Formerly designated as "Petersburg National Military Park."
[27] See Petersburg National Battlefield.
[28] See Petrified Forest National Park.
[29] Formerly designated as "Petrified Forest National Monument."

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[30] Transferred to the Department of Agriculture by act of March 3, 1931 (46 Stat. 1509), to be maintained as the Sullys Hill National Game Preserve.

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[32] Formerly designated as "Whitman National Monument."
[33] See Whitman Mission National Historic Site.

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UNITED STATES DEPARTMENT OF THE INTERIOR
ROGERS C. B. MORTON, *Secretary*
NATIONAL PARK SERVICE
RONALD H. WALKER, *Director*

LAWS RELATING TO THE NATIONAL PARK SERVICE

SUPPLEMENT III

February 1963 to December 1972

U.S. GOVERNMENT PRINTING OFFICE
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FOREWORD

This is the third supplement to the publication *Laws Relating to the National Park Service*, first printed in 1933 and supplemented in 1944 and 1963.

This volume contains laws relating to the National Park Service enacted by the Congress between February, 1963, and December, 1972. Unlike Supplements I and II, laws relating to the National Capital Parks are included in this compilation.

Special thanks are due to Mrs. Jo Ann West, whose long hours of research in the library of the Department of the Interior made this supplement possible.

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I. GENERAL LEGISLATION

1. Administration of National Park System

An Act to improve the administration of the national park system by the Secretary of the Interior, and to clarify the authorities applicable to the system, and for other purposes. (84 Stat. 825)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress declares that the national park system, which began with establishment of Yellowstone National Park in 1872, has since grown to include superlative natural, historic, and recreation areas in every major region of the United States, its territories and island possessions; that these areas, though distinct in character, are united through their inter-related purposes and resources into one national park system as cumulative expressions of a single national heritage; that, individually and collectively, these areas derive increased national dignity and recognition of their superb environmental quality through their inclusion jointly with each other in one national park system preserved and managed for the benefit and inspiration of all the people of the United States; and that it is the purpose of this Act to include all such areas in the System and to clarify the authorities applicable to the system.

SEC. 2. (a) Section 1 of the Act of August 8, 1953 (67 Stat. 496; 16 U.S.C. 1b), is amended by deleting "and miscellaneous areas administered in connection therewith" and "and miscellaneous areas" wherever they appear.

(b) Section 2 of the Act of August 8, 1953 (67 Stat. 496; 16 U.S.C. 1c), is amended to read as follows:

"SEC. 2. (a) The 'national park system' shall include any area of land and water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes.

"(b) Each area within the national park system shall be administered in accordance with the provisions of any statute made specifically applicable to that area. In addition, the provisions of this Act, and the various authorities relating to the administration and protection of areas under the administration of the Secretary of the Interior through the National Park Service, including but not limited to the Act of August 25, 1916 (39 Stat.

535), as amended (16 U.S.C. 1, 2–4), the Act of March 4, 1911 (36 Stat. 1253), as amended (16 U.S.C. 5) relating to rights-of-way, the Act of June 5, 1920 (41 Stat. 917), as amended (16 U.S.C. 6), relating to donation of land and money, sections 1, 4, 5, and 6 of this Act of April 9, 1924 (43 Stat. 90), as amended (16 U.S.C. 8 and 8a–8c), relating to roads and trails, the Act of March 4, 1931 (46 Stat. 1570; 16 U.S.C. 8d) relating to approach roads to national monuments, the Act of June 3, 1948 (62 Stat. 334), as amended (16 U.S.C. 8e–8f), relating to conveyance of roads to States, the Act of August 31, 1954 (68 Stat. 1037), as amended (16 U.S.C. 452a), relating to acquisitions of inholdings, section 1 of the Act of July 3, 1926 (44 Stat. 900), as amended (16 U.S.C. 12), relating to aid to visitors in emergencies, the Act of March 3, 1905 (33 Stat. 873; 16 U.S.C. 10), relating to arrests, sections 3, 4, 5, and 6 of the Act of May 26, 1930 (46 Stat. 381), as amended (16 U.S.C. 17b, 17c, 17d, and 17e), relating to services or other accommodations for the public, emergency supplies and services to concessioners, acceptability of travelers checks, care and removal of indigents, the Act of October 9, 1965 (79 Stat. 696; 16 U.S.C. 20–20g), relating to concessions, the Land and Water Conservation Fund Act of 1965, as amended, and the Act of July 15, 1968 (82 Stat. 355), shall, to the extent such provisions are not in conflict with any such specific provision, be applicable to all areas within the national park system and any reference in such Act to national parks, monuments recreation areas, historic monuments, or parkways shall hereinafter not be construed as limiting such Acts to those areas."

SEC. 3. In order to facilitate the administration of the national park system, the Secretary of the Interior is authorized, under such terms and conditions as he may deem advisable, to carry out the following activities:

(a) provide transportation of employees located at isolated areas of the national park system and to members of their families, where (1) such areas are not adequately served by commercial transportation, and (2) such transportation is incidental to official transportation services;

(b) provide recreation facilities, equipment, and services for use by employees and their families located at isolated areas of the national park system;

(c) appoint and establish such advisory committees in regard to the functions of the National Park Service as he may deem advisable, members of which shall receive no compensation for their services as such but who shall be allowed necessary travel expenses as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 5703);

(d) purchase field and special purpose equipment required by employees for the performance of assigned functions which shall be regarded and listed as park equipment;

(e) enter into contracts which provide for the sale or lease to persons, States, or their political subdivisions, of services, resources, or water available within an area of the national park system, if such person, State, or its political subdivision—

(1) provides public accommodations or services within the immediate vicinity of an area of the national park system to persons visiting the area; and

(2) has demonstrated to the Secretary that there are no reasonable alternatives by which to acquire or perform the necessary services, resources, or water;

(f) acquire, and have installed, air-conditioning units for any Government-owned passenger motor vehicles used by the National Park Service, where assigned duties necessitate long periods in automobiles or in regions of the United States where high temperatures and humidity are common and prolonged;

(g) sell at fair market value without regard to the requirements of the Federal Property and Administrative Services Act of 1949, as amended, products and services produced in the conduct of living exhibits and interpretive demonstrations in areas of the national park system, to enter into contracts including cooperative arrangements with respect to such living exhibits and interpretive demonstrations and park programs, and to credit the proceeds therefrom to the appropriation bearing the cost of such exhibits and demonstrations.

SEC. 4. The Act of March 17, 1948 (62 Stat. 81), is amended by deleting from section 1 thereof the words "over which the United States has, or hereafter acquires, exclusive or concurrent criminal jurisdiction," and changing section 3 to read as follows:

"SEC. 3. For the purposes of this Act, the environs of the District of Columbia are hereby defined as embracing Arlington, Fairfax, Loudoun, Prince William, and Stafford Counties and the city of Alexandria in Virginia, and Prince Georges, Charles, Anne Arundel, and Montgomery Counties in Maryland."

Approved August 18, 1970.

Legislative History

House Report No. 91–1265 (Committee on Interior and Insular Affairs).
Senate Report No. 91–1014 accompanying S. 2985 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970):
July 14, S. 2985 considered and passed Senate.
July 20, considered and passed House.
Aug. 4, considered and passed Senate, in lieu of S. 2985.

2. Airports in National Parks

An Act to amend the Act approved March 18, 1950, providing for the construction of airports in or in close proximity to national parks, national monuments, and national recreation areas, and for other purposes. (80 Stat. 1313)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved March 18, 1950 (64 Stat. 27; 16 U.S.C. 7a–7e), is amended by striking the figure "$2,000,000" at the end of section 2 and inserting in lieu thereof the figure "$3,500,000".

Approved November 5, 1966.

Legislative History

House Report No. 2195 accompanying H.R. 11089 (Committee on Interstate and Foreign Commerce).
Senate Report No. 1462 (Committee on Commerce).
Congressional Record, Vol. 112 (1966) :
Aug. 19 : Considered and passed Senate.
Oct. 17 : Considered and passed House, in lieu of H.R. 11089.

3. Excerpts from Airport and Airway Development Act of 1970

An Act to provide for the expansion and improvement of the Nation's airport and airway system, for the imposition of airport and airway user charges, and for other purposes. (89 Stat. 219)

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

* * * * *

(11) "Public agency" means a State, the Commonwealth of Puerto Rico, the Virgin Islands, or Guam or any agency of any of them; a municipality or other political subdivision; or a tax-supported organization; or an Indian tribe or pueblo.

* * * * *

(14) "Sponsor" means any public agency which, either individually or jointly with one or more other public agencies, submits to the Secretary, in accordance with this part, an application for financial assistance.

* * * * *

(c) FEDERAL, STATE, AND OTHER AGENCIES.—In developing the national airport system plan, the Secretary shall to the extent feasible consult with the Civil Aeronautics Board, the Post Office Department, the Department of the Interior regarding conservation and natural resource values, and other Federal agencies, as appropriate; with planning agencies, and airport operators; and with air carriers, aircraft manufacturers and others in the aviation industry. The Secretary shall provide technical guidance to agencies engaged in the conduct of airport system planning and airport master planning to insure that the national airport system plan reflects the product of interstate, State, and local airport planning.

* * * * *

(f) CONSULTATION CONCERNING ENVIRONMENTAL CHANGES.—In carrying out this section, the Secretary shall consult with and consider the views and recommendations of the Secretary of the Interior, the Secretary of Health, Education, and Welfare, the Secretary of Agriculture, and the National Council on Environmental Quality. The recommendations of the Secretary of the Interior, the Secretary of Health, Education, and Welfare, the Secretary of Agriculture, and the National Council on Environmental Quality, with regard to the preservation of environmental quality, shall, to the extent that the Secretary of Transportation determines to

be feasible, be incorporated in the national airport system plan.

* * * * *

(4) It is declared to be national policy that airport development projects authorized pursuant to this part shall provide for the protection and enhancement of the natural resources and the quality of environment of the Nation. In implementing this policy, the Secretary shall consult with the Secretaries of the Interior and Health, Education, and Welfare with regard to the effect that any project involving airport location, a major runway extension, or runway location may have on natural resources including, but not limited to, fish and wildlife, natural, scenic, and recreation assets, water and air quality, and other factors affecting the environment, and shall authorize no such project found to have adverse effect unless the Secretary shall render a finding, in writing, following a full and complete review, which shall be a matter of public record, that no feasible and prudent alternative exists and that all possible steps have been taken to minimize such adverse effect.

* * * * *

SEC. 23. USE OF GOVERNMENT-OWNED LANDS.

(a) REQUESTS FOR USE.—Subject to the provisions of subsection (c) of this section, whenever the Secretary determines that use of any lands owned or controlled by the United States is reasonably necessary for carrying out a project for airport development under this part, or for the operation of any public airport, including lands reasonably necessary to meet future development of an airport in accordance with the national airport system plan, he shall file with the head of the department or agency having control of the lands a request that the necessary property interests therein be conveyed to the public agency sponsoring the project in question or owning or controlling the airport. The property interest may consist of the title to, or any other interest in, land or any easement through or other interest in airspace.

(b) MAKING OF CONVEYANCES.— Upon receipt of a request from the Secretary under this section, the head of the department or agency having control of the lands in question shall determine whether the requested conveyance is inconsistent with the needs of the department or agency, and shall notify the Secretary of his determination within a period of four months after receipt of the Secretary's request. If the department or agency head determines that the requested conveyance is not inconsistent with the needs of that department or agency, the department or agency head is hereby authorized and directed, with the approval of the President and the Attorney General of the United States, and without any expense to the

United States, to perform any acts and to execute any instruments necessary to make the conveyance requested. A conveyance may be made only on the condition that, at the option of the Secretary, the property interest conveyed shall revert to the United States in the event that the lands in question are not developed for airport purposes or used in a manner consistent with the terms of the conveyance. If only a part of the property interest conveyed is not developed for airport purposes, or used in a manner consistent with the terms of the conveyance, only that particular part shall at the option of the Secretary, revert to the United States.

(c) EXEMPTION OF CERTAIN LANDS.—Unless otherwise specifically provided by law, the provisions of subsections (a) and (b) of this section shall not apply with respect to lands owned or controlled by the United States within any national park, national monument, national recreation area, or similar area under the administration of the National Park Service; within any unit of the National Wildlife Refuge System or similar area under the jurisdiction of the Bureau of Sport Fisheries and Wildlife; or within any national forest or Indian reservation.

* * * * *

Approved May 21, 1970.

4. Excerpts from Alaska Native Claims Settlement Act

An Act to provide for the settlement of certain land claims of Alaska Natives, and for other purposes. (85 Stat. 688)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Native Claims Settlement".

DECLARATION OF POLICY

* * * * *

(d) (1) Public Land Order Numbered 4582, 34 Federal Register 1025, as amended, is hereby revoked. For a period of ninety days after the date of enactment of this Act all unreserved public lands in Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining (except locations for metalliferous minerals) and the mineral leasing laws. During this period of time the Secretary shall review the public lands in Alaska and determine whether any portion of these lands should be withdrawn under authority provided for in existing law to insure that the public interest in these lands is properly protected. Any further withdrawal shall require an affirmative act by the Secretary under his existing authority, and the Secretary is authorized to classify or reclassify any lands so withdrawn and to open such lands to appropriation under the public land laws in accord with his classifications. Withdrawals pursuant to this paragraph shall not affect the authority of the Village Corporations, the Regional Corporations, and the State to make selections and obtain patents within the areas withdrawn pursuant to section 11.

* * * * *

(2) (A) The Secretary, acting under authority provided for in existing law, is directed to withdraw from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and from selection under the Alaska Statehood Act, and from selection by Regional Corporations pursuant to section 11, up to, but not to exceed, eighty million acres of unreserved public lands in the State of Alaska, including previously classified lands, which the Secretary deems are suitable for addition to or creation as units of the National Park, Forest, Wildlife Refuge, and Wild and Scenic Rivers Systems: *Provided*, That such withdrawals shall not affect the authority of the State and the Regional and Village Corporations to make selections and obtain patents within the areas withdrawn pursuant to section 11.

(B) Lands withdrawn pursuant to paragraph (A) hereof must be withdrawn within nine months of the date of enactment of this Act. All unreserved public lands not withdrawn under paragraph (A) or subsection 17(d)(1) shall be available for selection by the State and for appropriation under the public land laws.

(C) Every six months, for a period of two years from the date of enactment of this Act, the Secretary shall advise the Congress of the location, size and values of lands withdrawn pursuant to paragraph (A) and submit his recommendations with respect to such lands. Any lands withdrawn pursuant to paragraph (A) not recommended for addition to or creation as units of the National Park, Forest, Wildlife Refuge, and Wild and Scenic Rivers Systems at the end of the two years shall be available for selection by the State and the Regional Corporations, and for appropriation under the public land laws.

(D) Areas recommended by the Secretary pursuant to paragraph (C) shall remain withdrawn from any appropriation under the public land laws until such time as the Congress acts on the Secretary's recommendations, but not to exceed five years from the recommendation dates. The withdrawal of areas not so recommended shall terminate at the end of the two year period.

(E) Notwithstanding any other provision of this subsection, initial identification of lands desired to be selected by the State pursuant to the Alaska Statehood Act and by the Regional Corporations pursuant to section 12 of this Act may be made within any area withdrawn pursuant to this subsection (d), but such lands shall not be tentatively approved or patented so long as the withdrawals of such areas remain in effect: *Provided*, That selection of lands by Village Corporations pursuant to section 12 of this Act shall not be affected by such withdrawals and such lands selected may be patented and such rights granted as authorized by this Act. In the event Congress enacts legislation setting aside any areas withdrawn under the provisions of this subsection which the Regional Corporations or the State desired to select, then other unreserved public lands shall be made available for alternative selection by the Regional Corporations and the State. Any time periods established by law for Regional Corporations or State selections are hereby extended to the extent that delays are caused by compliance with the provisions of this subsection (2).

(3) Any lands withdrawn under this section shall be subject to administration by the Secretary under applicable laws and regulations, and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by the withdrawal.

* * * * *

Approved December 18, 1971.

5. Concession Policies of the National Park Service

An Act relating to the establishment of concession policies in the areas administered by National Park Service and for other purposes. (79 Stat. 969)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the Act of August 25, 1916 (39 Stat. 535), as amended (16 U.S.C. 1), which directs the Secretary of the Interior to administer national park system areas in accordance with the fundamental purposes of conserving their scenery, wildlife, natural and historic objects, and providing for their enjoyment in a manner that will leave them unimpaired for the enjoyment of future generations, the Congress hereby finds that the preservation of park values requires that such public accommodations, facilities, and services as have to be provided within those areas should be provided only under carefully controlled safeguards against unregulated and indiscriminate use, so that the heavy visitation will not unduly impair these values and so that development of such facilities can best be limited to locations where the least damage to park values will be caused. It is the policy of the Congress that such development shall be limited to those that are necessary and appropriate for public use and enjoyment of the national park area in which they are located and that are consistent to the highest practicable degree with the preservation and conservation of the areas.

SEC. 2. Subject to the findings and policy stated in section 1 of this Act, the Secretary of the Interior shall take such action as may be appropriate to encourage and enable private persons and corporations (hereinafter referred to as "concessioners") to provide and operate facilities and services which he deems desirable for the accommodation of visitors in areas administered by the National Park Service.

SEC. 3. (a) Without limitation of the foregoing, the Secretary may include in contracts for the providing of facilities and services such terms and conditions as, in his judgment, are required to assure the concessioner of adequate protection against loss of investment in structures, fixtures, improvements, equipment, supplies, and other tangible property provided by him for the purposes of the contract (but not against loss of anticipated profits) resulting from discretionary acts, policies, or decisions of the Secretary occurring after the contract has become effective under which acts, policies, or decisions the concessioner's authority to conduct some or all of his authorized operations under the contract ceases or his structures, fixtures, and improvements, or any of them,

are required to be transferred to another party or to be abandoned, removed, or demolished. Such terms and conditions may include an obligation of the United States to compensate the concessioner for loss of investment, as aforesaid.

(b) The Secretary shall exercise his authority in a manner consistent with a reasonable opportunity for the concessioner to realize a profit on his operation as a whole commensurate with the capital invested and the obligations assumed.

(c) The reasonableness of a concessioner's rates and charges to the public shall, unless otherwise provided in the contract, be judged primarily by comparison with those current for facilities and services of comparable character under similar conditions, with due consideration for length of season, provision for peakloads, average percentage of occupancy, accessibility, availability and costs of labor and materials, type of patronage, and other factors deemed significant by the Secretary.

(d) Franchise fees, however stated, shall be determined upon consideration of the probable value to the concessioner of the privileges granted by the particular contract or permit involved. Such value is the opportunity for net profit in relation to both gross receipts and capital invested. Consideration of revenue to the United States shall be subordinate to the objectives of protecting and preserving the areas and of providing adequate and appropriate services for visitors at reasonable rates. Appropriate provisions shall be made for reconsideration of franchise fees at least every five years unless the contract is for a lesser period of time.

SEC. 4. The Secretary may authorize the operation of all accommodations, facilities, and services for visitors, or of all such accommodations, facilities, and services of generally similar character, in each area, or portion thereof, administered by the National Park Service by one responsible concessioner and may grant to such concessioner a preferential right to provide such new or additional accommodations, facilities, or services as the Secretary may consider necessary or desirable for the accommodation and convenience of the public. The Secretary may, in his discretion, grant extensions, renewals, or new contracts to present concessioners, other than the concessioner holding a preferential right, for operations substantially similar in character and extent to those authorized by their current contracts or permits.

SEC. 5. The Secretary shall encourage continuity of operation and facilities and services by giving preference in the renewal of contracts or permits and in the negotiation of new contracts or permits to the concessioners who have performed their obligations under prior contracts or permits to the satisfaction of the Secretary. To this

end, the Secretary, at any time in his discretion, may extend or renew a contract or permit, or may grant a new contract or permit to the same concessioner upon the termination or surrender before expiration of a prior contract or permit. Before doing so, however, and before granting extensions, renewals or new contracts pursuant to the last sentence of section 4 of this Act, the Secretary shall give reasonable public notice of his intention so to do and shall consider and evaluate all proposals received as a result thereof.

SEC. 6. A concessioner who has heretofore acquired or constructed or who hereafter acquires or constructs, pursuant to a contract and with the approval of the Secretary, any structure, fixture, or improvement upon land owned by the United States within an area administered by the National Park Service shall have a possessory interest therein, which shall consist of all incidents of ownership except legal title, and except as hereinafter provided, which title shall be vested in the United States. Such possessory interest shall not be construed to include or imply any authority, privilege, or right to operate or engage in any business or other activity, and the use or enjoyment of any structure, fixture, or improvement in which the concessioner has a possessory interest shall be wholly subject to the applicable provisions of the contract and of laws and regulations relating to the area. The said possessory interest shall not be extinguished by the expiration or other termination of the contract and may not be taken for public use without just compensation. The said possessory interest may be assigned, transferred, encumbered, or relinquished. Unless otherwise provided by agreement of the parties, just compensation shall be an amount equal to the sound value of such structure, fixture, or improvement at the time of taking by the United States determined upon the basis of reconstruction cost less depreciation evidenced by its condition and prospective serviceability in comparison with a new unit of like kind, but not to exceed fair market value. The provisions of this section shall not apply to concessioners whose current contracts do not include recognition of a possessory interest, unless in a particular case the Secretary determines that equitable considerations warrant recognition of such interest.

SEC. 7. The provisions of section 321 of the Act of June 30, 1932 (47 Stat. 412; 40 U.S.C. 303(b)), relating to the leasing of buildings and properties of the United States, shall not apply to privileges, leases, permits, and contracts granted by the Secretary of the Interior for the use of lands and improvements thereon, in areas administered by the National Park Service, for the purpose of providing accommodations, facilities, and services for visitors thereto, pursuant to the Act of August 25, 1916

(39 Stat. 535), as amended, or the Act of August 21, 1935, chapter 593 (49 Stat. 666; 16 U.S.C. 461–467), as amended.

SEC. 8. Subsection (h) of section 2 of the Act of August 21, 1935, the Historical Sites, Buildings, and Antiquities Act (49 Stat. 666; 16 U.S.C. 462(h)), is amended by changing the proviso therein to read as follows: "*Provided*, That the Secretary may grant such concessions, leases, or permits and enter into contracts relating to the same with responsible persons, firms, or corporations without advertising and without securing competitive bids."

SEC. 9. Each concessioner shall keep such records as the Secretary may prescribe to enable the Secretary to determine that all terms of the concession contract have been and are being faithfully performed, and the Secretary and his duly authorized representatives shall, for the purpose of audit and examination, have access to said records and to other books, documents, and papers of the concessioner pertinent to the contract and all the terms and conditions thereof.

The Comptroller General of the United States or any of his duly authorized representatives shall, until the expiration of five (5) calendar years after the close of the business year of each concessioner or subconcessioner have access to and the right to examine any pertinent books, documents, papers, and records of the concessioner or subconcessioner related to the negotiated contract or contracts involved.

Approved October 9, 1965, 6:35 a.m.

Legislative History

House Report No. 591 (Committee on Interior and Insular Affairs).
Senate Report No. 765 (Committee on Interior and Insular Affairs).
Congressional Record, Volume 111 (1965):
Sept. 14: Considered and passed House.
Sept. 23: Considered and passed Senate.

6. Excerpt from Department of Transportation Act

An Act to establish a Department of Transportation, and for other purposes. (80 Stat. 931)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Department of Transportation Act".

* * * * *

(f) The Secretary shall cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed. After the effective date of this Act, the Secretary shall not approve any program or project which requires the use of any land from a public park, recreation area, wildlife and waterfowl refuge, or historic site unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use.

* * * * *

Approved October 15, 1966.

7. Excerpt from Federal-Aid Highway Act of 1966

An Act to authorize appropriations for the fiscal years 1968 and 1969 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes. (80 Stat. 766)

* * * * *

PRESERVATION OF PARKLANDS

SEC. 15. (a) Chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

"§ 138. Preservation of parklands

"It is hereby declared to be the national policy that in carrying out the provisions of this title, the Secretary shall use maximum effort to preserve Federal, State, and local government parklands and historic sites and the beauty and historic value of such lands and sites. The Secretary shall cooperate with the States in developing highway plans and programs which carry out such policy. After July 1, 1968, the Secretary shall not approve under section 105 of this title any program for a project which requires the use for such project of any land from a Federal, State, or local government park or historic site unless such program includes all possible planning, including consideration of alternatives to the use of such land, to minimize any harm to such park or site resulting from such use."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"138. Preservation of parklands."

* * * * *

Approved September 13, 1966.

8. Environmental Education Act

An Act to authorize the United States Commissioner of Education to establish education programs to encourage understanding of policies, and support of activities, designed to enhance environmental quality and maintain ecological balance. (84 Stat. 1312)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Environmental Education Act".

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. (a) The Congress of the United States finds that the deterioration of the quality of the Nation's environment and of its ecological balance poses a serious threat to the strength and vitality of the people of the Nation and is in part due to poor understanding of the Nation's environment and of the need for ecological balance; that presently there do not exist adequate resources for educating and informing citizens in these areas, and that concerted efforts in educating citizens about environmental quality and ecological balance are therefore necessary.

(b) It is the purpose of this Act to encourage and support the development of new and improved curricula to encourage understanding of policies, and support of activities designed to enhance environmental quality and maintain ecological balance; to demonstrate the use of such curricula in model educational programs and to evaluate the effectiveness thereof; to provide support for the initiation and maintenance of programs in environmental education at the elementary and secondary levels; to disseminate curricular materials and other information for use in educational programs throughout the Nation; to provide training programs for teachers, other educational personnel, public service personnel, and community, labor, and industrial and business leaders and employees, and government employees at State, Federal, and local levels; to provide for the planning of outdoor ecological study centers; to provide for community education programs on preserving and enhancing environmental quality and maintaining ecological balance; and to provide for the preparation and distribution of materials by mass media in dealing with the environment and ecology.

ENVIRONMENTAL EDUCATION

SEC. 3. (a) (1) There is established, within the Office of Education, and office of environmental education (referred to in this section as the "office") which, under the supervision of the Commissioner, through regulations

promulgated by the Secretary, shall be responsible for (A) the administration of the program authorized by subsection (b) and (B) the coordination of activities of the Office of Education which are related to environmental education. The office shall be headed by a Director who shall be compensated at a rate not to exceed that prescribed for grade GS–17 in section 5332 of title 5, United States Code.

(2) For the purposes of this Act, the term "environmental education" means the educational process dealing with man's relationship with his natural and manmade surroundings, and includes the relation of population, pollution, resource allocation and depletion, conservation, transportation, technology, and urban and rural planning to the total human environment.

(b) (1) The Commissioner shall carry out a program of making grants to, and contracts with, institutions of higher education, State and local educational agencies, regional educational research organizations, and other public and private agencies, organizations, and institutions (including libraries and museums) to support research, demonstration, and pilot projects designed to educate the public on the problems of environmental quality and ecological balance, except that no grant may be made other than to a nonprofit agency, organization or institution.

(2) Funds appropriated for grants and contracts under this section shall be available for such activities as—

(A) the development of curricula (including interdisciplinary curricula) in the preservation and enhancement of environmental quality and ecological balance;

(B) dissemination of information relating to such curricula and to environmental education, generally;

(C) in the case of grants to State and local educational agencies, for the support of environmental education programs at the elementary and secondary education levels;

(D) preservice and inservice training programs and projects (including fellowship programs, institutes, workshops, symposiums, and seminars) for educational personnel to prepare them to teach in subject matter areas associated with environmental quality and ecology, and for public service personnel, government employees, and business, labor, and industrial leaders and employees;

(E) planning of outdoor ecological study centers;

(F) community education programs on environmental quality, including special programs for adults; and

(G) preparation and distribution of materials suitable for use by the mass media in dealing with the environment and ecology.

In addition to the activities specified in the first sentence of this paragraph, such funds may be used for projects designed to demonstrate, test, and evaluate the effectiveness of any such activities, whether or not assisted under this section.

(3) (A) Financial assistance under this subsection may be made available only upon application to the Commissioner. Applications under this subsection shall be submitted at such time, in such form, and containing such information as the Secretary shall prescribe by regulation and shall be approved only if it—

(i) provides that the activities and services for which assistance is sought will be administered by, or under the supervision of, the applicant;

(ii) describes a program for carrying out one or more of the purposes set forth in the first sentence of paragraph (2) which holds promise of making a substantial contribution toward attaining the purposes of this section;

(iii) sets forth such policies and procedures as will insure adequate evaluation of the activities intended to be carried out under the application.

(iv) sets forth policies and procedures which assure that Federal funds made available under this Act for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 3, and in no case supplant such funds.

(v) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

(vi) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require and for keeping such records, and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(B) Applications from local educational agencies for financial assistance under this Act may be approved by the Commissioner only if the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

(C) Amendments of applications shall, except as the Secretary may otherwise provide by or pursuant to regulation, be subject to approval in the same manner as original applications.

(4) Federal assistance to any program or project under this section, other than those involving curriculum de-

velopment, dissemination of curricular materials, and evaluation, shall not exceed 80 percentum of the cost of such program for the first fiscal year of its operation, including costs of administration, unless the Commissioner determines, pursuant to regulations adopted and promulgated by the Secretary establishing objective criteria for such determinations, that assistance in excess of such percentages is required in furtherance of the purposes of this section. The Federal share for the second year shall not exceed 60 per centum, and for the third year 40 per centum. Non-Federal contributions may be in cash or kind, fairly evaluated, including but not limited to plant, equipment, and services.

(c) (1) There is hereby established an Advisory Council on Environmental Education consisting of twenty-one members appointed by the Secretary. The Secretary shall appoint one member as Chairman. The Council shall consist of persons appointed from the public and private sector with due regard to their fitness, knowledge, and experience in matters of, but not limited to, academic, scientific, medical, legal, resource conservation and production, urban and regional planning, and information media activities as they relate to our society and affect our environment, and shall give due consideration to geographical representation in the appointment of such members: *Provided, however*, That the Council shall consist of not less than three ecologists and three students.

(2) The Council shall—

(A) advise the Commissioner and the office concerning the administration of, preparation of general regulations for, and operation of programs assisted under this section;

(B) make recommendations to the office with respect to the allocation of funds appropriated pursuant to subsection (d) among the purposes set forth in paragraph (2) of subsection (b) and the criteria to be used in approving applications, which criteria shall insure an appropriate geographical distribution of approved programs and projects throughout the Nation;

(C) develop criteria for the review of applications and their disposition; and

(D) evaluate programs and projects assisted under this section and disseminate the results thereof.

TECHNICAL ASSISTANCE

SEC. 4. The Secretary of Health, Education, and Welfare, in cooperation with the heads of other agencies with relevant jurisdiction, shall, insofar as practicable upon request, render technical assistance to local educational agencies, public and private nonprofit organizations, institutions of higher education, agencies of local, State,

and Federal governments and other agencies deemed by the Secretary to play a role in preserving and enhancing environmental quality and maintaining ecological balance. The technical assistance shall be designed to enable the recipient agency to carry on education programs which are related to environmental quality and ecological balance.

SMALL GRANTS

SEC. 5. (a) In addition to the grants authorized under section 3, the Commissioner, from the sums appropriated, shall have the authority to make grants, in sums not to exceed $10,000 annually, to nonprofit organizations such as citizen groups, volunteer organizations working in the environmental field, and other public and private nonprofit agencies, institutions, or organizations for conducting courses, workshops, seminars, symposiums, institutes, and conferences, especially for adults and community groups (other than the group funded).

(b) Priority shall be given to those proposals demonstrating innovative approaches to environmental education.

(c) For the purposes of this section, the Commissioner shall require evidence that the interested organization or group shall have been in existence one year prior to the submission of a proposal for Federal funds and that it shall submit an annual report on Federal funds expended.

(d) Proposals submitted by organizations and groups under this section shall be limited to the essential information required to evaluate them, unless the organization or group shall volunteer additional information.

ADMINISTRATION

SEC. 6. In administering the provisions of this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or private agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon. The Commissioner shall publish annually a list and description of projects supported under this Act and shall distribute such list and description to interested educational institutions, citizens' groups, conservation organizations, and other organizations and individuals involved in enhancing environmental quality and maintaining ecological balance.

AUTHORIZATION

SEC. 7. There is authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1971, $15,000,000 for the fiscal year ending June 30, 1972, and $25,000,000

for the fiscal year ending June 30, 1973, for carrying out the purposes of this Act.

Approved October 30, 1970.

Legislative History

House Report No. 91–1362 (Committee on Education and Labor).
Senate Report No. 91–1164 (Committee on Labor and Public Welfare).
Congressional Record, Vol. 116 (1970) :
Aug. 3, considered and passed House.
Sept. 21, considered and passed Senate, amended.
Oct. 13. House concurred in Senate amendments with an amendment; Senate concurred in House amendment.

9. Excerpt from Economic Opportunity Act of 1964

An Act to mobilize the human and financial resources of the Nation to combat poverty in the United States. (78 Stat. 508)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Economic Opportunity Act of 1964".

FINDINGS AND DECLARATION OF PURPOSE

* * * * *

TITLE I—YOUTH PROGRAMS

PART A—JOB CORPS

STATEMENT OF PURPOSE

SEC. 101. The purpose of this part is to prepare for the responsibilities of citizenship and to increase the employability of young men and young women aged sixteen through twenty-one by providing them in rural and urban residential centers with education, vocational training, useful work experience, including work directed toward the conservation of natural resources, and other appropriate activities.

ESTABLISHMENT OF JOB CORPS

SEC. 102. In order to carry out the purposes of this part, there is hereby established within the Office of Economic Opportunity (hereinafter referred to as the "Office"), established by title VI, a Job Corps (hereinafter referred to as the "Corps").

JOB CORPS PROGRAM

SEC. 103. The Director of the Office (hereinafter referred to as the "Director") is authorized to—

(a) enter into agreements with any Federal, State, or local agency or private organization for the establishment and operation, in rural and urban areas, of conservation camps and training centers and for the provision of such facilities and services as in his judgment are needed to carry out the purposes of this part, including but not limited to agreements with agencies charged with the responsibility of conserving, developing, and managing the public natural resources of the Nation and of developing, managing, and protecting public recreational areas, whereby the enrollees of the Corps may be utilized by such agencies in carrying out, under the immediate supervision of such agencies, programs planned and designed by such agencies to fulfill such responsibility, and including agreements for a botanical survey program

involving surveys and maps of existing vegetation and investigations of the plants, soils, and environments of natural and disturbed plant communities;

(b) arrange for the provision of education and vocational training of enrollees in the Corps: *Provided*, That, where practicable, such programs may be provided through local public educational agencies or by private vocational educational institutions or technical institutes where such institutions or institutes can provide substantially equivalent training with reduced Federal expenditures;

(c) provide or arrange for the provision of programs of useful work experience and other appropriate activities for enrollees;

(d) establish standards of safety and health for enrollees, and furnish or arrange for the furnishing of health services; and

(e) prescribe such rules and regulations and make such arrangements as he deems necessary to provide for the selection of enrollees and to govern their conduct after enrollment, including appropriate regulations as to the circumstances under which enrollment may be terminated.

COMPOSITION OF THE CORPS

SEC. 104. (a) The Corps shall be composed of young men and young women who are permanent residents of the United States, who have attained age sixteen but have not attained age twenty-two at the time of enrollment, and who meet the standards for enrollment prescribed by the Director. Participation in the Corps shall not relieve any enrollee of obligations under the Universal Military Training and Service Act (50 U.S.C. App. 451 et seq.).

(b) In order to enroll as a member of the Corps, an individual must agree to comply with rules and regulations promulgated by the Director for the government of the Corps.

(c) The total enrollment of any individual in the Corps shall not exceed two years except as the Director may determine in special cases.

(d) Each enrollee must execute and file with the Director an affidavit that he does not believe in, and is not a member of and does not support any organization that believes in or teaches, the overthrow of the United States Government by force or violence or by any illegal or unconstitutional methods, and (2) each enrollee must take and subscribe to an oath or affirmation in the following form: "I do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America

and will support and defend the Constitution and laws of the United States against all its enemies foreign and domestic.". The provisions of section 1001 of title 18, United States Code, shall be applicable with respect to such affidavits.

ALLOWANCE AND MAINTENANCE

SEC. 105. (a) Enrollees may be provided with such living, travel, and leave allowances, and such quarters, subsistence, transportation, equipment, clothing, recreational services, medical, dental, hospital, and other health services, and other expenses as the Director may deem necessary or appropriate for their needs. Transportation and travel allowances may also be provided, in such circumstances as the Director may determine, for applicants for enrollment to or from places of enrollment, and for former enrollees from places of termination to their homes.

(b) Upon termination of his or her enrollment in the Corps, each enrollee shall be entitled to receive a readjustment allowance at a rate not to exceed $50 for each month of satisfactory participation therein as determined by the Director: *Provided, however*, That under such circumstances as the Director may determine a portion of the readjustment allowance of an enrollee not exceeding $25 for each month of satisfactory service may be paid during the period of service of the enrollee directly to a member of his or her family (as defined in section 609(c)) and any sum so paid shall be supplemented by the payment of an equal amount by the Director. In the event of the enrollee's death during the period of his or her service, the amount of any unpaid readjustment allowance shall be paid in accordance with the provisions of section 1 of the Act of August 3, 1950 (5 U.S.C. 61f).

APPLICATION OF PROVISIONS OF FEDERAL LAW

SEC. 106. (a) Except as otherwise specifically provided in this part, an enrollee shall be deemed not to be a Federal employee and shall not be subject to the provisions of laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(b) Enrollees shall be deemed to be employees of the United States for the purposes of the Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.) and of title II of the Social Security Act (42 U.S.C. 401 et seq.), and any service performed by an individual as an enrollee shall be deemed for such purposes to be performed in the employ of the United States.

(c)(1) Enrollees under this part shall, for the purposes of the administration of the Federal Employees'

Compensation Act (5 U.S.C. 751 et seq.), be deemed to be civil employees of the United States within the meaning of the term "employee" as defined in section 40 of such Act (5 U.S.C. 790) and the provisions thereof shall apply except as hereinafter provided.

(2) For purposes of this subsection:

(A) The term "performance of duty" in the Federal Employees' Compensation Act shall not include any act of an enrollee—

(i) while on authorized leave or pass; or

(ii) while absent from his or her assigned post of duty, except while participating in an activity authorized by or under the direction or supervision of the Corps.

(B) In computing compensation benefits for disability or death under the Federal Employees' Compensation Act, the monthly pay of an enrollee shall be deemed to be $150, except that with respect to compensation for disability accruing after the individual concerned reaches the age of twenty-one, such monthly pay shall be deemed to be that received under the entrance salary for GS–2 under the Classification Act of 1949 (5 U.S.C. 1071 et seq.), and section 6(d)(1) of the former Act (5 U.S.C. 756(d)(1)) shall apply to enrollees.

(C) Compensation for disability shall not begin to accrue until the day following the date on which the enrollment of the injured enrollee is terminated.

(d) An enrollee shall be deemed to be an employee of the Government for the purposes of the Federal tort claims provisions of title 28, United States Code.

(e) Personnel of the uniformed services who are detailed or assigned to duty in the performance of agreements made by the Director for the support of the Corps shall not be counted in computing strength under any law limiting the strength of such services or in computing the percentage authorized by law for any grade therein.

POLITICAL DISCRIMINATION AND POLITICAL ACTIVITY

SEC. 107. (a) No officer or employee of the executive branch of the Federal Government shall make any inquiry concerning the political affiliation or beliefs of any enrollee or applicant for enrollment in the Corps. All disclosures concerning such matters shall be ignored, except as to such membership in political parties or organizations as constitutes by law a disqualification for Government employment. No discrimination shall be exercised, threatened or promised by any person in the executive branch of the Federal Government against or in favor of any enrollee in the Corps, or any applicant for enrollment in the Corps because of his political affiliation or beliefs, except as may be specifically authorized or required by law.

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(b) No officer, employee or enrollee of the Corps shall take any active part in political management or in political campaigns, except as may be provided by or pursuant to statute, and no such officer, employee or enrollee shall use his official position or influence for the purpose of interfering with an election or affecting the result thereof. All such persons shall retain the right to vote as they may choose and to express, in their private capacities, their opinions on all political subjects and candidates. Any officer, employee, enrollee or Federal employee who solicits funds for political purposes from members of the Corps, shall be in violation of the Corrupt Practice Act.

(c) Whenever the United States Civil Service Commission finds that any person has violated the foregoing provisions, it shall, after giving due notice and opportunity for explanation to the officer or employee or enrollee concerned, certify the facts to the Director with specific instructions as to discipline or dismissal or other corrective actions.

STATE-OPERATED YOUTH CAMPS

SEC. 108. The Director is authorized to enter into agreements with States to assist in the operation or administration of State-operated programs which carry out the purpose of this part. The Director may, pursuant to such regulations as he may adopt, pay part or all of the operative or administrative costs of such programs.

REQUIREMENT FOR STATE APPROVAL OF CONSERVATION CAMPS AND TRAINING CENTERS

SEC. 109. In carrying out the provisions of part A of this title no conservation camp, training center or other similar facility designed to carry out the purposes of this Act, shall be established within a State unless a plan setting forth such proposed establishment has been submitted to the Governor of the State and such plan has not been disapproved by him within thirty days of such submission.

SEC. 110. Within the Job Corps there is authorized a Youth Conservation Corps in which at any one time no less than 40 per centum of the enrollees under this part shall be assigned to camps where their work activity is directed primarily toward conserving, developing, and managing the public natural resources of the Nation, and developing, managing, and protecting public recreational areas. Such work activity shall be performed under the direction of members of agencies charged with the responsibility of conserving, developing, and managing the public natural resources and of developing, managing, and protecting public recreational areas.

* * * * *

Approved August 20, 1964.

10. Estuarine Protection

An Act to authorize the Secretary of the Interior, in cooperation with the States, to conduct an inventory and study of the Nation's estuaries and their natural resources, and for other purposes. (82 Stat. 625)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress finds and declares that many estuaries in the United States are rich in a variety of natural, commercial, and other resources, including environmental natural beauty, and are of immediate and potential value to the present and future generations of Americans. It is therefore the purpose of this Act to provide a means for considering the need to protect, conserve, and restore these estuaries in a manner that adequately and reasonably maintains a balance between the national need for such protection in the interest of conserving the natural resources and natural beauty of the Nation and the need to develop these estuaries to further the growth and development of the Nation. In connection with the exercise of jurisdiction over the estuaries of the Nation and in consequence of the benefits resulting to the public, it is declared to be the policy of Congress to recognize, preserve, and protect the responsibilities of the States in protecting, conserving, and restoring the estuaries in the United States.

SEC. 2. (a) The Secretary of the Interior, in consultation and in cooperation with the States, the Secretary of the Army, and other Federal agencies, shall conduct directly or by contract a study and inventory of the Nation's estuaries, including without limitation coastal marshlands, bays, sounds, seaward areas, lagoons, and land and waters of the Great Lakes. For the purpose of this study, the Secretary shall consider, among other matters, (1) their wildlife and recreational potential, their ecology, their value to the marine, anadromous, and shell fisheries and their esthetic value, (2) their importance to navigation, their value for flood, hurricane, and erosion control, their mineral value, and the value of submerged lands underlying the waters of the estuaries, and (3) the value of such areas for more intensive developmental for economic use as part of urban developments and for commercial and industrial developments. This study and inventory shall be carried out in conjunction with the comprehensive estuarine pollution study authorized by section 5(g) of the Federal Water Pollution Control Act, as amended, and other applicable studies.

(b) The study shall focus attention on whether any land or water area within an estuary and the Great Lakes should be acquired or administered by the Secre-

tary or by a State or local subdivision thereof, or whether such land or water area may be protected adequately through local, State, or Federal laws or other methods without Federal land acquisition or administration.

(c) The Secretary of the Interior shall, not later than January 30, 1970, submit to the Congress through the President a report of the study conducted pursuant to this section, together with any legislative recommendations, including recommendations on the feasibility and desirability of establishing a nationwide system of estuarine areas, the terms, conditions, and authorities to govern such system, and the designation and acquisiton of any specific estuarine areas of national significance which he believes should be acquired by the United States. No lands within such area may be acquired until authorized by subsequent Act of Congress. Recommendations made by the Secretary for the acquisition of any estuarine area shall be developed in consultation with the States, municipalities, and other interested Federal agencies. Each such recommendation shall be accompanied by (1) expressions of any views which the interested States, municipalities, and other Federal agencies and river basin commissions may submit within sixty days after having been notified of the proposed recommendations, (2) a statement setting forth the probable effect of the recommended action on any comprehensive river basin plan that may have been adopted by Congress or that is serving as a guide for coordinating Federal programs in the basin wherein such area is located, (3) in the absence of such a plan, a statement indicating the probable effect of the recommended action on alternative beneficial users of the resources of the proposed estuarine area, and (4) a discussion of the major economic, social, and ecological trends occurring in such area.

(d) There is authorized to be appropriated not to exceed $250,000 for fiscal year 1969 and $250,000 for fiscal year 1970 to carry out the provisions of this section. Such sums shall be available until expended.

SEC. 3. After the completion of the general study authorized by section 2 of this Act, the Secretary of the Interior, with the approval of the President, many enter into an agreement, containing such terms and conditions as are mutually acceptable, with any State or with a political subdivision or agency thereof (if the agreement with such subdivision or agency is first approved by the Governor of the State involved or by a State agency designated for that purpose) for the permanent management, development, and administration of any area, land, or interests therein within an estuary and adjacent lands which are owned or thereafter acquired by a State or by any political subdivision thereof: *Provided*, That, with the approval of the Governor of the State involved or of

a State agency designated for that purpose, the Secretary may also enter into such an agreement for any particular area whenever the segment of the general study applicable to that area is completed subject to the provisions of subsections (a) and (b) of section 2 of this Act. Such agreement shall, among other things, provide that the State or a political subdivision or agency thereof and the Secretary shall share in an equitable manner in the cost of managing, administering, and developing such areas, and such development may include the construction, operation, installation, and maintenance of buildings, devices, structures, recreational facilities, access roads, and other improvements, and such agreement shall be subject to the availability of appropriations. State hunting and fishing laws and regulations shall be applicable to such areas to the extent they are now or hereafter applicable.

SEC. 4. In planning for the use or development of water and land resources, all Federal agencies shall give consideration to estuaries and their natural resources, and their importance for commercial and industrial developments, and all project plans and reports affecting such estuaries and resources submitted to the Congress shall contain a discussion by the Secretary of the Interior of such estuaries and such resources and the effects of the project on them and his recommendations thereon. The Secretary of the Interior shall make his recommendations within ninety days after receipt of such plans and reports.

SEC. 5. The Secretary of the Interior shall encourage States and local subdivisions thereof to consider, in their comprehensive planning and proposals for financial assistance under the Federal Aid in Wildlife Restoration Act (50 Stat. 917), as amended (16 U.S.C. 669 et seq.), the Federal Aid in Fish Restoration Act (64 Stat. 430), as amended (16 U.S.C. 777 et seq.), the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), the Commercial Fisheries Research and Development Act of 1964 (78 Stat. 197), and the Anadromous and Great Lakes Fisheries Conservation Act of October 30, 1965 (79 Stat. 1125), the needs and opportunities for protecting and restoring estuaries in accordance with the purposes of this Act. In approving grants made pursuant to said laws for the acquisition of all or part of an estuarine area by a State, the Secretary shall establish such terms and conditions as he deems desirable to insure the permanent protection of such areas, including a provision that the lands or interests therein shall not be disposed of by sale, lease, donation, or exchange without the prior approval of the Secretary.

SEC. 6. Nothing in this Act shall be construed to affect the authority of any Federal agency to carry out any Fed-

eral project heretofore or hereafter authorized within an estuary.

Approved August 3, 1968.

Legislative History

House Report No. 989 (Committee on Merchant Marine and Fisheries).
Senate Report No. 1419 (Committee on Commerce).
Congressional Record, Vol. 114 (1968) :
Feb. 8 : Considered and passed House.
July 19 : Considered and passed Senate, amended.
July 22 : House concurred in Senate amendment.

11. Federal Water Project Recreation Act

An Act to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects, and for other purposes. (79 Stat. 213)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the policy of the Congress and the intent of this Act that (a) in investigating and planning any Federal navigation, flood control, reclamation, hydroelectric, or multiple-purpose water resource project, full consideration shall be given to the opportunities, if any, which the project affords for outdoor recreation and for fish and wildlife enhancement and that, wherever any such project can reasonably serve either or both of these purposes consistently with the provisions of this Act, it shall be constructed, operated, and maintained accordingly; (b) planning with respect to the development of the recreation potential of any such project shall be based on the coordination of the recreational use of the project area with the use of existing and planned Federal, State, or local public recreation developments; and (c) project construction agencies shall encourage non-Federal public bodies to administer project land and water areas for recreation and fish and wildlife enhancement purposes and operate, maintain, and replace facilities provided for those purposes unless such areas or facilities are included or proposed for inclusion within a national recreation area, or are appropriate for administration by a Federal agency as a part of the national forest system, as a part of the public lands classified for retention in Federal ownership, or in connection with an authorized Federal program for the conservation and development of fish and wildlife.

SEC. 2. (a) If, before authorization of a project, non-Federal public bodies indicate their intent in writing to agree to administer project land and water areas for recreation or fish and wildlife enhancement or for both of these purposes pursuant to the plan for the development of the project approved by the head of the agency having administrative jurisdiction over it and to bear not less than one-half the separable costs of the project allocated to either or both of said purposes, as the case may be, and all the costs of operation, maintenance, and replacement incurred therefor—

(1) the benefits of the project to said purpose or purposes shall be taken into account in determining the economic benefits of the project;

(2) costs shall be allocated to said purpose or purposes and to other purposes in a manner which will

insure that all project purposes share equitably in the advantages of multiple-purpose construction: *Provided*, That the costs allocated to recreation or fish and wildlife enhancement shall not exceed the lesser of the benefits from those functions or the costs of providing recreation or fish and wildlife enhancement benefits of reasonably equivalent use and location by the least costly alternative means; and

(3) not more than one-half the separable costs and all the joint costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by the United States and be nonreimbursable.

Projects authorized during the calendar year 1965 may include recreation and fish and wildlife enhancement on the foregoing basis without the required indication of intent. Execution of an agreement as aforesaid shall be a prerequisite to commencement of construction of any project to which this subsection is applicable.

(b) The non-Federal share of the separable costs of the project allocated to recreation and fish and wildlife enhancement shall be borne by non-Federal interests, under either or both of the following methods as may be determined appropriate by the head of the Federal agency having jurisdiction over the project: (1) payment, or provision of lands, interests therein, or facilities for the project; or (2) repayment, with interest at a rate comparable to that for other interest-bearing functions of Federal water resource projects, within fifty years of first use of project recreation or fish and wildlife enhancement facilities: *Provided*, That the source of repayment may be limited to entrance and user fees or charges collected at the project by non-Federal interests if the fee schedule and the portion of fees dedicated to repayment are established on a basis calculated to achieve repayment as aforesaid and are made subject to review and renegotiations at intervals of not more than five years.

SEC. 3. (a) No facilities or project modifications which will furnish recreation or fish and wildlife enhancement benefits shall be provided in the absence of the indication of intent with respect thereto specified in subsection 2(a) of this Act unless (1) such facilities or modifications serve other project purposes and are justified thereby without regard to such incidental recreation or fish and wildlife enhancement benefits as they may have or (2) they are minimum facilities which are required for the public health and safety and are located at access points provided by roads existing at the time of project construction or constructed for the administration and management of the project. Calculation of the recreation and fish and wildlife enhancement benefits in any such case shall be based on the number of visitor-days anticipated in the absence of recreation and fish and wildlife

enhancement facilities or modifications except as hereinbefore provided and on the value per visitor-day of the project without such facilities or modifications. Project costs allocated to recreation and fish and wildlife enhancement on this basis shall be nonreimbursable.

(b) Notwithstanding the absence of an indication of intent as specified in subsection 2(a), lands may be provided in connection with project construction to preserve the recreation and fish and wildlife enhancement potential of the project:

(1) If non-Federal public bodies execute an agreement within ten years after initial operation of the project (which agreement shall provide that the non-Federal public bodies will administer project land and water areas for recreation or fish and wildlife enhancement or both pursuant to the plan for the development of the project approved by the head of the agency having administrative jurisdiction over it and will bear not less than one-half the costs of lands, facilities, and project modifications provided for either or both of those purposes, as the case may be, and all costs of operation, maintenance, and replacement attributable thereto) the remainder of the costs of lands, facilities, and project modifications provided pursuant to this paragraph shall be nonreimbursable. Such agreement and subsequent development, however, shall not be the basis for any reallocation of joint costs of the project to recreation or fish and wildlife enhancement.

(2) If, within ten years after initial operation of the project, there is not an executed agreement as specified in paragraph (1) of this subsection, the head of the agency having jurisdiction over the project may utilize the lands for any lawful purpose within the jurisdiction of his agency, or may offer the land for sale to its immediate prior owner or his immediate heirs at its appraised fair market value as approved by the head of the agency at the time of offer or, if a firm agreement by said owner or his immediate heirs is not executed within ninety days of the date of the offer, may transfer custody of the lands to another Federal agency for use for any lawful purpose within the jurisdiction of that agency, or may lease the lands to a non-Federal public body, or may transfer the lands to the Administrator of General Services for disposition in accordance with the surplus property laws of the United States. In no case shall the lands be used or made available for use for any purposes in conflict with the purposes for which the project was constructed, and in every case except that of an offer to purchase made, as hereinbefore provided, by the prior owner or his

heirs preference shall be given to uses which will preserve and promote the recreation and fish and wildlife enhancement potential of the project or, in the absence thereof, will not detract from that potential.

SEC. 4. At projects, the construction of which has commenced or been completed as of the effective date of this Act, where non-Federal public bodies agree to administer project land and water areas for recreation and fish and wildlife enhancement purposes and to bear the costs of operation, maintenance, and replacement of existing facilities serving those purposes, such facilities and appropriate project lands may be leased to non-Federal public bodies.

SEC. 5. Nothing herein shall be construed as preventing or discouraging postauthorization development of any project for recreation or fish and wildlife enhancement or both by non-Federal public bodies pursuant to agreement with the head of the Federal agency having jurisdiction over the project. Such development shall not be the basis for any allocation or reallocation of project costs to recreation or fish and wildlife enhancement.

SEC. 6. (a) The views of the Secretary of the Interior developed in accordance with section 3 of the Act of May 28, 1963 (77 Stat. 49), with respect to the outdoor recreation aspects shall be set forth in any report of any project or appropriate unit thereof within the purview of this Act. Such views shall include a report on the extent to which the proposed recreation and fish and wildlife development conforms to and is in accord with the State comprehensive plan developed pursuant to subsection 5(d) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897).

(b) The first proviso of subsection 2(d) of the Act of August 12, 1958 (72 Stat. 563; 16 U.S.C. 662(d)), is amended to read as follows: "*Provided*, That such cost attributable to the development and improvement of wildlife shall not extend beyond that necessary for (1) land acquisition, (2) facilities as specifically recommended in water resource project reports, (3) modification of the project, and (4) modification of project operations, but shall not include the operation of wildlife facilities." The second proviso of subsection 2(d) of said Act is hereby repealed.

(c) Expenditures for lands or interests in lands hereafter acquired by project construction agencies for the establishment of migratory waterfowl refuges recommended by the Secretary of the Interior at Federal water resource projects, when such lands or interests in lands would not have been acquired but for the establishment of a migratory waterfowl refuge at the project, shall not exceed $28,000,000: *Provided*, That the aforemen-

tioned expenditure limitation in this subsection shall not apply to the costs of mitigating damages to migratory waterfowl caused by such water resource project.

(d) This Act shall not apply to the Tennessee Valley Authority, nor to projects constructed under authority of the Small Reclamation Projects Act, as amended, or under authority of the Watershed Protection and Flood Prevention Act, as amended.

(e) Sections 2, 3, 4, and 5 of this Act shall not apply to nonreservoir local flood control projects, beach erosion control projects, small boat harbor projects, hurricane protection projects, or to project areas or facilities authorized by law for inclusion within a national recreation area or appropriate for administration by a Federal agency as a part of the national forest system, as a part of the public lands classified for retention in Federal ownership, or in connection with an authorized Federal program for the conservation and development of fish and wildlife.

(f) As used in this Act, the term "nonreimbursable" shall not be construed to prohibit the imposition of entrance, admission, and other recreation user fees or charges.

(g) Subsection 6(a)(2) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) shall not apply to costs allocated to recreation and fish and wildlife enhancement which are borne by the United States as a nonreimbursable project cost pursuant to subsection 2(a) or subsection 3(b)(1) of this Act.

(h) All payments and repayment by non-Federal public bodies under the provisions of this Act shall be deposited in the Treasury as miscellaneous receipts, and revenue from the conveyance by deed, lease, or otherwise, of lands under subsection 3(b)(2) of this Act shall be deposited in the Land and Water Conservation Fund.

SEC. 7. (a) The Secretary is authorized, in conjunction with any reservoir heretofore constructed by him pursuant to the Federal reclamation laws or any reservoir which is otherwise under his control, except reservoirs within national wildlife refuges, to investigate, plan, construct, operate and maintain, or otherwise provide for public outdoor recreation and fish and wildlife enhancement facilities, to acquire or otherwise make available such adjacent lands or interests therein as are necessary for public outdoor recreation or fish and wildlife use, and to provide for public use and enjoyment of project lands, facilities, and water areas in a manner coordinated with the other project purposes: *Provided*, That not more than $100,000 shall be available to carry out the provisions of this subsection at any one reservoir. Lands, facilities and project modifications for the purposes of this subsection

may be provided only after an agreement in accordance with subsection 3(b) of this Act has been executed.

(b) The Secretary of the Interior is authorized to enter into agreements with Federal agencies or State or local public bodies for the administration of project land and water areas and the operation, maintenance, and replacement of facilities and to transfer project lands or facilities to Federal agencies or State or local public bodies by lease agreement or exchange upon such terms and conditions as will best promote the development and operation of such lands or facilities in the public interest for recreation and fish and wildlife enhancement purposes.

(c) No lands under the jurisdiction of any other Federal agency may be included for or devoted to recreation or fish and wildlife purposes under the authority of this section without the consent of the head of such agency; and the head of any such agency is authorized to transfer any such lands to the jurisdiction of the Secretary of the Interior for purposes of this section. The Secretary of the Interior is authorized to transfer jurisdiction over project lands within or adjacent to the exterior boundaries of national forests and facilities thereon to the Secretary of Agriculture for recreation and other national forest system purposes; and such transfer shall be made in each case in which the project reservoir area is located wholly within the exterior boundaries of a national forest unless the Secretaries of Agriculture and Interior jointly determine otherwise. Where any project lands are transferred hereunder to the jurisdiction of the Secretary of Agriculture, the lands involved shall become national forest lands: *Provided*, That the lands and waters within the flow lines of any reservoir or otherwise needed or used for the operation of the project for other purposes shall continue to be administered by the Secretary of the Interior to the extent he determines to be necessary for such operation. Nothing herein shall limit the authority of the Secretary of the Interior granted by existing provisions of law relating to recreation or fish and wildlife development in connection with water resource projects or to disposition of public lands for such purposes.

SEC. 8. Effective on and after July 1, 1966, neither the Secretary of the Interior nor any bureau nor any person acting under his authority shall engage in the preparation of any feasibility report under reclamation law with respect to any water resource project unless the preparation of such feasibility report has been specifically authorized by law, any other provision of law to the contrary notwithstanding.

SEC. 9. Nothing contained in this Act shall be taken to authorize or to sanction the construction under the Federal reclamation laws or under any Rivers and Harbors or Flood Control Act of any project in which the

sum of the allocations to recreation and fish and wildlife enhancement exceeds the sum of the allocations to irrigation, hydroelectric power, municipal, domestic and industrial water supply, navigation, and flood control, except that this section shall not apply to any such project for the enhancement of anadromous fisheries, shrimp, or for the conservation of migratory birds protected by treaty, when each of the other functions of such a project has, of itself, a favorable benefit-cost ratio.

SEC. 10. As used in this Act:

(a) The term "project" shall mean a project or any appropriate unit thereof.

(b) The term "separable costs," as applied to any project purpose, means the difference between the capital cost of the entire multiple-purpose project and the capital cost of the project with the purpose omitted.

(c) The term "joint costs" means the difference between the capital cost of the entire multiple-purpose project and the sum of the separable costs for all project purposes.

(d) The term "feasibility report" shall mean any report of the scope required by the Congress when formally considering authorization of the project of which the report treats.

(e) The term "capital cost" includes interest during construction, wherever appropriate.

SEC. 11. Section 2, subsection (a) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) is hereby amended by striking out the words "notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury:" and inserting in lieu thereof the words "nothwithstanding any other provision of law:" and by striking out the words "or any provision of law that provides that any fees or charges collected at particular Federal areas shall be used for or credited to specific purposes or special funds as authorized by that provision of law" and inserting in lieu thereof "or affect any contract heretofore entered into by the United States that provides that such revenues collected at particular Federal areas shall be credited to specific purposes".

SEC. 12. This Act may be cited as the "Federal Water Project Recreation Act".

Approved July 9, 1965.

Legislative History

House Reports: No. 254 accompanying H.R. 5269 (Committee on Interior and Insular Affairs) and No. 538 (Committee of Conference).
Senate Report No. 149 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965):
Apr. 13: Considered and passed Senate.
May 18: Considered and passed House, amended, in lieu of H.R. 5269.
June 23: House agreed to conference report.
June 25: Senate agreed to conference report.

12. Excerpt from Geothermal Steam Act of 1970

An Act to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes. (84 Stat. 1566)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Geothermal Steam Act of 1970".

* * * * *

SEC. 15. (a) Geothermal leases for lands withdrawn or acquired in aid of functions of the Department of the Interior may be issued only under such terms and conditions as the Secretary may prescribe to insure adequate utilization of the lands for the purposes for which they were withdrawn or acquired.

(b) Geothermal leases for lands withdrawn or acquired in aid of functions of the Department of Agriculture may be issued only with the consent of, and subject to such terms and conditions as may be prescribed by, the head of that Department to insure adequate utilization of the lands for the purposes for which they were withdrawn or acquired. Geothermal leases for lands to which section 24 of the Federal Power Act, as amended (16 U.S.C. 818), is applicable, may be issued only with the consent of, and subject to, such terms and conditions as the Federal Power Commission may prescribe to insure adequate utilization of such lands for power and related purposes.

(c) Geothermal leases under this Act shall not be issued for lands administered in accordance with (1) the Act of August 25, 1916 (39 Stat. 535), as amended or supplemented, (2) for lands within a national recreation area, (3) for lands in a fish hatchery administered by the Secretary, wildlife refuge, wildlife range, game range, wildlife management area, waterfowl production area, or for lands acquired or reserved for the protection and conservation of fish and wildlife that are threatened with extinction, (4) for tribally or individually owned Indian trust or restricted lands, within or without the boundaries of Indian reservations.

* * * * *

Approved December 24, 1970.

13. Historic Monuments conveyance

An Act to facilitate the preservation of historic monuments, and for other purposes. (86 Stat. 503)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484), is further amended by redesignating section 203(k)(3) as section 203(k)(4) and by adding a new section 203(k)(3) as follows:

"(k)(3) Without monetary consideration to the United States, the Administrator may convey to any State, political subdivision, instrumentalities thereof, or municipality, all of the right, title, and interest of the United States in and to any surplus real and related personal property which the Secretary of the Interior has determined is suitable and desirable for use as a historic monument, for the benefit of the public. No property shall be determined to be suitable or desirable for use as a historic monument except in conformity with the recommendation of the Advisory Board on National Parks, Historic Sites, Buildings and Monuments established by section 3 of the Act entitled 'An Act for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes', approved August 21, 1935 (49 Stat. 666), and only so much of any such property shall be so determined to be suitable or desirable for such use as is necessary for the preservation and proper observation of its historic features.

"(A) The Administrator may authorize use of any property conveyed under this subsection or the Surplus Property Act of 1944, as amended, for revenue-producing activities if the Secretary of the Interior (i) determines that such activities are compatible with use of the property for historic monument purposes, (ii) approves the grantee's plan for repair, rehabilitation, restoration, and maintenance of the property, and (iii) approves the grantee's plan for financing repair, rehabilitation, restoration, and maintenance of the property. The Secretary shall not approve a financial plan unless it provides that incomes in excess of costs of repair, rehabilitation, restoration, and maintenance shall be used by the grantee only for public historic preservation, park, or recreational purposes. The Administrator may not authorize any uses under this subsection until the Secretary has examined and approved the accounting and financial procedures used by the grantee. The Secretary may periodically audit the records of the grantee, directly related to the property conveyed.

"(B) The deed of conveyance of any surplus real property disposed of under the provisions of this subsection—

"(i) shall provide that all such property shall be used and maintained for historic monument purposes in perpetuity, and that in the event that the property ceases to be used or maintained for that purpose, all or any portion of the property shall, in its then existing condition, at the option of the United States, revert to the United States; and

"(ii) may contain such additional terms, reservations, restrictions, and conditions as may be determined by the Administrator to be necessary to safeguard the interests of the United States.

"(C) 'States' as used in this subsection, includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States."

SEC. 2. Section 13(h) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(h)) is repealed.

Approved August 4, 1972.

Legislative History

House Report No. 92–1189 (Committee on Government Operations).
Senate Report No. 92–377 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 117 (1971): Sept. 28, considered and passed Senate.
Vol. 118 (1972): July 17, considered and passed House, amended. July 24, Senate concurred in House amendments.
Weekly Compilation of Presidential Documents, Vol. 8, No. 32: Aug. 4, Presidential statement.

14. Historic Preservation

An Act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes. (80 Stat. 915)

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

The Congress finds and declares—

(a) that the spirit and direction of the Nation are founded upon and reflected in its historic past;

(b) that the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people;

(c) that, in the face of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and nongovernmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation; and

(d) that, although the major burdens of historic preservation have been borne and major efforts initiated by private agencies and individuals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

TITLE I

SEC. 101. (a) The Secretary of the Interior is authorized—

(1) to expand and maintain a national register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture, hereinafter referred to as the National Register, and to grant funds to States for the purpose of preparing comprehensive statewide historic surveys and plans, in accordance with criteria established by the Secretary, for the preservation, acquisition, and development of such properties;

(2) to establish a program of matching grants-in-aid to States for projects having as their purpose the preservation for public benefit of properties that are

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significant in American history, architecture, archeology, and culture; and

(3) to establish a program of matching grants-in-aid to the National Trust for Historic Preservation in the United States, chartered by act of Congress approved October 26, 1949 (63 Stat. 927), as amended, for the purpose of carrying out the responsibilities of the National Trust.

(b) As used in this Act—

(1) The term "State" includes, in addition to the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(2) The term "project" means programs of State and local governments and other public bodies and private organizations and individuals for the acquisition of title or interests in, and for the development of, any district, site, building, structure, or object that is significant in American history, architecture, archeology, and culture, or property used in connection therewith, and for its development in order to assure the preservation for public benefit of any such historical properties.

(3) The term "historic preservation" includes the protection, rehabilitation, restoration, and reconstruction of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, or culture.

(4) The term "Secretary" means the Secretary of the Interior.

SEC. 102. (a) No grant may be made under this Act—

(1) unless application therefor is submitted to the Secretary in accordance with regulations and procedures prescribed by him;

(2) unless the application is in accordance with the comprehensive statewide historic preservation plan which has been approved by the Secretary after considering its relationship to the comprehensive statewide outdoor recreation plan prepared pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897);

(3) for more than 50 per centum of the total cost involved, as determined by the Secretary and his determination shall be final;

(4) unless the grantee has agreed to make such reports, in such form and containing such information as the Secretary may from time to time require;

(5) unless the grantee has agreed to assume, after completion of the project, the total cost of the continued maintenance, repair, and administration of the property in a manner satisfactory to the Secretary; and

(6) until the grantee has complied with such further terms and conditions as the Secretary may deem necessary or advisable.

(b) The Secretary may in his discretion waive the requirements of subsection (a), paragraphs (2) and (5) of this section for any grant under this Act to the National Trust for Historic Preservation in the United States, in which case a grant to the National Trust may include funds for the maintenance, repair, and administration of the property in a manner satisfactory to the Secretary.

(c) No State shall be permitted to utilize the value of real property obtained before the date of approval of this Act in meeting the remaining cost of a project for which a grant is made under this Act.

SEC. 103. (a) The amounts appropriated and made available for grants to the States for comprehensive statewide historic surveys and plans under this Act shall be apportioned among the States by the Secretary on the basis of needs as determined by him: *Provided, however*, That the amount granted to any one State shall not exceed 50 per centum of the total cost of the comprehensive statewide historic survey and plan for that State, as determined by the Secretary.

(b) The amounts appropriated and made available for grants to the States for projects under this Act for each fiscal year shall be apportioned among the States by the Secretary in accordance with needs as disclosed in approved statewide historic preservation plans.

The Secretary shall notify each State of its apportionment, and the amounts thereof shall be available thereafter for payment to such State for projects in accordance with the provisions of this Act. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given, and for two fiscal years thereafter, shall be reapportioned by the Secretary in accordance with this subsection.

SEC. 104. (a) No grant may be made by the Secretary for or on account of any survey or project under this Act with respect to which financial assistance has been given or promised under any other Federal program or activity, and no financial assistance may be given under any other Federal program or activity for or on account of any survey or project with respect to which assistance has been given or promised under this Act.

(b) In order to assure consistency in policies and actions under this Act with other related Federal programs and activities, and to assure coordination of the planning acquisition, and development assistance to States under this Act with other related Federal programs and activities, the President may issue such regulations with respect

thereto as he deems desirable, and such assistance may be provided only in accordance with such regulations.

SEC. 105. The beneficiary of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the disposition by the beneficiary of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

SEC. 106. The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in the National Register. The head of any such Federal agency shall afford the Advisory Council on Historic Preservation established under title II of this Act a reasonable opportunity to comment with regard to such undertaking.

SEC. 107. Nothing in this Act shall be construed to be applicable to the White House and its grounds, the Supreme Court building and its grounds, or the United States Capitol and its related buildings and grounds.

SEC. 108. There are authorized to be appropriated not to exceed $2,000,000 to carry out the provisions of this Act for the fiscal year 1967, and not more than $10,000,000 for each of the three succeeding fiscal years. Such appropriations shall be available for the financial assistance authorized by this title and for the administrative expenses of the Secretary in connection therewith, and shall remain available until expended.

TITLE II

SEC. 201. (a) There is established an Advisory Council on Historic Preservation (hereinafter referred to as the "Council") which shall be composed of seventeen members as follows:

(1) The Secretary of the Interior.

(2) The Secretary of Housing and Urban Development.

(3) The Secretary of Commerce.

(4) The Administrator of the General Services Administration.

(5) The Secretary of the Treasury.

(6) The Attorney General.

(7) The Chairman of the National Trust for Historic Preservation.

(8) Ten appointed by the President from outside the Federal Government. In making these appointments, the President shall give due consideration to the selection of officers of State and local governments and individuals who are significantly interested and experienced in the matters to be considered by the Council.

(b) Each member of the Council specified in paragraphs (1) through (6) of subsection (a) may designate another officer of his department or agency to serve on the Council in his stead.

(c) Each member of the Council appointed under paragraph (8) of subsection (a) shall serve for a term of five years from the expiration of his predecessor's term; except that the members first appointed under that paragraph shall serve for terms of from one to five years, as designated by the President at the time of appointment, in such manner as to insure that the terms of not less than one nor more than two of them will expire in any one year.

(d) A vacancy in the Council shall not affect its powers, but shall be filled in the same manner as the original appointment (and for the balance of the unexpired term).

(e) The Chairman of the Council shall be designated by the President.

(f) Eight members of the Council shall constitute a quorum.

SEC. 202. (a) The Council shall—

(1) advise the President and the Congress on matters relating to historic preservation; recommend measures to coordinate activities of Federal, State, and local agencies and private institutions and individuals relating to historic preservation; and advise on the dissemination of information pertaining to such activities;

(2) encourage, in cooperation with the National Trust for Historic Preservation and appropriate private agencies, public interest and participation in historic preservation;

(3) recommend the conduct of studies in such areas as the adequacy of legislative and administrative statutes and regulations pertaining to historic preservation activities of State and local governments and the effects of tax policies at all levels of government on historic preservation;

(4) advise as to guidelines for the assistance of State and local governments in drafting legislation relating to historic preservation; and

(5) encourage, in cooperation with appropriate public and private agencies and institutions, training and education in the field of historic preservation.

(b) The Council shall submit annually a comprehensive report of its activities and the results of its studies to the President and the Congress and shall from time to time submit such additional and special reports as it deems advisable. Each report shall propose such legislative enactments and other actions as, in the judgment of the Council, are necessary and appropriate to carry out its recommendations.

SEC. 203. The Council is authorized to secure directly from any department, bureau, agency, board, commission, office, independent establishment or instrumentality of the executive branch of the Federal Government information, suggestions, estimates, and statistics for the purpose of this title; and each such department, bureau, agency, board, commission, office, independent establishment or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics to the extent permitted by law and within available funds.

SEC. 204. The members of the Council specified in paragraphs (1) through (7) of section 201(a) shall serve without additional compensation. The members of the Council appointed under paragraph (8) of section 201(a) shall receive $100 per diem when engaged in the performance of the duties of the Council. All members of the Council shall receive reimbursement for necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Council.

SEC. 205. (a) The Director of the National Park Service or his designee shall be the Executive Director of the Council. Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel and procurement) shall be provided the Council by the Department of the Interior, for which payments shall be made in advance, or by reimbursement, from funds of the Council in such amounts as may be agreed upon by the Chairman of the Council and the Secretary of the Interior: *Provided*, That the regulations of the Department of the Interior for the collection of indebtness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Council employee, and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Council; *And provided further*, That the Council shall not be required to prescribe such regulations.

(b) The Council shall have power to appoint and fix the compensation of such additional personnel as may be necessary to carry out its duties, without regard to the

provisions of the civil service laws and the Classification Act of 1949.

(c) The Council may also procure, without regard to the civil service laws and the Classification Act of 1949, temporary and intermittent services to the same extent as is authorized for the executive departments by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), but at rates not to exceed $50 per diem for individuals.

(d) The members of the Council specified in paragraphs (1) through (6) of section 201(a) shall provide the Council, on a reimbursable basis, with such facilities and services under their jurisdiction and control as may be needed by the Council to carry out its duties, to the extent that such facilities and services are requested by the Council and are otherwise available for that purpose. To the extent of available appropriations, the Council may obtain, by purchase, rental, donation, or otherwise, such additional property, facilities, and services as may be needed to carry out its duties.

Approved October 15, 1966.

Legislative History

House Report No. 1916 (Committee on Interior and Insular Affairs).
Senate Report No. 1363 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 112 (1966):
July 11: Considered and passed Senate.
Sept. 19: Considered in House.
Oct. 10: Considered and passed House, amended.
Oct. 11: Senate concurred in House amendment.

An Act to amend the Act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes. (84 Stat. 204)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of October 15, 1966 (80 Stat. 915; 16 U.S.C. 470) is amended as follows:

(a) Section 108 is amended by deleting the first sentence and inserting in lieu thereof the following: "There are authorized to be appropriated not more than $7,000,000 to carry out the provisions of this title for fiscal year 1971, $10,000,000 for fiscal year 1972, and $15,000,000 for fiscal year 1973.".

(b) Section 201(a) is amended by—

(1) striking out "seventeen" and inserting "twenty";

(2) inserting after paragraph (6) the following:

"(7) The Secretary of Agriculture

"(8) The Secretary of Transportation

"(9) The Secretary of the Smithsonian Institution; and"

(3) redesignating paragraphs "(7)" and "(8)" as "(10)" and "(11)", respectively.

(c) Section 201(b) is amended by striking out "(6)" and inserting "(10)".

(d) Section 201(c) is amended by striking out "(8)" and inserting "(11)".

(e) Section 201(f) is amended by striking out "Eight" and inserting "Eleven".

(f) Section 204 is amended by striking out "(7)" in the first sentence and inserting "(10)", and by striking out "(8)" in the second sentence and inserting "(11)".

(g) Section 205(d) is amended by striking out "(6)" in the first sentence and inserting "(9)".

SEC. 2. The following new section is added to the Act of October 15, 1966, supra:

"SEC. 206. (a) The participation of the United States as a member in the International Centre for the Study of the Preservation and Restoration of Cultural Property is hereby authorized.

"(b) The Council shall recommend to the Secretary of State, after consultation with the Smithsonian Institution and other public and private organizations concerned with the technical problems of preservation, the members of the official delegation which will participate in the activities of the Centre on behalf of the United States. The Secretary of State shall appoint the members of the official delegation from the persons recommended to him by the Council.

"(c) For the purposes of this section, there are authorized to be appropriated not more than $100,000 annually for fiscal year 1971 and for each of the two succeeding fiscal years."

Approved May 9, 1970.

Legislative History

House Report No. 91–886 (Committee on Interior and Insular Affairs).
Senate Report No. 91–781 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970) :
Mar. 16, considered and passed House.
Apr. 27, considered and passed Senate.

15. Land and Water Conservation Fund Act

An Act to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes. (78 Stat. 897)

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

TITLE I—LAND AND WATER CONSERVATION PROVISIONS

SHORT TITLE AND STATEMENT OF PURPOSES

SECTION 1. (a) CITATION: EFFECTIVE DATE.—This Act may be cited as the "Land and Water Conservation Fund Act of 1965" and shall become effective on January 1, 1965.

(b) PURPOSES.—The purposes of this Act are to assist in preserving, developing, and assuring accessibility to all citizens of the United States of America of present and future generations and visitors who are lawfully present within the boundaries of the United States of America such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States by (1) providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities and (2) providing funds for the Federal acquisition and development of certain lands and other areas.

CERTAIN REVENUES PLACED IN SEPARATE FUND

SEC. 2. SEPARATE FUND.—During the period ending June 30, 1989, and during such additional period as may be required to repay any advances made pursuant to section 4(b) of this Act, there shall be covered into the land and water conservation fund in the Treasury of the United States, which fund is hereby established and is hereinafter referred to as the "fund", the following revenues and collections:

(a) ENTRANCE AND USER FEES: ESTABLISHMENT: REGULATIONS.—All proceeds from entrance, admission, and other recreation user fees or charges collected or received by the National Park Service, the Bureau of Land Management, the Bureau of Sport Fisheries and Wildlife, the Bureau of Reclamation, the Forest Service, the Corps of Engineers, the Tennessee Valley Authority, and the

United States section of the International Boundary and Water Commission (United States and Mexico), notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury; *Provided*, That nothing in this Act shall affect any rights or authority of the States with respect to fish and wildlife, nor shall this Act repeal any provision of law that permits States or political subdivisions to share in the revenues from Federal lands or any provision of law that provides that any fees or charges collected at particular Federal areas shall be used for or credited to specific purposes or special funds as authorized by the provision of law; but the proceeds from fees or charges established by the President pursuant to this subsection for entrance or admission generally to Federal areas shall be used solely for the purposes of this Act.

The President is authorized, to the extent and within the limits hereinafter set forth, to designate or provide for the designation of land or water areas administered by or under the authority of the Federal agencies listed in the preceeding paragraph at which entrance admission, and other forms of recreation user fees shall be charged and to establish and revise or provide for the establishment and revision of such fees as follows:

(i) An annual fee of not more than $7 payable by a person entering an area so designated by private noncommercial automobile which, if paid, shall excuse the person paying the same and anyone who accompanies him in such automobile from payment of any other fee for admission to that area and other areas administered by or under the authority of such agencies, except areas which are designated by the President as not being within the coverage of the fee, during the year for which the fee has been paid.

(ii) Fees for a single visit or a series of visits during a specified period of less than a year to an area so designated payable by persons who choose not to pay an annual fee under clause (i) of this paragraph or who enter such an area by means other than private noncommercial automobile.

(iii) Fees payable for admission to areas not within the coverage of a fee paid under clause (i) of this paragraph.

(iv) Fees for the use within an area of sites, facilities, equipment, or services provided by the United States.

Entrance and admission fees may be charged at areas administered primarily for scenic, scientific, historical, cultural, or recreational purposes. No entrance or admission fee shall be charged except at such areas or portions thereof administered by a Federal agency where recreation facilities or services are provided at Federal expense.

No fee of any kind shall be charged by a Federal agency under any provision of this Act for use of any waters. All fees established pursuant to this subsection shall be fair and equitable, taking into consideration direct and indirect cost to the Government, benefits to the recipient, public policy or interest served, and other pertinent factors. Nothing contained in this paragraph shall authorize Federal hunting or fishing licenses or fees or charges for commercial or other activities not related to recreation. No such fee shall be charged for travel by private noncommercial vehicle over any national parkway or any road or highway established as a part of the national Federal-aid system, as defined in section 101, title 23, United States Code, or any road within the National Forest system or a public land area, which, though it is part of a larger area, is commonly used by the public as a means of travel between two places either or both of which are outside the area. No such fee shall be charged any person for travel by private noncommercial vehicle over any road or highway to any land in which such person has any property right if such land is within any such designated area.

No fees established under clause (ii) or clause (iii) of the second paragraph of this subsection shall become effective with respect to any area which embraces lands more than half of which have heretofore been acquired by contribution from the government of the State in which the area is located until sixty days after the officer of the United States who is charged with responsibility for establishing such fees has advised the Governor of the affected State, or an agency of the State designated by the Governor for this purpose, of his intention so to do, and said officer shall, before finally establishing such fees, give consideration to any recommendation that the Governor or his designee may make with respect thereto within said sixty days and to all obligations, legal or otherwise, that the United States may owe to the State concerned and to its citizens with respect to the area in question. In the Smoky Mountains National Park, unless fees are charged for entrance into said park on main highways and thoroughfares, fees shall not be charged for entrance on other routes into said park or any part thereof.

There is hereby repealed the third paragraph from the end of the division entitled "National Park Service" of section 1 of the Act of March 7, 1928 (45 Stat. 238) and the second paragraph from the end of the division entitled "National Park Service" of section 1 of the Act of March 4, 1929 (45 Stat. 1602; 16 U.S.C. 14). Section 4 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved December 24, 1944 (16 U.S.C. 460d), as amended by the Flood Control

Act of 1962 (76 Stat. 1195) is further amended by deleting "without charge," in the third sentence from the end thereof. All other provisions of law that prohibit the collection of entrance, admission, or other recreation user frees or charges authorized by this Act or that restrict the expediture of funds if such fees or charges are collected are hereby also repealed: *Provided*, That no provision of any law or treaty which extends to any person or class of persons a right of free access to the shoreline of any reservoir or other body of water, or to hunting and fishing along or on such shoreline, shall be affected by this repealer.

The heads of departments and agencies are authorized to prescribe rules and regulations for the collection of any entrance, admission, and other recreation user fees or charges established pursuant to this subsection for areas under their administration: *Provided further*, That no free passes shall be issued to any Member of Congress or other government official. Clear notice that a fee or charge has been established shall be posted at each area to which it is applicable. Any violation of any rules or regulations promulgated under this title at an area so posted shall be punishable by a fine of not more than $100. Any person charged with the violation of such rules and regulations may be tried and sentenced by any United States commissioner specially designated for that purpose by the court by which he was appointed, in the same manner and subject to the same conditions as provided for in title 18, United States Code, section 3401, subsections (b), (c), (d), and (e), as amended.

(b) SURPLUS PROPERTY SALES.—All proceeds (except so much thereof as may be otherwise obligated, credited, or paid under authority of those provisions of law set forth in section 485(b)–(e), title 40, United States Code, or the Independent Offices Appropriation Act, 1963 (76 Stat. 725) or in any later appropriation Act) hereafter received from any disposal of surplus real property and related personal property under the Federal Property and Administrative Services Act of 1949, as amended, notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury. Nothing in this Act shall affect existing laws or regulations concerning disposal of real or personal surplus property to schools, hospitals, and States and their political subdivisions.

(c) MOTORBOAT FUELS TAX.—The amounts provided for in section 201 of this Act.

SEC. 3. APPROPRIATIONS.—Moneys covered into the fund shall be available for expenditure for the purposes of this Act only when appropriated therefor. Such appropriations may be made without fiscal-year limitation. Moneys covered into this fund not subsequently author-

ized by the Congress for expenditures within two fiscal years following the fiscal year in which such moneys had been credited to the fund, shall be transferred to miscellaneous receipts of the Treasury.

ALLOCATION OF LAND AND WATER CONSERVATION FUND FOR STATE AND FEDERAL PURPOSES: AUTHORIZATION FOR ADVANCE APPROPRIATIONS

SEC. 4. (a) ALLOCATIONS.—There shall be submitted with the annual budget of the United States a comprehensive statement of estimated requirements during the ensuing fiscal year for appropriations from the fund. In the absence of a provision to the contrary in the Act making an appropriation from the fund, (i) the appropriation therein made shall be available in the ratio of 60 per centum for State purposes and 40 per centum for Federal purposes, but (ii) the President may, during the first five years in which appropriations are made from the fund, vary said percentages by not more than 15 points either way to meet, as nearly as may be, the current relative needs of the States and the Federal Government.

(b) ADVANCE APPROPRIATIONS; REPAYMENT.—Beginning with the third full fiscal year in which the fund is in operation, and for a total of eight years, advance appropriations are hereby authorized to be made to the fund from any moneys in the Treasury not otherwise appropriated in such amounts as to average not more than $60,000,000 for each fiscal year. Such advance appropriations shall be available for Federal and State purposes in the same manner and proportions as other moneys appropriated from the fund. Such advance appropriations shall be repaid without interest, beginning at the end of the next fiscal year after the first ten full fiscal years in which the fund has been in operation, by transferring, annually until fully repaid, to the general fund of the Treasury 50 per centum of the revenues received by the land and water conservation fund each year under section 2 of this Act prior to July 1, 1989, and 100 per centum of any revenues thereafter received by the fund. Revenues received from the sources specified in section 2 of this Act after July 1, 1989, or after payment has been completed as provided by this subsection, whichever occurs later, shall be credited to miscellaneous receipts of the Treasury. The moneys in the fund that are not required for repayment purposes may continue to be appropriated and allocated in accordance with the procedures prescribed by this Act.

FINANCIAL ASSISTANCE TO STATES

SEC. 5. GENERAL AUTHORITY; PURPOSES.—(a) The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to provide financial assistance to

the States from moneys available for State purposes. Payments may be made to the States by the Secretary as hereafter provided, subject to such terms and conditions as he considers appropriate and in the public interest to carry out the purposes of this Act, for outdoor recreation: (1) planning, (2) acquisition of land, waters, or interests in land or waters, or (3) development.

(b) APPORTIONMENT AMONG STATES; NOTIFICATION.—Sums appropriated and available for State purposes for each fiscal year shall be apportioned among the several States by the Secretary, whose determination shall be final, in accordance with the following formula:

(1) two-fifths shall be apportioned equally among the several States; and

(2) three-fifths shall be apportioned on the basis of need to individual States by the Secretary in such amounts as in his judgment will best accomplish the purposes of this Act. The determination of need shall include among other things a consideration of the proportion which the population of each State bears to the total population of the United States and of the use of outdoor recreation resources of individual States by persons from outside the State as well as a consideration of the Federal resources and programs in the particular States.

The total allocation to an individual State under paragraphs (1) and (2) of this subsection shall not exceed 7 per centum of the total amount allocated to the several States in any one year.

The Secretary shall notify each State of its apportionments; and the amounts thereof shall be available thereafter for payment to such State for planning, acquisition, or development projects as hereafter prescribed. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given and for two fiscal years thereafter shall be reapportioned by the Secretary in accordance with paragraph (2) of this subsection.

The District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa shall be treated as States for the purposes of this title, except for the purpose of paragraph (1) of this subsection. Their population also shall be included as a part of the total population in computing the apportionment under paragraph (2) of this subsection.

(c) MATCHING REQUIREMENTS.—Payments to any State shall cover not more than 50 per centum of the cost of planning, acquisition, or development projects that are undertaken by the State. The remaining share of the cost shall be borne by the State in a manner and with such funds or services as shall be satisfactory to the Secretary. No payment may be made to any State for or on account

of any cost or obligation incurred or any service rendered prior to the date of approval of this Act.

(d) COMPREHENSIVE STATE PLAN REQUIRED; PLANNING PROJECTS.—A comprehensive statewide outdoor recreation plan shall be required prior to the consideration by the Secretary of financial assistance for acquisition or development projects. The plan shall be adequate if, in the judgment of the Secretary, it encompasses and will promote the purposes of this Act. The plan shall contain—

(1) the name of the State agency that will have authority to represent and act for the State in dealing with the Secretary for purposes of this Act;

(2) an evaluation of the demand for and supply of outdoor recreation resources and facilities in the State;

(3) a program for the implementation of the plan; and

(4) other necessary information, as may be determined by the Secretary.

The plan shall take into account relevant Federal resources and programs and shall be correlated so far as practicable with other State, regional, and local plans. Where there exists or is in preparation for any particular State a comprehensive plan financed in part with funds supplied by the Housing and Home Finance Agency, any statewide outdoor recreation plan prepared for purposes of this Act shall be based upon the same population, growth, and other pertinent factors as are used in formulating the Housing and Home Finance Agency financed plans.

The Secretary may provide financial assistance to any State for projects for the preparation of a comprehensive statewide outdoor recreation plan when such plan is not otherwise available or for the maintenance of such plan.

(e) PROJECTS FOR LAND AND WATER ACQUISITION; DEVELOPMENT.—In addition to assistance for planning projects, the Secretary may provide financial assistance to any State for the following types of projects or combinations thereof if they are in accordance with the State comprehensive plan:

(1) ACQUISITION OF LAND AND WATERS.—For the acquisition of land, waters, or interests in land or waters (other than land, waters, or interests in land or waters acquired from the United States for less than fair market value), but not including incidental costs relating to acquisition.

(2) DEVELOPMENT.—For development, including but not limited to site planning and the development of Federal lands under lease to States for terms of twenty-five years or more.

(f) REQUIREMENTS FOR PROJECT APPROVAL; CONDITION.—Payments may be made to States by the Secretary

only for those planning, acquisition, or development projects that are approved by him. No payment may be made by the Secretary for or on account of any project with respect to which financial assistance has been given or promised under any other Federal program or activity, and no financial assistance may be given under any other Federal program or activity for or on account of any project with respect to which such assistance has been given or promised under this Act. The Secretary may make payments from time to time in keeping with the rate of progress toward the satisfactory completion of individual projects: *Provided*, That the approval of all projects and all payments, or any commitments relating thereto, shall be withheld until the Secretary receives appropriate written assurance from the State that the State has the ability and intention to finance its share of the cost of the particular project, and to operate and maintain by acceptable standards, at State expense, the particular properties or facilities acquired or developed for public outdoor recreation use.

Payments for all projects shall be made by the Secretary to the Governor of the State or to a State official or agency designated by the Governor or by State law having authority and responsibility to accept and to administer funds paid hereunder for approved projects. If consistent with an approved project, funds may be transferred by the State to a political subdivision or other appropriate public agency.

No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

No payment shall be made to any State until the State has agreed to (1) provide such reports to the Secretary, in such form and containing such information, as may be reasonably necessary to enable the Secretary to perform his duties under this Act, and (2) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting for Federal funds paid to the State under this Act.

Each recipient of assistance under this Act shall keep such records as the Secretary of the Interior shall prescribe, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given

or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

The Secretary of the Interior, and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this Act.

(g) COORDINATION WITH FEDERAL AGENCIES.—In order to assure consistency in policies and actions under this Act, with other related Federal programs and activities (including those conducted pursuant to title VII of the Housing Act of 1961 and section 701 of the Housing Act of 1954) and to assure coordination of the planning, acquisition, and development assistance to States under this section with other related Federal programs and activities, the President may issue such regulations with respect thereto as he deems desirable and such assistance may be provided only in accordance with such regulations.

ALLOCATION OF MONEYS FOR FEDERAL PURPOSES

SEC. 6. (a) Money appropriated from the fund for Federal purposes, shall, unless otherwise allotted in the appropriation Act making them available, be allotted by the President to the following purposes and subpurposes in substantially the same proportion as the number of visitor-days in areas and projects hereinafter described for which admission fees are charged under section 2 of this Act:

(1) For the acquisition of land, waters, or interests in land or waters as follows:

NATIONAL PARK SYSTEM; RECREATION AREAS.—Within the exterior boundaries of areas of the national park system now or hereafter authorized or established and of areas now or hereafter authorized to be administered by the Secretary of the Interior for outdoor recreation purposes.

NATIONAL FOREST SYSTEM.—Inholdings within (a) wilderness areas of the National Forest System, and (b) other areas of national forests as the boundaries of those forests exist on the effective date of this Act which other areas are primarily of value for outdoors recreation purposes: *Provided*, That lands outside of but adjacent to an existing national forest boundary, not to exceed five hundred acres in the case of any one forest, which would comprise an integral part of a forest recreational management area may also be acquired with moneys appropriated from this fund: *Provided further*, That not more

than 15 per centum of the average added to the National Forest System pursuant to this section shall be west of the 100th meridian.

THREATENED SPECIES.—For any national area which may be authorized for the preservation of species of fish or wildlife that are threatened with extinction.

RECREATION AT REFUGES.—For the incidental recreation purposes of section 2 of the Act of September 28, 1962 (76 Stat. 653, 16 U.S.C. 460 k–1); and

(2) For payment into miscellaneous receipts of the Treasury as a partial offset for those capital costs, if any, of Federal water development projects hereafter authorized to be constructed by or pursuant to an Act of Congress which are allocated to public recreation and the enhancement of fish and wildlife values and financed through appropriations to water resource agencies.

(b) ACQUISITION RESTRICTION.—Appropriations from the fund pursuant to this section shall not be used for acquisition unless such acquisition is otherwise authorized by law.

FUNDS NOT TO BE USED FOR PUBLICITY

SEC. 7. Moneys derived from the sources listed in section 2 of this Act shall not be available for publicity purposes.

TITLE II—MOTORBOAT FUEL TAX PROVISIONS

TRANSFERS TO AND FROM LAND AND WATER CONSERVATION FUND

SEC. 201. (a) There shall be set aside in the land and water conservation fund in the Treasury of the United States provided for in title I of this Act the amounts specified in section 209(f)(5) of the Highway Revenue Act of 1956 (relating to special motor fuels and gasoline used in motorboats).

(b) There shall be paid from time to time from the land and water conservation fund into the general fund of the Treasury amounts estimated by the Secretary of the Treasury as equivalent to—

(1) the amounts paid before July 1, 1973, under section 6421 of the Internal Revenue Code of 1954 (relating to amounts paid in respect of gasoline used for certain nonhighway purposes or by local transit systems) with respect to gasoline used after December 31, 1964, in motorboats, on the basis of claims filed for periods ending before October 1, 1972; and

(2) 80 percent of the floor stocks refunds made before July 1, 1973, under section 6412(a)(2) of

such Code with respect to gasoline to be used in motorboats.

AMENDMENTS TO HIGHWAY REVENUE ACT OF 1956

SEC. 202. (a) Section 209(f) of the Highway Revenue Act of 1956 (relating to expenditures from highway trust fund) is amended by adding at the end thereof the following new paragraph:

"(5) TRANSFERS FROM THE TRUST FUND FOR SPECIAL MOTOR FUELS AND GASOLINE USED IN MOTORBOATS.—The Secretary of the Treasury shall pay from time to time from the trust fund into the land and water conservation fund provided for in title I of the Land and Water Conservation Fund Act of 1965 amounts as determined by him in consultation with the Secretary of Commerce equivalent to the taxes received, on or after January 1, 1965, under section 4041(b) of the Internal Revenue Code of 1954 with respect to special motor fuels used as fuel for the propulsion of motorboats and under section 4081 of such Code with respect to gasoline used as fuel in motorboats."

(b) Section 209(f) of such Act is further amended—

(1) by adding at the end of paragraph (3) the following new sentence: "This paragraph shall not apply to amounts estimated by the Secretary of the Treasury as paid under section 6421 of such Code with respect to gasoline used after December 31, 1964, in motorboats."; and

(2) by inserting after "such Code" in paragraph (4)(C) the following: "(other than gasoline to be used in motorboats, as estimated by the Secretary of the Treasury)".

Approved September 3, 1964.

Legislative History

House Reports: No. 900 (Committee on Interior and Insular Affairs) and No. 1847 (Committee of Conference).
Senate Report No. 1364 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 110 (1964):
July 22: Considered in House.
July 23: Considered and passed House.
Aug. 12: Considered and passed Senate, amended.
Sept. 1: House and Senate agreed to conference report.

An Act to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes. (82 Stat. 354)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2, subsection (a), of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 460 l–5), except the fourth paragraph thereof, is repealed; said fourth paragraph is redesignated section 10 of said Act; and subsections (b) and (c) of said section 2 are redesignated (a) and (b), respectively.

(b) It is not the intent of the Congress by this repealer to indicate that Federal agencies which have under their administrative jurisdiction areas or facilities used or useful for outdoor recreation or which furnish services related to outdoor recreation shall not exercise any authority they may have, including authority under section 501 of the Act of August 31, 1951 (65 Stat. 290; 31 U.S.C. 483a), or any authority they may hereafter be given to make reasonable charges for admission to such areas, for the use of such facilities, or for the furnishing of such services. Except as otherwise provided by law or as may be required by lawful contracts entered into prior to September 3, 1964, providing that revenues collected at particular Federal areas shall be credited to specific purposes, all fees so charged shall be covered into a special account under the Land and Water Conservation Fund and shall be available for appropriation, without prejudice to appropriations from other sources for the same purposes, for any authorized outdoor recreation function of the agency by which the fees were collected.

(c) Section 6, subsection (a), of said Act is amended by striking out the words "in substantially the same proportion as the number of visitor-days in areas and projects hereinafter described for which admission fees are charged under section 2 of this Act".

(d) The provisions of subsections (a) and (c) of this section shall be effective March 31, 1970. Until that date, revenues derived from the subsection (a) that is repealed by this section shall continue to be covered into the fund.

SEC. 2. The aforesaid section 2 of the Land and Water Conservation Fund Act of 1965 is further amended by adding at the end thereof the following new subsection:

"(c)(1) OTHER REVENUES.—In addition to the sum of the revenues and collections estimated by the Secretary of the Interior to be covered into the fund pursuant to this section, as amended, there are authorized to be appropriated annually to the fund out of any money in the Treasury not otherwise appropriated such amounts as are necessary to make the income of the fund not less than $200,000,000 for each of the five fiscal years beginning July 1, 1968, and ending June 30, 1973.

"(2) To the extent that any such sums so appropriated are not sufficient to make the total annual income of the fund amount to $200,000,000 for each of such fiscal years, an amount sufficient to cover the remainder thereof shall be credited to the fund from revenues due and payable to the United States for deposit in the Treasury as miscellaneous receipts under the Outer Continental Shelf Lands Act, as amended (43 U.S.C. 13331 et seq.): *Provided*, That notwithstanding the provisions of section 3 of this Act, moneys covered into the fund under this para-

graph shall remain in the fund until appropriated by the Congress to carry out the purpose of this Act."

SEC. 3. The first sentence of section 4, subsection (b), of the Land and Water Conservation Fund Act of 1965 is amended by deleting "for a total of eight years" and inserting in lieu thereof "until the end of fiscal year 1969".

SEC. 4. The Land and Water Conservation Fund Act of 1965 is further amended by adding thereto the following new sections:

"SEC. 8. Not to exceed $30,000,000 of the money authorized to be appropriated from the fund by section 3 of this Act may be obligated by contract during each of fiscal years 1969 and 1970 for the acquisition of lands, waters, or interests therein within areas specified in section 6(a)(1) of this Act. Any such contract may be executed by the head of the department concerned, within limitations prescribed by the Secretary of the Interior. Any such contract so entered into shall be deemed a contractual obligation of the United States and shall be liquidated with money appropriated from the fund specifically for liquidation of such contract obligation. No contract may be entered into for the acquisition of property pursuant to this section unless such acquisition is otherwise authorized by Federal law.

"SEC. 9. The Secretary of the Interior may enter into contracts for options to acquire lands, waters, or interests therein within the exterior boundaries of any area the acquisition of which is authorized by law for inclusion in the national park system. The minimum period of any such option shall be two years, and any sums expended for the purchase thereof shall be credited to the purchase price of said area. Not to exceed $500,000 of the sum authorized to be appropriated from the fund by section 3 of this Act may be expended by the Secretary in any one fiscal year for such options."

SEC. 5. (a) With respect to any property acquired by the Secretary of the Interior within a unit of the national park system or miscellaneous area, except property within national parks, or within national monuments of scientific significance, the Secretary may convey a freehold or leasehold interest therein, subject to such terms and conditions as will assure the use of the property in a manner which is, in the judgment of the Secretary, consistent with the purpose for which the area was authorized by the Congress. In any case in which the Secretary exercises his discretion to convey such interest, he shall do so to the highest bidder, in accordance with such regulations as the Secretary may prescribe, but such conveyance shall be at not less than the fair market value of the interest, as determined by the Secretary; except that if any such conveyance is proposed within two years after

the property to be conveyed is acquired by the Secretary, he shall allow the last owner or owners of record of such property thirty days following the date on which they are notified by the Secretary in writing that such property is to be conveyed within which to notify the Secretary that such owners wish to acquire such interest. Upon receiving such timely requests, the Secretary shall convey such interest to such person or persons, in accordance with such regulations as the Secretary may prescribe, upon payment or agreement to pay an amount equal to the highest bid price.

(b) The Secretary of the Interior is authorized to accept title to any non-Federal property or interest therein within a unit of the National Park System or miscellaneous area under his administration, and in exchange therefor he may convey to the grantor of such property or interest any Federally-owned property or interest therein under his jurisdiction which he determines is suitable for exchange or other disposal and which is located in the same State as the non-Federal property to be acquired: *Provided, however*, That timber lands subject to harvest under a sustained yield program shall not be so exchanged. Upon request of a State or a political subdivision thereof, or of a party in interest, prior to such exchange the Secretary or his designee shall hold a public hearing in the area where the lands to be exchanged are located. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal, the values shall be equalized by the payment of cash to the grantor from funds appropriated for the acquisition of land for the area, or to the Secretary as the circumstances require.

(c) The proceeds received from any conveyance under this section shall be credited to the land and water conservation fund in the Treasury of the United States.

Approved July 15, 1968.

Legislative History

House Reports: No. 1313 (Committee on Interior and Insular Affairs) and No. 1598 (Committee of Conference).
Senate Report No. 1071 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 114 (1968):
Apr. 22–26, 29, 30: Considered and passed Senate.
May 23: Considered and passed House, amended, in lieu of H.R. 8578.
June 18: Senate disagreed to House amendments.
July 2: House and Senate agreed to conference report.

An Act to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes (84 Stat. 410)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 1(d) of the Act of July 15, 1968 (Public Law 90–401, 82 Stat. 354), is amended by deleting "March 31, 1970." and inserting in lieu thereof "December 31, 1971."

SEC. 2. Section 2(a)(i) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 4601–5(a)(i)) is amended by deleting "not more than $7" and inserting in lieu thereof "not more than $10."

SEC. 3. Section 8 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (16 U.S.C. 4601–10a), is amended by deleting "of fiscal years 1969 and 1970" and inserting "fiscal year."

SEC. 4. On or before February 1, 1971, the Secretary of the Interior shall complete a survey as to policy to be implemented with regard to entrance and user fees and report his findings to the Senate and House Committees on Interior and Insular Affairs.

Approved July 7, 1970.

Legislative History
House Report No. 91–1000 (Committee on Interior and Insular Affairs).
Senate Report No. 91–395 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 115 (1969): Sept. 10, 12, 24, considered and passed Senate.
Vol. 116 (1970): June 22, considered and passed House, amended.
June 23, Senate concurred in House amendments.

An Act to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes. (84 Stat. 1084)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 2(c) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–5(c)) is amended as follows:

(a) In clause (1), strike out "five fiscal years beginning July 1, 1968, and ending June 30, 1973" and insert "fiscal years 1968, 1969, and 1970, and not less than $300,000,000 for each fiscal year thereafter through June 30, 1989."

(b) In clause (2), after "$200,000,000" insert "or $300,000,000" and after "for each of such fiscal years," insert "as provided in clause (1),".

SEC. 2. Section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484), is further amended by redesignating section 203(k)(2) as section 203(k)(3), and by adding a new section 203(k)(2) as follows:

"(k)(2) Under such regulations as he may prescribe, the Administrator is authorized, in his discretion, to assign to the Secretary of the Interior for disposal such surplus real property, including buildings, fixtures, and equipment situated thereon, as is recommended by the Secretary of the Interior as needed for use as a public park or recreation area.

"(A) Subject to the disapproval of the Administrator within thirty days after notice to him by the Secretary of the Interior of a proposed transfer of property for public park or public recreational use, the Secretary of the Interior, through such officers or employees of the

Department of the Interior as he may designate, may sell or lease such real property, including buildings, fixtures, and equipment situated thereon, for public park or public recreational purposes to any State, political subdivision, instrumentalities thereof, or municipality.

"(B) In fixing the sale or lease value of property to be disposed of under subparagraph (A) of this paragraph, the Secretary of the Interior shall take into consideration any benefit which has accrued or may accrue to the United States from the use of such property by any such State, political subdivision, instrumentality, or muncipality.

"(C) The deed of conveyance of any surplus real property disposed of under the provisions of this subsection—

"(i) shall provide that all such property shall be used and maintained for the purpose for which it was conveyed in perpetuity, and that in the event that such property ceases to be used or maintained for such purpose during such period, all or any portion of such property shall in its then existing condition, at the option of the United States, revert to the United States; and

(ii) may contain such additional terms, reservations, restrictions, and conditions as may be determined by the Secretary of the Interior to be necessary to safeguard the interests of the United States.

"(D) 'States' as used in this subsection includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States."

SEC. 3. The first sentence of subsection (n) of section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(n)), is amended by striking "(k)" and substituting "(k)(1)" in lieu thereof.

SEC. 4. Subsection (o) of section 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(o)), is amended to read as follows:

"(o) The Secretary of Health, Education, and Welfare, with respect to personal property donated under subsection (j) of this section, and the head of each executive agency disposing of real property under subsection (k) of this section shall submit during the calendar quarter following the close of each fiscal year a report to the Senate (or to the Secretary of the Senate if the Senate is not in session) and to the House of Representatives (or to the Clerk of the House if the House is not in session) showing the acquisition cost of all personal property so donated and of all real property so disposed of during the preceding fiscal year."

SEC. 5. Section 13(h) of the Surplus Property Act of 1944 (50 U.S.C. App. 1622(h)) is amended by—

(1) striking out the phrase "public park, public recreational area, or" in paragraph (1) thereof; and

(2) striking out the first full sentence of paragraph (2) thereof.

Approved October 22, 1970.

Legislative History

House Report No. 91–1225 accompanying H.R. 15913 (Committee on Interior and Insular Affairs).
Senate Report No. 91–227 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 115 (1969): June 12, 26, considered and passed Senate.
Vol. 116 (1970): Aug. 10, considered and passed House, amended, in lieu of H.R. 15913. Oct. 8, Senate concurred in House amendment.

An Act to amend the Land and Water Conservation Fund Act to restore the Golden Eagle Passport Program, and for other purposes (86 Stat. 459)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 1(b) of the Act of July 15, 1968 (82 Stat. 354) is hereby repealed.

SEC.2 . The Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (16 U.S.C. 4601), is further amended by inserting the following new section and renumbering subsequent sections accordingly:

"ADMISSION AND SPECIAL RECREATION USE FEES: ESTABLISHMENT AND REGULATIONS

"SEC. 4. (a) ADMISSION FEES.—Entrance or admission fees shall be charged only at designated units of the National Park System administered by the Department of the Interior and National Recreation Areas administered by the Department of Agriculture. No admission fees of any kind shall be charged or imposed for entrance into any other Federally owned areas used for outdoor recreation purposes.

"(1) For admission into any such designated area, an annual admission permit (to be known as the 'Golden Eagle Passport') shall be available, for a fee of not more than $10. Any person purchasing the annual permit, and any person accompanying him, in a single, private, noncommercial vehicle shall be entitled to general admission into any admission fee area designated pursuant to this section during the calendar year in which the annual fee is paid, but such permit shall not authorize any use of specialized sites, facilities, equipment, or services for which additional fees are charged pursuant to subsection (b) of this section. The annual permit shall be nontransferable and the unlawful use thereof shall be punishable in accordance with regulations established pursuant to subsection (d). The annual permit shall be available for purchase through the offices of the Secretary of the Interior and the Secretary of Agriculture and

through all post offices of the first- and second-class and at such others as the Postmaster General shall direct. The Secretary of the Interior shall transfer to the Postal Service from the receipts thereof such funds as are adequate for the reimbursement of the cost of the service so provided.

"(2) Reasonable admission fees for a single visit at any designated area shall be established by the administering Secretary for persons who choose not to purchase the annual permit or who enter such an area by means other than by private, noncommercial vehicle.

"(3) No admission fee shall be charged for travel by private, noncommercial vehicle over any national parkway or any road or highway established as a part of the National Federal Aid System, as defined in section 101, title 23, United States Code, which is commonly used by the public as a means of travel between two places either or both of which are outside the area. Nor shall any fee be charged for travel by private, noncommercial vehicle over any road or highway to any land in which such person has any property right if such land is within any such designated area. In the Smoky Mountains National Park, unless fees are charged for entrance into said park on main highways and thoroughfares, fees shall not be charged for entrance on other routes into said park or any part thereof.

"(4) The Secretary of the Interior and the Secretary of Agriculture shall establish procedures providing for the issuance of an annual entrance permit (to be known as the 'Golden Age Passport') to any person sixty-two years of age or older applying for such permit. Such permit shall be nontransferable, shall be issued without charge, and shall entitle the bearer and any person accompanying the bearer in a single, private noncommercial vehicle to entry into any admission fee area designated pursuant to this section. No other free permits shall be issued to any person: *Provided*, That no fees of any kind shall be collected from any persons who have a right of access for hunting or fishing privileges under a specific provision of law or treaty or who are engaged in the conduct of official Federal, State, or local Government business and *Provided further*, That for no more than three years after date of enactment of this Act, visitors to the United States will be granted entrance, without charge, to any designated admission fee area upon presentation of a valid passport.

"(b) SPECIAL RECREATION USE FEES.—Each Federal agency developing, administering, or providing specialized sites, facilities, equipment, or services related to outdoor recreation shall provide for the collection of special recreation use fees for the use of sites, facilities, equipment, or services furnished at Federal expense.

"(1) Daily use fees for overnight occupancy within areas specially developed for such use shall be determined on the basis of the value of the capital improvements offered, the cost of the services furnished, and other pertinent factors. Any person bearing a valid Golden Age Passport issued pursuant to paragraph (4) of subsection (a) of this section shall be entitled upon presentation of such permit to utilize such special recreation facilities at a rate of fifty per centum of the established daily use fee.

"(2) Special recreation permits for uses such as group activities, recreation events, motorized recreation vehicles, and other specialized recreation uses may be issued in accordance with procedures and at fees established by the agency involved.

"(c) All fees established pursuant to this section shall be fair and equitable, taking into consideration the direct and indirect cost to the Government, the benefits to the recipient, the public policy or interest served, the comparable recreation fees charged by non-Federal public agencies, the economic and administrative feasibility of fee collection and other pertinent factors. Clear notice that an admission fee or special recreation use fee has been established shall be prominently posted at each area and at appropriate locations therein and shall be included in publications distributed at such areas. It is the intent of this Act that comparable fees should be charged by the several Federal agencies for comparable services and facilities.

"(d) In accordance with the provisions of this section, the heads of appropriate departments and agencies may prescribe rules and regulations for areas under their administration for the collection of any entrance fee and or special recreation use fee, as the case may be. Persons authorized by the heads of such Federal agencies to enforce any such rules or regulations issued under this subsection may, within areas under the administration or authority of such agency head and with, or if the offense is committed in his presence, without a warrant, arrest any person who violates such rules and regulations. Any person so arrested may be tried and sentenced by the United States magistrate specifically designated for that purpose by the court by which he was appointed, in the same manner and subject to the same conditions as provided in title 18, United States Code, section 3401, subsections (b), (c), (d), and (e), as amended. Any violations of the rules and regulations issued under this subsection shall be punishable by a fine of not more than $100.

"(e) Except as otherwise provided by law or as may be required by lawful contracts entered into prior to September 3, 1964, providing that revenues collected at

particular Federal areas shall be credited to specific purposes, all fees collected shall be covered into a special account in the Treasury of the United States to be administered in conjunction with, but separate from, the revenues in the Land and Water Conservation Fund. Revenues in the special account shall be available for appropriation, without prejudice to appropriations from other sources for the same purposes, for any authorized outdoor recreation function of the agency by which the fees were collected: *Provided, however*, That not more than forty per centum of the amount so credited may be appropriated during the five fiscal years following the enactment of this Act for the enhancement of the fee collection system established by this section, including the promotion and enforcement thereof.

"(f) Nothing in this Act shall authorize Federal hunting or fishing licenses or fees or charges for commercial or other activities not related to recreation, nor shall it affect any rights or authority of the States with respect to fish and wildlife, nor shall it repeal or modify any provision of law that permits States or political subdivisions to share in the revenues from Federal lands or any provision of law that provides that any fees or charges collected at particular Federal areas shall be used for or credited to specific purposes or special funds as authorized by that provision of law.

"(g) Periodic reports indicating the number and location of fee collection areas, the number and location of potential fee collection areas, capacity and visitation information, the fees collected, and other pertinent data, shall be coordinated and compiled by the Bureau of Outdoor Recreation and transmitted to the Committees on Interior and Insular Affairs of the United States House of Representatives and United States Senate. Such reports, which shall be transmitted no later than March 31 annually, shall include any recommendations which the Bureau may have with respect to improving this aspect of the land and water conservation fund program."

SEC. 3. (a) The Secretary of the Interior may establish and collect use or royalty fees for the manufacture, reproduction, or use of "The Golden Eagle Insignia," originated by the Department of the Interior and announced in the December 3, 1970, issue of the Federal Register (35 Federal Register 18376) as the official symbol for Federal recreation areas designated for recreation fee collection. Any fees collected pursuant to this subsection shall be covered into the Land and Water Conservation Fund.

(b) Chapter 33 of title 18 of the United States Code is amended by adding the following new section thereto:

"§ 715. 'The Golden Eagle Insignia'

"As used in this section, 'The Golden Eagle Insignia' means the words 'The Golden Eagle' and the representation of an American Golden Eagle (colored gold) and a family group (colored midnight blue) enclosed within a circle (colored white with a midnight blue border) framed by a rounded triangle (colored gold with a midnight blue border) which was originated by the Department of the Interior as the official symbol for Federal recreation fee areas.

"Whoever, except as authorized under rules and regulations issued by the Secretary of the Interior, knowingly manufactures, reproduces, or uses 'The Golden Eagle Insignia,' or any facsimile thereof, in such a manner as is likely to cause confusion, or to cause mistake, or to deceive, shall be fined not more than $250 or imprisoned not more than six months, or both.

"The use of any such emblem, sign, insignia, or words which was lawful on the date of enactment of this Act shall not be a violation of this section.

"A violation of this section may be enjoined at the suit of the Attorney General, upon complaint by the Secretary of the Interior."

(c) The analysis of chapter 33 immediately preceding section 701 of title 18 is amended by adding at the end thereon:

"715. 'The Golden Eagle Insignia'."

(d) The rights in "The Golden Eagle Insignia" under this Act, shall terminate if the use by the Secretary of the Interior of "The Golden Eagle Insignia" is abandoned. Nonuse for a continuous period of two years shall constitute abandonment.

Approved July 11, 1972.

Legislative History

House Reports: No. 92–742 accompanying H.R. 6730 (Committee on Interior and Insular Affairs) and No. 92–1164 (Committee of Conference).
Senate Report No. 92–490 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 117 (1971): Nov. 22, considered and passed Senate.
Vol. 118 (1972):
Feb. 7, considered and passed House, amended, in lieu of H.R. 6730.
June 28, House agreed to conference report.
June 29, Senate agreed to conference report.

16. National Environmental Policy Act of 1969

An Act to establish a national policy for the environment, to provide for the establishment of a Council on Environmental Quality, and for other purposes. (83 Stat. 852)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Environmental Policy Act of 1969".

PURPOSE

SEC. 2. The purposes of this Act are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.

TITLE I

DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

SEC. 101. (a) The Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

(b) In order to carry out the policy set forth in this Act, it is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may—

(1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(c) The Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

SEC. 102. The Congress authorizes and directs that, to the fullest extent possible: (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in this Act, and (2) all agencies of the Federal Government shall—

(A) utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decisionmaking which may have an impact on man's environment;

(B) identify and develop methods and procedures, in consultation with the Council on Environmental Quality established by title II of this Act, which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decisionmaking along with economic and technical considerations;

(C) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on—

(i) the environmental impact of the proposed action,

(ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,

(iii) alternatives to the proposed action,

(iv) the relationship between local short-term uses of man's environment and the maintenance

and enhancement of long-term productivity, and,

(v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

Prior to making any detailed statement, the responsibile Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies, which are authorized to develop and enforce environmental standards, shall be made available to the President, the Council on Environmental Quality and to the public as provided by section 552 of title 5. United States Code, and shall accompany the proposal through the existing agency review process;

(D) study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

(E) recognize the worldwide and long-range character of environmental problems and, where consistent with the foreign policy of the United States, lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment;

(F) make available to States, countries, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment;

(G) initiate and utilize ecological information in the planning and development of resource-oriented projects; and

(H) assist the Council on Environmental Quality established by title II of this Act.

SEC. 103. All agencies of the Federal Government shall review their present statutory authority, administrative regulations, and current policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies therein which prohibit full compliance with the purpose and provisions of this Act and shall propose to the President not later than July 1, 1971, such measures as may be necessary to bring their authority and policies into conformity with the intent, purposes, and procedures set forth in this Act.

SEC. 104. Nothing in Section 102 or 103 shall in any way affect the specific statutory obligations of any Federal agency (1) to comply with criteria or standards of environmental quality, (2) to coordinate or consult with

any other Federal or State agency, or (3) to act, or refrain from acting contingent upon the recommendations or certification of any other Federal or State agency.

SEC. 105. The policies and goals set forth in this Act are supplementry to those set forth in existing authorizations of Federal agencies.

TITLE II

COUNCIL ON ENVIRONMENTAL QUALITY

SEC. 201. The President shall transmit to the Congress annually beginning July 1, 1970, an Environmental Quality Report (hereinafter referred to as the "report") which shall set forth (1) the status and condition of the major natural, manmade, or altered environmental classes of the Nation, including, but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environment; (2) current and foreseeable trends in the quality, management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation; (3) the adequacy of available natural resources for fulfilling human and economic requirements of the Nation in the light of expected population pressures; (4) a review of the programs and activities (including regulatory activities) of the Federal Government, the State and local governments, and nongovernmental entities or individuals, with particular reference to their effect on the environment and on the conservation, development and utilization of natural resources; and (5) a program for remedying the deficiencies of existing programs and activities, together with recommendations for legislation.

SEC. 202. There is created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the "Council"). The Council shall be composed of three members who shall be appointed by the President to serve at his pleasure, by and with the advice and consent of the Senate. The President shall designate one of the members of the Council to serve as Chairman. Each member shall be a person who, as a result of his training, experience, and attainments, is exceptionally well qualified to analyze and interpret environmental trends and information of all kinds; to appraise programs and activities of the Federal Government in the light of the policy set forth in title I of this Act; to be conscious of and responsive to the scientific, economic, social, esthetic, and cultural needs and interests of the Nation; and to formulate and recommend national policies to promote the improvement of the quality of the environment.

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SEC. 203. The Council may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

SEC. 204. It shall be the duty and function of the Council—

(1) to assist and advise the President in the preparation of the Environmental Quality Report required by section 201;

(2) to gather timely and authoritative information concerning the conditions and trends in the quality of the environment both current and prospective, to analyze and interpret such information for the purpose of determining whether such conditions and trends are interfering, or are likely to interfere, with the achievement of the policy set forth in title I of this Act, and to compile and submit to the President studies relating to such conditions and trends;

(3) to review and appraise the various programs and activities of the Federal Government in the light of the policy set forth in title I of this Act for the purpose of determining the extent to which such programs and activities are contributing to the achievement of such policy, and to make recommendations to the President with respect thereto;

(4) to develop and recommend to the President national policies to foster and promote the improvement of environmental quality to meet the conservation, social, economic, health, and other requirements and goals of the Nation;

(5) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

(6) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes:

(7) to report at least once each year to the President on the state and condition of the environment; and

(8) to make and furnish such studies, reports thereon, and recommendations with respect to matters of policy and legislation as the President may request.

SEC. 205. In exercising its powers, functions, and duties under this Act, the Council shall—

(1) consult with the Citizens' Advisory Committee on Environmental Quality established by Executive Order numbered 11472, dated May 29, 1969, and with such representatives of science, industry, agriculture, labor, conservation organizations, State and local governments and other groups, as it deems advisable; and

(2) utilize, to the fullest extent possible, the services, facilities, and information (including statistical information) of public and private agencies and organizations, and individuals, in order that duplication of effort and expense may be avoided, thus assuring that the Council's activities will not unnecessarily overlap or conflict with similar activities authorized by law and performed by established agencies.

SEC. 206. Members of the Council shall serve full time and the Chairman of the Council shall be compensated at the rate provided for Level II of the Executive Schedule Pay Rates (5 U.S.C. 5313). The other members of the Council shall be compensated at the rate provided for Level IV or the Executive Schedule Pay Rates (5 U.S.C. 5315).

SEC. 207. There are authorized to be appropriated to carry out the provisions of this Act not to exceed $300,000 for fiscal year 1970, $700,000 for fiscal year 1971, and $1,000,000 for each fiscal year thereafter.

Approved January 1, 1970.

Legislative History

House Reports: No. 91–378, 91–378, pt. 2, accompanying H.R. 12549 (Committee on Merchant Marine and Fisheries) and 91–765 (Committee of Conference).
Senate Report No. 91–296 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 115 (1969):
July 10: Considered and passed Senate.
Sept. 23: Considered and passed House, amended, in lieu of H.R. 12549.
Oct. 8: Senate disagreed to House amendments; agreed to conference.
Dec. 20: Senate agreed to conference report.
Dec. 22: House agreed to conference report.

17. National Parks Centennial

Joint Resolution authorizing the Secretary of the Interior to provide for the commemoration of the one hundredth anniversy of the establishment of Yellowstone National Park, and for other purposes. (84 Stat. 427)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is directed to request the President to issue a proclamation designating the year 1972 as "National Parks Centennial Year", in recognition of the establishment on March 1, 1872, of the world's first national park, Yellowstone, which advanced a new concept of land use in setting aside an outstanding natural area in perpetuity for the benefit and enjoyment of the people.

SEC. 2. (a) There is hereby established a National Park Centennial Commission (hereinafter referred to as "the Commission") to be composed of the following members:

(1) four Members of the Senate to be appointed by the President of the Senate;

(2) four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives;

(3) the Secretary of the Interior or his representative; and

(4) six persons to be appointed by the President from among persons not officers or employees of the Federal Government and who, in the judgment of the President, have outstanding knowledge and experience in the fields of natural and historical resource preservation and public recreation.

(b) The President shall designate one of the members appointed by him as Chairman of the Commission.

(c) The members of the Commission shall receive no compensation for their services as such, but members from the legislative branch shall be allowed necessary travel expenses as authorized by law for official travel, members of the executive branch shall be allowed necessary travel expenses in accordance with section 5702 of title 5, United States Code, and members appointed by the President shall be allowed necessary travel expenses as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 5703). Staff of the Commission shall be allowed necessary travel expenses in accordance with section 5702 of title 5, United States Code.

(d) Any vacancy in the Commission shall not affect its powers or functions, but shall be filled in the same manner as the original appointment.

SEC. 3. The functions of the Commission shall be (1) to prepare, and execute, in cooperation with Federal,

State, local, nongovernmental agencies and organizations, and appropriate international organizations, a suitable plan for commemoration of the one hundredth anniversary of the beginning of the worldwide national park movement by the establishment of Yellowstone National Park in 1872; (2) to coordinate the activities of such agencies and organizations undertaken pursuant to such plan; and (3) to provide, in cooperation with such agencies and organizations, host services for a world conference on National Parks in 1972, and to assist in representing the United States in the activities of such conference.

SEC. 4. The Commission may employ such personnel as may be necessary to carry out its functions, with or without regard to the provisions of the civil service laws or the Classification Act of 1949, as amended, in its discretion.

SEC. 5. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with public and private associations, and educational institutions; and to request advice and assistance from appropriate Federal departments or agencies in carrying out its functions. Such Federal departments and agencies are authorized to furnish the Commission such advice and assistance with or without reimbursement. To the extent it finds necessary, the Commission may, without regard to the laws and procedures applicable to Federal departments and agencies, make contracts, procure supplies, property, and services (including printing and publishing), and may exercise the powers needed to carry out its functions efficiently and in the public interest.

(b) The Director of the National Park Service or his designee shall be the Executive Director of the Commission. Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the Department of the Interior, for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Secretary of the Interior: *Provided*, That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 5514) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission.

(c) Beginning with the end of the calendar year in which the Commission is first established, the Commission shall submit annual reports of its activities and plans to the Congress. The Commission shall submit a final report of its activities, including an accounting of funds

received and expended, to the Congress, not later than December 31, 1973, and shall cease to exist upon submission of said report.

(d) Upon termination of the Commission and after consultation with the Archivist of the United States and the Secretary of the Smithsonian Institution, the Secretary of the Interior may deposit all books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other similar materials of the Commission relating to the National Parks Centennial in Federal, State, or local libraries or museums or make other disposition of such materials. Other property acquired by the Commission remaining upon its termination may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as excess or surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities shall be deposited in the Treasury of the United States.

SEC. 6. There are authorized to be appropriated such sums, but not more than $250,000, as may be necessary to carry out the provisions of this Act: *Provided*, That no part of such appropriations shall be available for obligation by the Commission until and unless at least $300,000 in donations have been actually collected by the Commission from non-Federal sources.

Approved July 10, 1970.

Legislative History

House Report No. 91–1021 (Committee on the Judiciary).
Senate Report No. 91–962 (Committee on the Judiciary).
Congressional Record, Vol. 116 (1970):
May 4, considered and passed House.
June 26, considered and passed Senate.

18. National Park Foundation

An Act to establish the National Park Foundation. (81 Stat. 656)

Be it enacted by the Senate and House of Representatives of the United States of America in America in Congress assembled, That in order to encourage private gifts of real and personal property or any income therefrom or other interest therein for the benefit of, or in connection with, the National Park Service, its activities, or its services, and thereby to further the conservation of natural, scenic, historic, scientific, educational, inspirational, or recreational resources for future generations of Americans, there is hereby established a charitable and nonprofit corporation to be known as the National Park Foundation to accept and administer such gifts.

SEC. 2. The National Park Foundation shall consist of a Board having as members the Secretary of the Interior, the Director of the National Park Service, ex officio, and no less than six private citizens of the United States appointed by the Secretary of the Interior whose initial terms shall be staggered to assure continuity of administration. Thereafter, the term shall be six years, unless a successor is chosen to fill a vacancy occurring prior to the expiration of the term for which his predecessor was chosen, in which event the successor shall be chosen only for the remainder of that term. The Secretary of the Interior shall be the Chairman of the Board and the Director of the National Park Service shall be the Secretary of the Board. Membership on the Board shall not be deemed to be an office within the meaning of the statutes of the United States. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business, and the Foundation shall have an official seal, which shall be judicially noticed. The Board shall meet at the call of the Chairman and there shall be at least one meeting each year.

No compensation shall be paid to the members of the Board for their services as members, but they shall be reimbursed for actual and necessary traveling and subsistence expenses incurred by them in the performance of their duties as such members out of National Park Foundation funds available to the Board for such purposes. The Foundation shall succeed to all right, title, and interest of the National Park Trust Fund Board established in any property or funds, including the National Park Trust Fund, subject to the terms and conditions thereof. The National Park Trust Fund is hereby abolished, and the Act of July 10, 1935 (49 Stat. 477; 16 U.S.C. 19 et seq.), as amended, is hereby repealed.

SEC. 3. The Foundation is authorized to accept, receive, solicit, hold, administer, and use any gifts, devises, or

bequests, either absolutely or in trust of real or personal property or any income therefrom or other interest therein for the benefit of or in connection with, the National Park Service, its activities, or its services: *Provided*, That the Foundation may not accept any such gift, devise, or bequest which entails any expenditure other than from the resources of the Foundation. An interest in the real property includes, among other things, easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational, or recreational resources. A gift, devise, or bequest may be accepted by the Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest therein is for the benefit of the National Park Service, its activities, or its services.

SEC. 4. Except as otherwise required by the instrument of transfer, the Foundation may sell, lease, invest, reinvest, retain, or otherwise dispose of or deal with any property or income thereof as the Board may from time to time determine. The Foundation shall not engage in any business, nor shall the Foundation make any investment that may not lawfully be made by a trust company in the District of Columbia, except that the Foundation may make any investment authorized by the instrument of transfer, and may retain any property accepted by the Foundation. The Foundation may utilize the services and facilities of the Department of the Interior and the Department of Justice, and such services and facilities may be made available on request to the extent practicable without reimbursement therefor.

SEC. 5. The Foundation shall have perpetual succession, with all the usual powers and obligations of a corporation acting as a trustee, including the power to sue and to be sued in its own name, but the members of the Board shall not be personally liable, except for malfeasance.

SEC. 6. The Foundation shall have the power to enter into contracts, to execute instruments, and generally to do any and all lawful acts necessary or appropriate to its purposes.

SEC. 7. In carrying out the provisions of this Act, the Board may adopt bylaws, rules, and regulations necessary for the administration of its functions and contract for any necessary services.

SEC. 8. The Foundation and any income or property received or owned by it, and all transactions relating to such income or property, shall be exempt from all Federal, State, and local taxation with respect thereto. The Foundation may, however, in the discretion of its directors, contribute toward the costs of local government in

amounts not in excess of those which it would be obligated to pay such government if it were not exempt from taxation by virtue of the foregoing or by virtue of its being a charitable and nonprofit corporation and may agree so to contribute with respect to property transferred to it and the income derived therefrom if such agreement is a condition of the transfer. Contributions, gifts, and other transfers made to or for the use of the Foundation shall be regarded as contributions, gifts, or transfers to or for the use of the United States.

SEC. 9. The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation.

SEC. 10. The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to Congress an annual report of its proceedings and activities, including a full and complete statement of its receipt, expenditures, and investments.

Approved December 18, 1967.

Legislative History

House Report No. 623 accompanying H.R. 10835 (Committee on Interior and Insular Affairs).
Senate Report No. 532 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 113 (1967):
Aug. 23: Considered and passed Senate.
Sept. 18: Considered and passed House, amended, in lieu of H.R. 10835.
Nov. 30: Senate concurred in House amendment.

19. National Trails System Act

An Act to establish a national trials system, and for other purposes. (82 Stat. 919)

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

SHORT TITLE

SECTION 1. This Act may be cited as the "National Trails System Act".

STATEMENT OF POLICY

SEC. 2. (a) In order to provide for the ever-increasing outdoor recreation needs of an expanding population and in order to promote public access to, travel within, and enjoyment and appreciation of the open-air, outdoor areas of the Nation, trails should be established (i) primarily, near the urban areas of the Nation, and (ii) secondarily, within established scenic areas more remotely located.

(b) the purpose of this Act is to provide the means for attaining these objectives by instituting a national system of recreation and scenic trails, by designating the Appalachian Trail and the Pacific Crest Trail as the initial components of that system, and by prescribing the methods by which, and standards according to which, additional components may be added to the system.

NATIONAL TRAILS SYSTEM

SEC. 3. The national system of trails shall be composed of—

(a) National recreation trails, established as provided in section 4 of this Act, which will provide a variety of outdoor recreation uses in or reasonably accessible to urban areas.

(b) National scenic trails, established as provided in section 5 of this Act, which will be extended trails so located as to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which such trails may pass.

(c) Connecting or side trails, established as provided in section 6 of this Act, which will provide additional points of public access to national recreation or national scenic trails or which will provide connections between such trails.

The Secretary of the Interior and the Secretary of Agriculture, in consultation with appropriate governmental agencies and public and private organizations,

shall establish a uniform marker for the national trails system.

NATIONAL RECREATION TRAILS

SEC. 4. (a) The Secretary of the Interior, or the Secretary of Agriculture, where lands administered by him are involved, may establish and designate national recreation trails, with the consent of the Federal agency, State, or political subdivision having jurisdiction over the lands involved, upon finding that—

(i) such trails are reasonably accessible to urban areas, and, or

(ii) such trails meet the criteria established in this Act and such supplementary criteria as he may prescribe.

(b) As provided in this section, trails within park, forest, and other recreation areas administered by the Secretary of the Interior or the Secretary of Agriculture or in other federally administered areas may be established and designated as "National Recreation Trails" by the appropriate Secretary and, when no Federal land acquisition is involved—

(i) trails in or reasonably accessible to urban areas may be designated as "National Recreation Trails" by the Secretary of the Interior with the consent of the States, their political subdivisions, or other appropriate administering agencies, and

(ii) trails within park, forest, and other recreation areas owned or administered by States may be designated as "National Recreation Trails" by the Secretary of the Interior with the consent of the State.

NATIONAL SCENIC TRAILS

SEC. 5. (a) National scenic trails shall be authorized and designated only by Act of Congress. There are hereby established as the initial National Scenic Trails:

(1) The Appalachian Trail, a trail of approximately two thousand miles extending generally along the Appalachian Mountains from Mount Katahdin, Maine, to Springer Mountain, Georgia. Insofar as practicable, the right-of-way for such trail shall comprise the trail depicted on the maps identified as "Nationwide System of Trails, Proposed Appalachian Trail, NST–AT–101–May 1967", which shall be on file and available for public inspection in the office of the Director of the National Park Service. Where practicable, such rights-of-way shall include lands protected for it under agreements in effect as of the date of enactment of this Act, to which Federal agencies and States were parties. The Appalachian Trail shall be administered primarily as a footpath by the Secretary of the Interior, in consultation with the Secretary of Agriculture.

(2) The Pacific Crest Trail, a trail of approximately two thousand three hundred fifty miles, extending from the Mexican-California border northward generally along the mountain ranges of the west coast States to the Canadian-Washington border near Lake Ross, following the route as generally depicted on the map, identified as "Nationwide System of Trails, Proposed Pacific Crest Trail, NST–PC–103–May 1967" which shall be on file and available for public inspection in the office of the Chief of the Forest Service. The Pacific Crest Trail shall be administered by the Secretary of Agriculture, in consultation with the Secretary of the Interior.

(3) The Secretary of the Interior shall establish an advisory council for the Appalachian National Scenic Trail, and the Secretary of Agriculture shall establish an advisory council for the Pacific Crest National Scenic Trail. The appropriate Secretary shall consult with such council from time to time with respect to matters relating to the trail, including the selection of rights-of-way, standards, of the erection and maintenance of markers along the trail, and the administration of the trail. The members of each advisory council, which shall not exceed thirty-five in number, shall serve without compensation or expense to the Federal Government for a term of five years and shall be appointed by the appropriate Secretary as follows:

(i) A member appointed to represent each Federal department or independent agency administering lands through which the trail route passes and each appointee shall be the person designated by the head of such department or agency;

(ii) A member appointed to represent each State through which the trail passes and such appointments shall be made from recommendations of the Governors of such States;

(iii) One or more members appointed to represent private organizations, including landowners and land users, that, in the opinion of the Secretary, have an established and recognized interest in the trail and such appointments shall be made from recommendations of the heads of such organizations: *Provided*, That the Appalachian Trail Conference shall be represented by a sufficient number of persons to represent the various sections of the country through which the Appalachian Trail passes; and

(iv) The Secretary shall designate one member to be chairman and shall fill vacancies in the same manner as the original appointment.

(b) The Secretary of the Interior, and the Secretary of Agriculture where lands administered by him are involved, shall make such additional studies as are herein or may hereafter be authorized by the Congress for the

purpose of determining the feasibility and desirability of designating other trails as national scenic trails. Such studies shall be made in consultation with the heads of other Federal agencies administering lands through which such additional proposed trails would pass and in cooperation with interested interstate, State, and local governmental agencies, public and private organizations, and landowners and land users concerned. When completed, such studies shall be the basis of appropriate proposals for additional national scenic trails which shall be submitted from time to time to the President and to the Congress. Such proposals shall be accompanied by a report, which shall be printed as a House or Senate document, showing among other things—

(1) the proposed route of such trail (including maps and illustrations);

(2) the areas adjacent to such trails, to be utilized for scenic, historic, natural, cultural, or developmental, purposes;

(3) the characteristics which, in the judgment of the appropriate Secretary, make the proposed trail worthy of designation as a national scenic trail;

(4) the current status of land ownership and current and potential use along the designated route;

(5) the estimated cost of acquisition of lands or interest in lands, if any;

(6) the plans for developing and maintaining the trail and the cost thereof;

(7) the proposed Federal administering agency (which, in the case of a national scenic trail wholly or substantially within a national forest, shall be the Department of Agriculture);

(8) the extent to which a State or its political subdivisions and public and private organizations might reasonably be expected to participate in acquiring the necessary lands and in the administration thereof; and

(9) the relative use of the lands involved, including: the number of anticipated visitor days for the entire length of, as well as for segments of, such trail; the number of months which such trail, or segments thereof, will be open for recreation purposes; the economic and social benefits which might accrue from alternate land uses; and the estimated man-years of civilian employment and expenditures expected for the purposes of maintenance, supervision, and regulation of such trail.

(c) The following routes shall be studied in accordance with the objectives outlined in subsection (b) of this section:

(1) Continental Divide Trail, a three-thousand-one-hundred-mile trail extending from near the Mexican

border in southwestern New Mexico northward generally along the Continental Divide to the Canadian border in Glacier National Park.

(2) Potomac Heritage Trail, an eight-hundred-and-twenty-five mile trail extending generally from the mouth of the Potomac River to its sources in Pennsylvania and West Virginia, including the one-hundred-and-seventy-mile Chesapeake and Ohio Canal towpath.

(3) Old Cattle Trails of the Southwest from the vicinity of San Antonio, Texas, approximately eight hundred miles through Oklahoma via Baxter Springs and Chetopa, Kansas, to Fort Scott, Kansas, including the Chisholm Trail, from the vicinity of San Antonio or Cuero, Texas, approximately eight hundred miles north through Oklahoma to Abilene, Kansas.

(4) Lewis and Clark Trail, from Wood River, Illinois, to the Pacific Ocean in Oregon, following both the outbound and inbound routes of the Lewis and Clark Expedition.

(5) Natchez Trace, from Nashville, Tennessee, approximately six hundred miles to Natchez, Mississippi.

(6) North Country Trail, from the Appalachian Trail in Vermont, approximately three thousand two hundred miles through the States of New York, Pennsylvania, Ohio, Michigan, Wisconsin, and Minnesota, to the Lewis and Clark Trail in North Dakota.

(7) Kittanning Trail from Shirleysburg in Huntingdon County to Kittanning, Armstrong County, Pennsylvania.

(8) Oregon Trail, from Independence, Missouri, approximately two thousand miles to near Fort Vancouver, Washington.

(9) Santa Fe Trail, from Independence, Missouri, approximately eight hundred miles to Sante Fe, New Mexico.

(10) Long Trail, extending two hundred and fifty-five miles from the Massachusetts border northward through Vermont to the Canadian border.

(11) Mormon Trail, extending from Nauvoo, Illinois, to Salt Lake City, Utah, through the States of Iowa, Nebraska, and Wyoming.

(12) Gold Rush Trails in Alaska.

(13) Mormon Battalion Trail, extending two thousand miles from Mount Pisgah, Iowa, through Kansas, Colorado, New Mexico, and Arizona to Los Angeles, California.

(14) El Camino Real from St. Augustine to San Mateo, Florida, approximately 20 miles along the southern boundary of the St. Johns River from Fort Caroline National Memorial to the St. Augustine National Park Monument.

CONNECTING AND SIDE TRAILS

SEC. 6. Connecting or side trails within park, forest, and other recreation areas administered by the Secretary of the Interior or Secretary of Agriculture may be established, designated, and marked as components of a national recreation or national scenic trail. When no Federal land acquisition is involved, connecting or side trails may be located across lands administered by interstate, State, or local governmental agencies with their consent: *Provided*, That such trails provide additional points of public access to national recreation or scenic trails.

ADMINISTRATION AND DEVELOPMENT

SEC. 7. (a) Pursuant to section 5(a), the appropriate Secretary shall select the rights-of-way for National Scenic Trails and shall publish notice thereof in the Federal Register, together with appropriate maps and descriptions: *Provided*, That in selecting the rights-of-way full consideration shall be given to minimizing the adverse effects upon the adjacent landowner or user and his operation. Development and management of each segment of the National Trails System shall be designed to harmonize with and complement any established multiple-use plans for that specific area in order to insure continued maximum benefits from the land. The location and width of such rights-of-way across Federal lands under the jurisdiction of another Federal agency shall be by agreement between the head of that agency and the appropriate Secretary. In selecting rights-of-way for trail purposes, the Secretary shall obtain the advice and assistance of the States, local governments, private organizations, and landowners and land users concerned.

(b) After publication of notice in the Federal Register, together with appropriate maps and descriptions, the Secretary charged with the administration of a national scenic trail may relocate segments of a national scenic trail right-of-way, with the concurrence of the head of the Federal agency having jurisdiction over the lands involved, upon a determination that: (i) such a relocation is necessary to preserve the purposes for which the trail was established, or (ii) the relocation is necessary to promote a sound land management program in accordance with established multiple-use principles: *Provided*, That a substantial relocation of the rights-of-way for such trail shall be by Act of Congress.

(c) National scenic trails may contain campsites, shelters, and related-public-use facilities. Other uses along the trail, which will not substantially interfere with the nature and purposes of the trail, may be permitted by the Secretary charged with the administration of the trail. Reasonable efforts shall be made to provide sufficient

access opportunities to such trails and, to the extent practicable, efforts shall be made to avoid activities incompatible with the purposes for which such trails were established. The use of motorized vehicles by the general public along any national scenic trail shall be prohibited and nothing in this Act shall be construed as authorizing the use of motorized vehicles within the natural and historical areas of the national park system, the national wildlife refuge system, the national wilderness preservation system where they are presently prohibited or on other Federal lands where trails are designated as being closed to such use by the appropriate Secretary: *Provided*, That the Secretary charged with the administration of such trail shall establish regulations which shall authorize the use of motorized vehicles when, in his judgment, such vehicles are necessary to meet emergencies or to enable adjacent landowners or land users to have reasonable access to their lands or timber rights: *Provided further*, That private lands included in the national recreation or scenic trails by cooperative agreement of a landowner shall not preclude such owner from using motorized vehicles on or across such trails or adjacent lands from time to time in accordance with regulations to be established by the appropriate Secretary. The Secretary of the Interior and the Secretary of Agriculture, in consultation with appropriate governmental agencies and public and private organizations, shall establish a uniform marker, including thereon an appropriate and distinctive symbol for each national recreation and scenic trail. Where the trails cross lands administered by Federal agencies such markers shall be erected at appropriate points along the trails and maintained by the Federal agency administering the trail in accordance with standards established by the appropriate Secretary and where the trails cross non-Federal lands, in accordance with written cooperative agreements, the appropriate Secretary shall provide such uniform markers to cooperating agencies and shall require such agencies to erect and maintain them in accordance with the standards established.

(d) Within the exterior boundaries of areas under their administration that are included in the right-of-way selected for a national recreation or scenic trail, the heads of Federal agencies may use lands for trail purposes and may acquire lands or interests in lands by written cooperative agreement, donation, purchase with donated or appropriated funds or exchange: *Provided*, That not more than twenty-five acres in any one mile may be acquired without the consent of the owner.

(e) Where the lands included in a national scenic trail right-of-way are outside of the exterior boundaries of federally administered areas, the Secretary charged with

the administration of such trail shall encourage the States or local governments involved (1) to enter into written cooperative agreements with landowners, private organizations, and individuals to provide the necessary trail right-of-way, or (2) to acquire such lands or interests therein to be utilized as segments of the national scenic trail: *Provided*, That if the State or local governments fail to enter into such written cooperative agreements or to acquire such lands or interests therein within two years after notice of the selection of the right-of-way is published, the appropriate Secretary may (i) enter into such agreements with landowners, States, local governments, private organizations, and individuals for the use of lands for trail purposes, or (ii) acquire private lands or interests therein by donation, purchase with donated or appropriated funds or exchange in accordance with the provisions of subsection (g) of this section. The lands involved in such rights-of-way should be acquired in fee, if other methods of public control are not sufficient to assure their use for the purpose for which they are acquired: *Provided*, That if the Secretary charged with the administration of such trail permanently relocates the right-of-way and disposes of all title or interest in the land, the original owner, or his heirs or assigns, shall be offered, by notice given at the former owner's last known address, the right of first refusal at the fair market price.

(f) The Secretary of the Interior, in the exercise of his exchange authority, may accept title to any non-Federal property within the right-of-way and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which is located in the State wherein such property is located and which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. The Secretary of Agriculture, in the exercise of his exchange authority, may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(g) The appropriate Secretary may utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this section only in cases where, in his judgment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire only such title as, in his judgment, is reasonably necessary to provide passage across such lands: *Provided*, That condemnation proceedings may not be utilized to acquire fee title or lesser interests to more than

twenty-five acres in any one mile and when used such authority shall be limited to the most direct or practicable connecting trail right-of-way: *Provided further*, That condemnation is prohibited with respect to all acquisition of lands or interest in lands for the purposes of the Pacific Crest Trail. Money appropriated for Federal purposes from the land and water conservation fund shall, without prejudice to appropriations from other sources, be available to Federal departments for the acquisition of lands or interests in lands for the purposes of this Act.

(h) The Secretary charged with the administration of a national recreation or scenic trail shall provide for the development and maintenance of such trails within federally administered areas and shall cooperate with and encourage the States to operate, develop, and maintain portions of such trails which are located outside the boundaries of federally administered areas. When deemed to be in the public interest, such Secretary may enter written cooperative agreements with the States or their political subdivisions, landowners, private organizations, or individuals to operate, develop, and maintain any portion of a national scenic trail either within or outside a federally administered area.

Whenever the Secretary of the Interior makes any conveyance of land under any of the public land laws, he may reserve a right-of-way for trails to the extent he deems necessary to carry out the purposes of this Act.

(i) The appropriate Secretary, with the concurrence of the heads of any other Federal agencies administering lands through which a national recreation or scenic trail passes, and after consultation with the States, local governments, and organizations concerned, may issue regulation, which may be revised from time to time, governing the use, protection, management, development, and administration of trails of the national trails system. In order to maintain good conduct on and along the trails located within federally administered areas and to provide for the proper government and protection of such trails, the Secretary of the Interior and the Secretary of Agriculture shall prescribe and publish such uniform regulations as they deem necessary and any person who violates such regulations shall be guilty of a misdemeanor, and may be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

STATE AND METROPOLITAN AREA TRAILS

SEC. 8. (a) The Secretary of the Interior is directed to encourage States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for State and local projects submitted

pursuant to the Land and Water Conservation Fund Act, needs and opportunities for establishing park, forest, and other recreation trails on lands owned, or administered by States, and recreation trails on lands in or near urban areas. He is further directed, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), to encourage States, political subdivisions, and private interests, including nonprofit organizations, to establish such trails.

(b) The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance under section 701 of the Housing Act of 1954, to encourage the planning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is further directed, in administering the urban open-space program under title VII of the Housing Act of 1961, to encourage such recreation trails.

(c) The Secretary of Agriculture is directed, in accordance with authority vested in him, to encourage States and local agencies and private interests to establish such trails.

(d) Such trails may be designated and suitably marked as parts of the nationwide system of trails by the States, their political subdivisions, or other appropriate administering agencies with the approval of the Secretary of the Interior.

RIGHTS-OF-WAY AND OTHER PROPERTIES

SEC. 9. (a) The Secretary of the Interior or the Secretary of Agriculture as the case may be, may grant easements and rights-of-way upon, over, under, across, or along any component of the national trails system in accordance with the laws applicable to the national park system and the national forest system, respectively: *Provided*, That any conditions contained in such easements and rights-of-way shall be related to the policy and purposes of this Act.

(b) The Department of Defense, the Department of Transportation, the Interstate Commerce Commission, the Federal Communications Commission, the Federal Power Commission, and other Federal agencies having jurisdiction or control over or information concerning the use, abandonment, or disposition of roadways, utility rights-of-way, or other properties which may be suitable for the purpose of improving or expanding the national trails system shall cooperate with the Secretary of the Interior and the Secretary of Agriculture in order to assure, to the extent practicable, that any such properties having values suitable for trail purposes may be made available for such use.

AUTHORIZATION OF APPROPRIATIONS

SEC. 10. There are hereby authorized to be appropriated for the acquisition of lands or interests in lands not more than $5,000,000 for the Appalachian National Scenic Trail and not more than $500,000 for the Pacific Crest National Scenic Trail.

Approved October 2, 1968.

Legislative History

House Reports: No. 1631 accompanying H.R. 4865 (Committee on Interior and Insular Affairs) and No. 1891 (Committee of Conference).
Senate Report No. 1233 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 114 (1968):
July 1: Considered and passed Senate.
July 15: Considered and passed House, amended, in lieu of H.R. 4865.
Sept. 18: House agreed to conference report.
Sept. 19: Senate agreed to conference report.

20. Outdoor Recreation Programs

An Act to promote the coordination and development of effective programs relating to outdoor recreation, and for other purposes. (77 Stat. 49)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds and declares it to be desirable that all American people of present and future generations be assured adequate outdoor recreation resources, and that it is desirable for all levels of government and private interests to take prompt and coordinated action to the extent practicable without diminishing or effecting their respective powers and functions to conserve, develop, and utilize such resources for the benefit and enjoyment of the American people.

SEC. 2. In order to carry out the purposes of this Act, the Secretary of the Interior is authorized to perform the following functions and activities:

(a) INVENTORY.—Prepare and maintain a continuing inventory and evaluation of outdoor recreation needs and resources of the United States.

(b) CLASSIFICATION.—Prepare a system for classification of outdoor recreation resources to assist in the effective and beneficial use and management of such resources.

(c) NATIONWIDE PLAN.—Formulate and maintain a comprehensive nationwide outdoor recreation plan, taking into consideration the plans of the various Federal agencies, States, and their political subdivisions. The plan shall set forth the needs and demands of the public for outdoor recreation and the current and foreseeable availability in the future of outdoor recreation resources to meet those needs. The plan shall identify critical outdoor recreation problems, recommend solutions, and recommend desirable actions to be taken at each level of government and by private interests. The Secretary shall transmit the initial plan, which shall be prepared as soon as practicable within five years hereafter, to the President for transmittal to the Congress. Future revisions of the plan shall be similarly transmitted at succeeding five-year intervals. When a plan or revision is transmitted to the Congress, the Secretary shall transmit copies to the Governors of the several States.

(d) TECHNICAL ASSISTANCE.—Provide technical assistance and advice to and cooperate with States, political subdivisions, and private interests, including nonprofit organizations, with respect to outdoor recreation.

(e) REGIONAL COOPERATION.—Encourage interstate and regional cooperation in the planning, acquisition, and development of outdoor recreation resources.

(f) RESEARCH AND EDUCATION.—(1) Sponsor, engage in, and assist in research relating to outdoor recreation, directly or by contract or cooperative agreements, and make payments for such purposes without regard to the limitations of section 3648 of the Revised Statutes (31 U.S.C. 529) concerning advances of funds when he considers such action in the public interest, (2) undertake studies and assemble information concerning outdoor recreation, directly or by contract or cooperative agreement, and disseminate such information without regard to the provisions of section 4154, title 39, United States Code, and (3) cooperate with educational institutions and others in order to assist in establishing education programs and activities and to encourage public use and benefits from outdoor recreation.

(g) INTERDEPARTMENTAL COOPERATION.—(1) Cooperate with and provide technical assistance to Federal departments and agencies and obtain from them information, data, reports, advice, and assistance that are needed and can reasonably be furnished in carrying out the purposes of this Act and (2) promote coordination of Federal plans and activities generally relating to outdoor recreation. Any department or agency furnishing advice or assistance hereunder may expend its own funds for such purposes, with or without reimbursement, as may be agreed to by that agency.

(h) DONATIONS.—Accept and use donations of money, property, personal services, or facilities for the purposes of this Act.

SEC. 3. In order further to carry out the policy declared in section 1 of this Act, the heads of Federal departments and independent agencies having administrative responsibility over activities or resources the conduct or use of which is pertinent to fulfillment of that policy shall, either individually or as a group, (a) consult with and be consulted by the Secretary from time to time both with respect to their conduct of those activities and their use of those resources and with respect to the activities which the Secretary of the Interior carries on under authority of this Act which are pertinent to their work, and (b) carry out such responsibilities in general conformance with the nationwide plan authorized under section 2(c) of this Act.

SEC. 4. As used in this Act, the term "United States" shall include the District of Columbia and the terms "United States" and "States" may, to the extent practicable, include the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

Approved May 28, 1963, 10:13 a.m.

Legislative History

House Reports: No. 160 accompanying H.R. 1762 (Interior and Insular Affairs Committee); 303 (Conference Committee).

Snate Report No. 11 (Interior and Insular Affairs Committee).
Congressional Record, Vol. 109 :
Mar. 7, 8, 1963 ; Considered in Senate.
Mar. 11, 1963 ; Considered and passed Senate.
Apr. 29, 1963 ; Considered and passed House amended (in lieu of H.R. 1762).
May 1, 1963 ; Senate disagrees to House amendments and requests conference.
May 16, 1963 ; Conference report agreed to in House.
May 16, 1963 ; Conference report agreed to in Senate.

21. Research Contracts

An Act to authorize the Secretary of the Interior to enter into contracts for scientific and technological research, and for other purposes. (80 Stat. 951)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior is authorized to enter into contracts with educational institutions, public or private agencies or organizations, or persons for the conduct of scientific or technological research into any aspect of the problems related to the programs of the Department of the Interior which are authorized by statute.

(b) The Secretary shall require a showing that the institutions, agencies, organizations, or persons with which he expects to enter into contracts pursuant to this section have the capability of doing effective work. He shall furnish such advice and assistance as he believes will best carry out the mission of the Department of the Interior, participate in coordinating all research initiated under this section, indicate the lines of inquiry which seem to him most important, and encourage and assist in the establishment and maintenance of cooperation by and between the institutions, agencies, organizations, or persons and between them and other research organizations, the United States Department of the Interior, and other Federal agencies.

(c) The Secretary may from time to time disseminate in the form of reports or publications to public or private agencies or organizations, or individuals such information as he deems desirable on the research carried out pursuant to this section.

(d) No contract involving more than $25,000 shall be executed under subsection (a) of this section prior to thirty calendar days from the date the same is submitted to the President of the Senate and the Speaker of the House of Representatives and said thirty calendar days shall not include days on which either the Senate or the House of Representatives is not in session because of an adjournment of more than three calendar days to a day certain or an adjournment sine die.

SEC. 2. The Secretary shall prescribe such rules and regulations as he deems necessary to carry out the provisions of this Act.

SEC. 3. Nothing contained in this Act is intended to amend, modify, or repeal any provisions of law administered by the Secretary of the Interior which authorize the making of contracts for research.

Approved October 15, 1966.

Legislative History

House Report No. 2068 (Committee on Interior and Insular Affairs).
Senate Report No. 1523 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 112 (1966) :
Aug. 29 : Considered and passed Senate.
Oct. 3 : Considered and passed House, amended.
Oct. 10 : Senate concurred in House amendment.

22. Travel Promotion in the United States

An Act to amend authority of the Secretary of the Interior under the Act of July 19, 1940 (54 Stat. 773), to encourage through the National Park Service travel in the United States, and for other purposes. (84 Stat. 1437)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act to encourage travel in the United States, and for other purposes", approved July 19, 1940 (54 Stat. 773), is amended to read as follows:

"SEC. 5. For the purpose of carrying out the provisions of this Act, there is authorized to be appropriated not to exceed $250,000 for the fiscal year 1971 and not to exceed $750,000 for the fiscal year 1972."

Approved December 14, 1970.

Legislative History

House Report No. 91–977 (Committee on Interstate and Foreign Commerce).
Senate Report No. 91–1373 (Committee on Commerce).
Congressional Record, Vol. 116 (1970):
Apr. 27, considered and passed House.
Dec. 1, considered and passed Senate.

23. Volunteers in the Parks Act of 1969

An Act to authorize the Secretary of the Interior to establish a volunteers in the park program, and for other purposes. (84 Stat. 472)

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 (hereinafter referred to as the Secretary) is authorized to recruit, train, and accept without regard to the civil service classification laws, rules, or regulations the services of individuals without compensation as volunteers for or in aid of interpretive functions, or other visitor services or activities in and related to areas administered by the Secretary through the National Park Service.

SEC. 2. The Secretary is authorized to provide for incidental expenses such as transportation, uniforms, lodging, and subsistence.

SEC. 3. (a) Except as otherwise provided in this section, a volunteer shall not be deemed a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(b) For the purpose of the tort claim provisions of title 28 of the United States Code, a volunteer under this Act shall be considered a Federal employee.

(c) For the purposes of subchapter I of chapter 81 of title 5 of the United States Code, relating to compensation to Federal employees for work injuries, volunteers under this Act shall be deemed civil employees of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provisions of that subchapter shall apply.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not more than $100,000 shall be appropriated in any one year.

SEC. 5. This Act may be cited as the "Volunteers in the Parks Act of 1969."

Approved July 29, 1970.

Legislative History

House Report No. 91–1122 (Committee on Interior and Insular Affairs).
Senate Report No. 91–1013 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970):
June 1, considered and passed House.
July 14, considered and passed Senate.

24. Wild and Scenic Rivers Act

An Act to provide for a National Wild and Scenic Rivers System, and for other purposes. (82 Stat. 906)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) this Act may be cited as the "Wild and Scenic Rivers Act."

(b) It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations. The Congress declares that the established national policy of dam and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes.

(c) The purpose of this Act is to implement this policy by instituting a national wild and scenic rivers system, by designating the initial components of that system, and by prescribing the methods by which and standards according to which additional components may be added to the system from time to time.

SEC. 2. (a) The national wild and scenic rivers system shall comprise rivers (i) that are authorized for inclusion therein by Act of Congress, or (ii) that are designated as wild, scenic or recreational rivers by or pursuant to an act of the legislature of the State or States through which they flow, that are to be permanently administered as wild, scenic or recreational rivers by an agency or political subdivision of the State or States concerned without expense to the United States, that are found by the Secretary of the Interior, upon application of the Governor of the State or the Governors of the States concerned, or a person or persons thereunto duly appointed by him or them, to meet the criteria established in this Act and such criteria supplementary thereto as he may prescribe, and that are approved by him for inclusion in the system, including, upon application of the Governor of the State concerned, the Allagash Wilderness Waterway, Maine, and that segment of the Wolf River, Wisconsin, which flows through Langlade County.

(b) A wild, scenic or recreational river area eligible to be included in the system is a free-flowing stream and

the related adjacent land area that possesses one or more of the values referred to in section 1, subsection (b) of this Act. Every wild, scenic or recreational river in its free-flowing condition, or upon restoration to this condition, shall be considered eligible for inclusion in the national wild and scenic rivers system and, if included, shall be classified, designated, and administered as one of the following:

(1) Wild river areas—Those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America.

(2) Scenic river areas—Those rivers or sections of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads.

(3) Recreational river areas—those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past.

SEC. 3. (a) The following rivers and the land adjacent thereto are hereby designated as components of the national wild and scenic rivers system:

(1) CLEARWATER, MIDDLE FORK, IDAHO.—The Middle Fork from the town of Kooskia upstream to the town of Lowell; the Lochsa River from its junction with the Selway at Lowell forming the Middle Fork, upstream to the Powell Ranger Station; and the Selway River from Lowell upstream to its origin; to be administered by the Secretary of Agriculture.

(2) ELEVEN POINT, MISSOURI.—The segment of the river extending downstream from Thomasville to State Highway 142; to be administered by the Secretary of Agriculture.

(3) FEATHER, CALIFORNIA.—The entire Middle Fork; to be administered by the Secretary of Agriculture.

(4) RIO GRANDE, NEW MEXICO.—The segment extending from the Colorado State line downstream to the State Highway 96 crossing, and the lower four miles of the Red River; to be administered by the Secretary of the Interior.

(5) ROGUE, OREGON.—The segment of the river extending from the mouth of the Applegate River downstream to the Lobster Creek Bridge; to be administered by agencies of the Departments of the Interior or Agriculture as agreed upon by the Secretaries of said Departments or as directed by the President.

(6) SAINT CROIX, MINNESOTA AND WISCONSIN.—The segment between the dam near Taylors Falls, Minnesota,

and the dam near Gordon, Wisconsin, and its tributary, the Namekagon, from Lake Namekagon downstream to its confluence with the Saint Croix; to be administered by the Secretary of the Interior: *Provided*, That except as may be required in connection with items (a) and (b) of this paragraph, no funds available to carry out the provisions of this Act may be expended for the acquisition or development of lands in connection with, or for administration under this Act of, that portion of the Saint Croix River between the dam near Taylors Falls, Minnesota, and the upstream end of Big Island in Wisconsin, until sixty days after the date on which the Secretary has transmitted to the President of the Senate and Speaker of the House of Representatives a proposed cooperative agreement between the Northern States Power Company and the United States (a) whereby the company agrees to convey to the United States, without charge, appropriate interests in certain of its lands between the dam near Taylors Falls, Minnesota, and the upstream end of Big Island in Wisconsin, including the company's right, title, and interest to approximately one hundred acres per mile, and (b) providing for the use and development of other lands and interests in land retained by the company between said points adjacent to the river in a manner which shall complement and not be inconsistent with the purposes for which the lands and interests in land donated by the company are administered under this Act. Said agreement may also include provision for State or local governmental participation as authorized under subsection (e) of section 10 of this Act.

(7) SALMON, MIDDLE FORK, IDAHO.—From its origin to its confluence with the main Salmon River; to be administered by the Secretary of Agriculture.

(8) WOLF, WISCONSIN.—From the Langlade-Menominee County line downstream to Keshena Falls; to be administered by the Secretary of the Interior.

(b) The agency charged with the administration of each component of the national wild and scenic rivers system designated by subsection (a) of this section shall, within one year from the date of this Act, establish detailed boundaries therefor (which boundaries shall include an average of not more than three hundred and twenty acres per mile on both sides of the river); determine which of the classes outlined in section 2, subsection (b), of this Act best fit the river or its various segments; and prepare a plan for necessary developments in connection with its administration in accordance with such classification. Said boundaries, classification, and development plans shall be published in the Federal Register and shall not become effective until ninety days after they

have been forwarded to the President of the Senate and the Speaker of the House of Representatives.

SEC. 4. (a) The Secretary of the Interior or, where national forest lands are involved, the Secretary of Agriculture or, in appropriate cases, the two Secretaries jointly shall study and from time to time submit to the President and the Congress proposals for the addition to the national wild and scenic rivers system of rivers which are designated herein or hereafter by the Congress as potential additions to such system; which, in his or their judgment, fall within one or more of the classes set out in section 2, subsection (b), of this Act; and which are proposed to be administered, wholly or partially, by an agency of the United States. Every such study and plan shall be coordinated with any water resources planning involving the same river which is being conducted pursuant to the Water Resources Planning Act (79 Stat. 244; 42 U.S.C. 1962 et seq.).

Each proposal shall be accompanied by a report, including maps and illustrations, showing among other things the area included within the proposal; the characteristics which make the area a worthy addition to the system; the current status of land ownership and use in the area; the reasonably foreseeable potential uses of the land and water which would be enhanced, foreclosed, or curtailed if the area were included in the national wild and scenic rivers system; the Federal agency (which in the case of a river which is wholly or substantially within a national forest, shall be the Department of Agriculture) by which it is proposed the area be administered; the extent to which it is proposed that administration, including the costs thereof, be shared by State and local agencies; and the estimated cost to the United States of acquiring necessary lands and interests in land and of administering the area as a component of the system. Each such report shall be printed as a Senate or House document.

(b) Before submitting any such report to the President and the Congress, copies of the proposed report shall, unless it was prepared jointly by the Secretary of the Interior and the Secretary of Agriculture, be submitted by the Secretary of the Interior to the Secretary of Agriculture or by the Secretary of Agriculture to the Secretary of the Interior, as the case may be, and to the Secretary of the Army, the Chairman of the Federal Power Commission, the head of any other affected Federal department or agency and, unless the lands proposed to be included in the area are already owned by the United States or have already been authorized for acquisition by Act of Congress, the Governor of the State or States in which they are located or an officer designated by the Governor to receive the same. Any recommendations or comments on

the proposal which the said officials furnish the Secretary or Secretaries who prepared the report within ninety days of the date on which the report is submitted to them, together with the Secretary's or Secretaries' comments thereon, shall be included with the transmittal to the President and the Congress. No river or portion of any river shall be added to the national wild and scenic rivers system subsequent to enactment of this Act until the close of the next full session of the State legislature, or legislatures in case more than one State is involved, which begins following the submission of any recommendation to the President with respect to such addition as herein provided.

(c) Before approving or disapproving for inclusion in the national wild and scenic rivers system any river designated as a wild, scenic or recreational river by or pursuant to an act of a State legislature, the Secretary of the Interior shall submit the proposal to the Secretary of Agriculture, the Secretary of the Army, the Chairman of the Federal Power Commission, and the head of any other affected Federal department or agency and shall evaluate and give due weight to any recommendations or comments which the said officials furnish him within ninety days of the date on which it is submitted to them. If he approves the proposed inclusion, he shall publish notice thereof in the Federal Register.

SEC. 5. (a) The following rivers are hereby designated for potential addition to the national wild and scenic rivers system:

(1) Allegheny, Pennsylvania: The segment from its mouth to the town of East Brady, Pennsylvania.

(2) Bruneau, Idaho: The entire main stem.

(3) Buffalo, Tennessee: The entire river.

(4) Chattooga, North Carolina, South Carolina, and Georgia: The entire river.

(5) Clarion, Pennsylvania: The segment between Ridgway and its confluence with the Allegheny River.

(6) Delaware, Pennsylvania and New York: The segment from Hancock, New York, to Matamoras, Pennsylvania.

(7) Flathead, Montana: The North Fork from the Canadian border downstream to its confluence with the Middle Fork; the Middle Fork from its headwaters to its confluence with the South Fork; and the South Fork from its origin to Hungry Horse Reservoir.

(8) Gasconade, Missouri: The entire river.

(9) Illinois, Oregon: The entire river.

(10) Little Beaver, Ohio: The segment of the North and Middle Forks of the Little Beaver River in Columbiana County from a point in the vicinity of Negly and Elkton, Ohio, downstream to a point in the vicinity of East Liverpool, Ohio.

(11) Little Miami, Ohio: That segment of the main stem of the river, exclusive of its tributaries, from a point at the Warren-Clermont County line at Loveland, Ohio, upstream to the sources of Little Miami including North Fork.

(12) Maumee, Ohio and Indiana: The main stem from Perrsyburg, Ohio, to Fort Wayne, Indiana, exclusive of its tributaries in Ohio and inclusive of its tributaries in Indiana.

(13) Missouri, Montana: The segment between Fort Benton and Ryan Island.

(14) Moyie, Idaho: The segment from the Canadian border to its confluence with the Kootenai River.

(15) Obed, Tennessee: The entire river and its tributaries, Clear Creek and Daddy Creek.

(16) Penobscot, Maine: Its east and west branches.

(17) Pere Marquette, Michigan: The entire river.

(18) Pine Creek, Pennsylvania: The segment from Ansonia to Waterville.

(19) Priest, Idaho: The entire main stem.

(20) Rio Grande, Texas: The portion of the river between the west boundary of Hudspeth County and the east boundary of Terrell County on the United States side of the river: *Provided*, That before undertaking any study of this potential scenic river, the Secretary of the Interior shall determine, through the channels of appropriate Executive agencies, that Mexico has no objection to its being included among the studies authorized by this Act.

(21) Saint Croix, Minnesota and Wisconsin: The segment between the dam near Taylors Falls and its confluence with the Mississippi River.

(22) Saint Joe, Idaho: The entire main stem.

(23) Salmon, Idaho: The segment from the town of North Fork to its confluence with the Snake River.

(24) Skagit, Washington: The segment from the town of Mount Vernon to and including the mouth of Bacon Creek; the Cascade River between its mouth and the junction of its North and South Forks; the South Fork to the boundary of the Glacier Peak Wilderness Area; the Suiattle River from its mouth to the Glacier Peak Wilderness Area boundary at Milk Creek; the Sauk River from its mouth to its junction with Elliott Creek; the North Fork of the Sauk River from its junction with the South Fork of the Sauk to the Glacier Peak Wilderness Area boundary.

(25) Suwannee, Georgia and Florida: The entire river from its source in the Okefenokee Swamp in Georgia to the gulf and the outlying Ichetucknee Springs, Florida.

(26) Upper Iowa, Iowa: The entire river.

(27) Youghiogheny, Maryland and Pennsylvania: The segment from Oakland, Maryland, to the Youghio-

gheny Reservoir, and from the Youghiogheny Dam downstream to the town of Connellsville, Pennsylvania.

(b) The Secretary of the Interior and, where national forest lands are involved, the Secretary of Agriculture shall proceed as expeditiously as possible to study each of the rivers named in subsection (a) of this section in order to determine whether it should be included in the national wild and scenic rivers system. Such studies shall be completed and reports made thereon to the President and the Congress, as provided in section 4 of this Act, within ten years from the date of this Act: *Provided however*, That with respect to the Suwannee River, Georgia and Florida, and the Upper Iowa River, Iowa, such study shall be completed and reports made thereon to the President and the Congress, as provided in section 4 of this Act, within two years from the date of enactment of this Act. In conducting these studies the Secretary of the Interior and the Secretary of Agriculture shall give priority to those rivers with respect to which there is the greatest likelihood of developments which, if undertaken, would render them unsuitable for inclusion in the national wild and scenic rivers system.

(c) The study of any of said rivers shall be pursued in as close cooperation with appropriate agencies of the affected State and its political subdivisions as possible, shall be carried on jointly with such agencies if request for such joint study is made by the State, and shall include a determination of the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the national wild and scenic rivers system.

(d) In all planning for the use and development of water and related land resources, consideration shall be given by all Federal agencies involved to potential national wild, scenic and recreational river areas, and all river basin and project plan reports submitted to the Congress shall consider and discuss any such potentials. The Secretary of the Interior and the Secretary of Agriculture shall make specific studies and investigations to determine which additional wild, scenic and recreational river areas within the United States shall be evaluated in planning reports by all Federal agencies as potential alternative uses of the water and related land resources involved.

SEC. 6. (a) The Secretary of the Interior and the Secretary of Agriculture are each authorized to acquire lands and interests in land within the authorized boundaries of any component of the national wild and scenic rivers system designated in section 3 of this Act, or hereafter designated for inclusion in the system by Act of Congress, which is administered by him, but he shall not acquire

fee title an average of more than 100 acres per mile on both sides of the river. Lands owned by a State may be acquired only by donation, and lands owned by an Indian tribe or a political subdivision of a State may not be acquired without the consent of the appropriate governing body thereof as long as the Indian tribe or political subdivision is following a plan for management and protection of the lands which the Secretary finds protects the land and assures its use for purposes consistent with this Act. Money appropriated for Federal purposes from the land and water conservation fund shall, without prejudice to the use of appropriations from other sources, be available to Federal departments and agencies for the acquisition of property for the purposes of this Act.

(b) If 50 per centum or more of the entire acreage within a federally administered wild, scenic or recreational river area is owned by the United States, by the State or States within which it lies, or by political subdivisions of those States, neither Secretary shall acquire fee title to any lands by condemnation under authority of this Act. Nothing contained in this section, however, shall preclude the use of condemnation when necessary to clear title or to acquire scenic easements or such other easements as are reasonably necessary to give the public access to the river and to permit its members to traverse the length of the area or of selected segments thereof.

(c) Neither the Secretary of the Interior nor the Secretary of Agriculture may acquire lands by condemnation, for the purpose of including such lands in any national wild, scenic or recreational river area, if such lands are located within any incorporated city, village, or borough which has in force and applicable to such lands a duly adopted, valid zoning ordinance that conforms with the purposes of this Act. In order to carry out the provisions of this subsection the appropriate Secretary shall issue guidelines, specifying standards for local zoning ordinances, which are consistent with the purposes of this Act. The standards specified in such guidelines shall have the object of (A) prohibiting new commercial or industrial uses other than commercial or industrial uses which are consistent with the purposes of this Act, and (B) the protection of the bank lands by means of acreage, frontage, and setback requirements on development.

(d) The appropriate Secretary is authorized to accept title to non-Federal property within the authorized boundaries of any federally administered component of the national wild and scenic rivers systems designated in section 3 of this Act or hereafter designated for inclusion in the system by Act of Congress and, in exchange therefor, convey to the grantor any federally owned property which is under his jurisdiction within the State in

which the component lies and which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal or, if they are not approximately equal, shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

(e) The head of any Federal department or agency having administrative jurisdiction over any lands or interests in land within the authorized boundaries of any federally administered component of the national wild and scenic rivers system designated in section 3 of this Act or hereafter designated for inclusion in the system by Act of Congress is authorized to transfer to the appropriate secretary jurisdiction over such lands for administration in accordance with the provisions of this Act. Lands acquired by or transferred to the Secretary of Agriculture for the purposes of this Act within or adjacent to a national forest shall upon such acquisition or transfer become national forest lands.

(f) The appropriate Secretary is authorized to accept donations of lands and interests in land, funds, and other property for use in connection with his administration of the national wild and scenic rivers system.

(g) (1) Any owner or owners (hereinafter in this subsection referred to as "owner") of improved property on the date of its acquisition, may retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years or, in lieu thereof, for a term ending at the death of the owner, or the death of his spouse, or the death of either or both of them. The owner shall elect the term to be reserved. The appropriate 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) A right of use and occupancy retained pursuant to this subsection shall be subject to termination whenever the appropriate Secretary is given reasonable cause to find that such use and occupancy is being exercised in a manner which conflicts with the purposes of this Act. In the event of such a finding, the Secretary shall tender to the holder of that right an amount equal to the fair market value of the portion of the right which remains unexpired on the date of termination. Such right of use or occupancy shall terminate by operation of law upon tender of the fair market price.

(3) The term "improved property", as used in this Act, means a detached, one-family dwelling (hereinafter referred to as "dwelling"), the construction of which was begun before January 1, 1967, together with so much of the land on which the dwelling is situated, the said land

being in the same ownership as the dwelling, as the appropriate Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

SEC. 7. (a) The Federal Power Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), on or directly affecting any river which is designated in section 3 of this Act as a component of the national wild and scenic rivers system or which is hereafter designated for inclusion in that system, and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration. Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above a wild, scenic or recreational river area or on any stream tributary thereto which will not invade the area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area on the date of approval of this Act. No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary charged with its administration, or request appropriations to begin construction of any such project, whether heretofore or hereafter authorized, without advising the Secretary of the Interior or the Secretary of Agriculture, as the case may be, in writing of its intention so to do at least sixty days in advance, and without specifically reporting to the Congress in writing at the time it makes its recommendation or request in what respect construction of such project would be in conflict with the purposes of this Act and would affect the component and the values to be protected by it under this Act.

(b) The Federal Power Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act, as amended, on or directly affecting any river which is listed in section 5, subsection (a), of this Act, and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values

for which such river might be designated, as determined by the Secretary responsible for its study or approval—

(i) during the five-year period following enactment of this Act unless, prior to the expiration of said period, the Secretary of the Interior and, where national forest lands are involved, the Secretary of Agriculture, on the basis of study, conclude that such river should not be included in the national wild and scenic rivers system and publish notice to that effect in the Federal Register, and

(ii) during such additional period thereafter as, in the case of any river which is recommended to the President and the Congress for inclusion in the national wild and scenic rivers system, is necessary for congressional consideration thereof or, in the case of any river recommended to the Secretary of the Interior for inclusion in the national wild and scenic rivers system under section 2(a)(ii) of this Act, is necessary for the Secretary's consideration thereof, which additional period, however, shall not exceed three years in the first case and one year in the second.

Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above a potential wild, scenic or recreational river area or on any stream tributary thereto which will not invade the area or diminish the scenic, recreational, and fish and wildlife values present in the potential wild, scenic or recreational river areas on the date of approval of this Act. No department or agency of the United States shall, during the periods hereinbefore specified, recommend authorization of any water resources project on any such river or request appropriations to begin construction of any such project, whether heretofore or hereafter authorized, without advising the Secretary of the Interior and, where national forest lands are involved, the Secretary of Agriculture in writing of its intention so to do at least sixty days in advance of doing so and without specifically reporting to the Congress in writing at the time it makes its recommendation or request in what respect construction of such project would be in conflict with the purposes of this Act and would affect the component and the values to be protected by it under this Act.

(c) The Federal Power Commission and all other Federal agencies shall, promptly upon enactment of this Act, inform the Secretary of the Interior and, where national forest lands are involved, the Secretary of Agriculture, of any proceeding, studies, or other activities within their jurisdiction which are now in progress and which affect or may affect any of the rivers specified in section 5, subsection (a), of this Act. They shall likewise

inform him of any such proceedings, studies, or other activities which are hereafter commenced or resumed before they are commenced or resumed.

(d) Nothing in this section with respect to the making of a loan or grant shall apply to grants made under the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 4601–5 et seq.).

SEC. 8 (a) All public lands within the authorized boundaries of any component of the national wild and scenic rivers system which is designated in section 3 of this Act or which is hereafter designated for inclusion in that system are hereby withdrawn from entry, sale, or other disposition under the public land laws of the United States.

(b) All public lands which constitute the bed or bank, or are within one-quarter mile of the bank, of any river which is listed in section 5, subsection (a), of this Act are hereby withdrawn from entry, sale, or other disposition under the public land laws of the United States for the periods specified in section 7, subsection (b), of this Act.

SEC. 9. (a) Nothing in this Act shall affect the applicability of the United States mining and mineral leasing laws within components of the national wild and scenic rivers system except that—

(i) all prospecting, mining operations, and other activities on mining claims which, in the case of a component of the system designated in section 3 of this Act, have not heretofore been perfected or which, in the case of a component hereafter designated pursuant to this Act or any other Act of Congress, are not perfected before its inclusion in the system and all mining operations and other activities under a mineral lease, license, or permit issued or renewed after inclusion of a component in the system shall be subject to such regulations as the Secretary of the Interior or, in the case of national forest lands, the Secretary of Agriculture may prescribe to effectuate the purposes of this Act;

(ii) subject to valid existing rights, the perfection of, or issuance of a patent to, any mining claim affecting lands within the system shall confer or convey a right or title only to the mineral deposits and such rights only to the use of the surface and the surface resources as are reasonably required to carrying on prospecting or mining operations and are consistent with such regulations as may be prescribed by the Secretary of the Interior or, in the case of national forest lands, by the Secretary of Agriculture; and

(iii) subject to valid existing rights, the minerals in Federal lands which are part of the system and

constitute the bed or bank or are situated within one-quarter mile of the bank of any river designated a wild river under this Act or any subsequent Act are hereby withdrawn from all forms of appropriation under the mining laws and from operation of the mineral leasing laws including, in both cases, amendments thereto.

Regulations issued pursuant to paragraphs (i) and (ii) of this subsection shall, among other things, provide safeguards against pollution of the river involved and unnecessary impairment of the scenery within the component in question.

(b) The minerals in any Federal lands which constitute the bed or bank or are situated within one-quarter mile of the bank of any river which is listed in section 5, subsection (a) of this Act are hereby withdrawn from all forms of appropriation under the mining laws during the periods specified in section 7, subsection (b) of this Act. Nothing contained in this subsection shall be construed to forbid prospecting or the issuance or leases, licenses, and permits under the mineral leasing laws subject to such conditions as the Secretary of the Interior and, in the case of national forest lands, the Secretary of Agriculture find appropriate to safeguard the area in the event it is subsequently included in the system.

SEC. 10. (a) Each component of the national wild and scenic river system shall be administered in such manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values. In such administration primary emphasis shall be given to protecting its esthetic, scenic, historic, archeologic, and scientific features. Management plans for any such component may establish varying degrees of intensity for it protection and development, based on the special attributes of the area.

(b) Any portion of a component of the national wild and scenic rivers system that is within the national wilderness preservation system, as established by or pursuant to the Act of September 3, 1964 (78 Stat. 890; 16 U.S.C., ch. 23), shall be subject to the provisions of both the Wilderness Act and this Act with respect to preservation of such river and its immediate environment and in case of conflict between the provisions of these Acts the more restrictive provisions shall apply.

(m) Any component of the national wild and scenic rivers system that is administered by the Secretary of the Interior through the National Park Service shall become a part of the national park system, and any such component that is administered by the Secretary through the

Fish and Wildlife Service shall become part of the national wildlife refuge system. The lands involved shall be subject to the provisions of this Act and the Acts under which the national park system or national wildlife system, as the case may be, is administered, and in case of conflict between the provisions of these Acts, the more restrictive provisions shall apply. The Secretary of the Interior, in his administration of any component of the national wild and scenic rivers system, may utilize such general stautory authorities relating to areas of the national park system and such general statutory authorities otherwise available to him for recreation and preservation purposes and for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(d) The Secretary of Agriculture, in his administration of any component of the national wild and scenic rivers system area, may utilize the general statutory authorities relating to the national forests in such manner as he deems approrpiate to carry out the purposes of this Act.

(e) The Federal agency charged with the administration of any component of the national wild and scenic rivers system may enter into written cooperative agreements with the Governor of a State, the head of any State agency, or the appropriate official of a political subdivision of a State for State or local governmental participation in the administration of the component. The States and their political subdivisions shall be encouraged to cooperate in the planning and administration of components of the system which include or adjoin State- or county-owned lands.

SEC. 11. (a) The Secretary of the Interior shall encourage and assist the States to consider, in formulating and carrying out their comprehensive statewide outdoor recreation plans and proposals for financing assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), needs and opportunities for establishing State and local wild, scenic and recreational river areas. He shall also, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), provide technical assistance and advice to, and cooperate with, States, political subdivisions, and private interests, including nonprofit organizations, with respect to establishing such wild, scenic and recreational river areas.

(b) The Secretaries of Agriculture and of Health, Education, and Welfare shall likewise, in accordance with the authority vested in them, assist, advise, and cooperate with State and local agencies and private interests with respect to establishing such wild, scenic and recreational river areas.

SEC. 12. (a) The Secretary of the Interior, the Secretary of Agriculture, and heads of other Federal agencies shall review administrative and management policies, regulations, contracts, and plans affecting lands under their respective jurisdictions which include, border upon, or are adjacent to the rivers listed in subsection (a) of section 5 of this Act in order to determine what actions should be taken to protect such rivers during the period they are being considered for potential addition to the national wild and scenic rivers system. Particular attention shall be given to scheduled timber harvesting, road construction, and similar activities which might be contrary to the purposes of this Act.

(b) Nothing in this section shall be construed to abrogate any existing rights, privileges, or contracts affecting Federal lands held by any private party without the consent of said party.

(c) The head of any agency administering a component of the national wild and scenic rivers system shall cooperate with the Secretary of the Interior and with the appropriate State water pollution control agencies for the purpose of eliminating or diminishing the pollution of waters of the river.

SEC. 13. (a) Nothing in this Act shall affect the jurisdiction or responsibilities of the States with respect to fish and wildlife. Hunting and fishing shall be permitted on lands and waters administered as parts of the system under applicable State and Federal laws and regulations unless, in the case of hunting, those lands or waters are within a national park or monument. The administering Secretary may, however, designate zones where, and establish periods when, no hunting is permitted for reasons of public safety, administration, or public use and enjoyment and shall issue appropriate regulations after consultation with the wildlife agency of the State or States affected.

(b) The jurisdiction of the States and the United States over waters of any stream included in a national wild, scenic or recreational river area shall be determined by established principles of law. Under the provisions of this Act, any taking by the United States of a water right which is vested under either State or Federal law at the time such river is included in the national wild and scenic rivers system shall entitle the owner thereof to just compensation. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(c) Designation of any stream or portion thereof as a national wild, scenic or recreational river area shall not be construed as a reservation of the waters of such streams for purposes other than those specified in this

Act, or in quantities greater than necessary to accomplish these purposes.

(d) The jurisdiction of the States over waters of any stream included in a national wild, scenic or recreational river area shall be unaffected by this Act to the extent that such jurisdiction may be exercised without impairing the purposes of this Act or its administration.

(e) Nothing contained in this Act shall be construed to alter, amend, repeal, interpret, modify, or be in conflict with any interstate compact made by any States which contain any portion of the national wild and scenic rivers system.

(f) Nothing in this Act shall affect existing rights of any State, including the right of access, with respect to the beds of navigable streams, tributaries, or rivers (or segments thereof) located in a national wild, scenic or recreational river area.

(g) The Secretary of the Interior or the Secretary of Agriculture, as the case may be, may grant easements and rights-of-way upon, over, under, across, or through any component of the national wild and scenic rivers system in accordance with the laws applicable to the national park system and the national forest system, respectively: *Provided*, That any conditions precedent to granting such eastments and rights-of-way shall be related to the policy and purpose of this Act.

SEC. 14. The claim and allowance of the value of an eastment as a charitable contribution under section 170 of the title 26, United States Code, or as a gift under section 2522 of said title shall constitute an agreement by the donor on behalf of himself, his heirs, and assigns that, if the terms of the instrument creating the easement are violated, the donee or the United States may acquire the servient estate at its fair market value as of the time the easement was donated minus the value of the easement claimed and allowed as a charitable contribution or gift.

SEC. 15. As used in this Act, the term—

(a) "River" means a flowing body of water or estuary or a section, portion, or tributary thereof, including rivers, streams, creeks, runs, kills, rills, and small lakes.

(b) "Free-flowing", as applied to any river or section of a river, means existing or flowing in natural condition without impoundment, diversion, straightening, rip-rapping, or other modification of the waterway. The existence, however, of low dams, diversion works, and other minor structures at the time any river is proposed for inclusion in the national wild and scenic rivers system shall not automatically bar its consideration for such inclusion: *Provided*, That this shall not be construed to authorize, intend, or encourage future construction of such

structures within components of the national wild and scenic rivers system.

(c) "Scenic easement" means the right to control the use of land (including the air space above such land) for the purpose of protecting the scenic view from the river, but such control shall not affect without the owner's consent, any regular use exercised prior to the acquision of the easement.

SEC. 16. There are hereby authorized to be appropriated such sums as may be necessary, but not more than $17,000,000, for the acquisition of lands and interests in land under the provisions of this Act.

Approved October 2, 1968.

Legislative History

House Reports: No. 1623 accompanying H.R. 18260 (Committee on Interior and Insular Affairs) and No. 1917 (Committee of Conference).
Senate Report No. 491 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 113 (1967): Aug. 8, considered and passed Senate.
Vol. 114 (1968):
July 15, Sept. 12, considered and passed House, amended, in lieu of H.R. 18260.
Sept. 25, House agreed to conference report.
Sept. 26, Senate agreed to conference report.

25. Wilderness Act

An Act to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes. (78 Stat. 890)

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

SHORT TITLE

SECTION 1. This Act may be cited as the "Wilderness Act".

WILDERNESS SYSTEM ESTABLISHED STATEMENT OF POLICY

SEC. 2. (a) In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefit of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this Act or by a subsequent Act.

(b) The inclusion of an area in the National Wilderness Preservation System notwithstanding, the area shall continue to be managed by the Department and agency having jurisdiction thereover immediately before its inclusion in the National Wilderness Preservation System unless otherwise provided by Act of Congress. No appropriation shall be available for the payment of expenses or salaries for the administration of the National Wilderness Preservation System as a separate unit nor shall any appropriations be available for additional personnel stated as being required solely for the purpose of managing or administering areas solely because they are included within the National Wilderness Preservation System.

DEFINITION OF WILDERNESS

(c) A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

NATIONAL WILDERNESS PRESERVATION SYSTEM—EXTENT OF SYSTEM

SEC. 3. (a) All areas within the national forests classified at least 30 days before the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness", "wild", or "canoe" are hereby designated as wilderness areas. The Secretary of Agriculture shall—

(1) Within one year after the effective date of this Act, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

(b) The Secretary of Agriculture shall, within ten years after the enactment of this Act, review, as to its suitability or nonsuitability for preservation as wilder-

ness, each area in the national forests classified on the effective date of this Act by the Secretary of Agriculture or the Chief of the Forest Service as "primitive" and report his findings to the President. The President shall advise the United States Senate and House of Representatives of his recommendations with respect to the designation as "wilderness" or other reclassification of each area on which review has been completed, together with maps and a definition of boundaries. Such advice shall be given with respect to not less than one-third of all the areas now classified as "primitive" within three years after the enactment of this Act, not less than two-thirds within seven years after the enactment of this Act, and the remaining areas within ten years after the enactment of this Act. Each recommendation of the President for designation as "wilderness" shall become effective only if so provided by an Act of Congress. Areas classified as "primitive" on the effective date of this Act shall continue to be administered under the rules and regulations affecting such areas on the effective date of this Act until Congress has determined otherwise. Any such area may be increased in size by the President at the time he submits his recommendations to the Congress by not more than five thousand acres with no more than one thousand two hundred and eighty acres of such increase in any one compact unit: if it is proposed to increase the size of any such area by more than five thousand acres or by more than one thousand two hundred and eighty acres in any one compact unit the increase in size shall not become effective until acted upon by Congress. Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of primitive areas or recommending the addition of any contiguous area of national forest lands predominantly of wilderness value. Notwithstanding any other provisions of this Act, the Secretary of Agriculture may complete his review and delete such area as may be necessary, but not to exceed seven thousand acres, from the southern tip of the Gore Range-Eagles Nest Primitive Area, Colorado, if the Secretary determines that such action is in the public interest.

(c) Within ten years after the effective date of this Act the Secretary of the Interior shall review every roadless area of five thousand contiguous acres or more in the national parks, monuments and other units of the national park system and every such area of, and every roadless island within, the national wildlife refuges and game ranges, under his jurisdiction on the effective date of this Act and shall report to the President his recommendation as to the suitability or nonsuitability of each such area or island for preservation as wilderness. The President shall advise the President of the Senate and the Speaker

of the House of Representatives of his recommendation with respect to the designation as wilderness of each such area or island on which review has been completed, together with a map thereof and a definition of its boundaries. Such advice shall be given with respect to not less than one-third of the areas and islands to be reviewed under this subsection within three years after enactment of this Act, not less than two-thirds within seven years of enactment of this Act, and the remainder within ten years of enactment of this Act. A recommendation of the President for designation as wilderness shall become effective only if so provided by an Act of Congress. Nothing contained herein shall, by implication or otherwise, be construed to lessen the present statutory authority of the Secretary of the Interior with respect to the maintenance of roadless areas within units of the national park system.

(d) (1) The Secretary of Agriculture and the Secretary of the Interior shall, prior to submitting any recommendations to the President with respect to the suitability of any area for preservation as wilderness—

(A) give such public notice of the proposed action as they deem appropriate, including publication in the Federal Register and in a newspaper having general circulation in the area or areas in the vicinity of the affected land;

(B) hold a public hearing or hearings at a location or locations convenient to the area affected. The hearings shall be announced through such means as the respective Secretaries involved deem appropriate, including notices in the Federal Register and in newspapers of general circulation in the area: *Provided*, That if the lands involved are located in more than one State, at least one hearing shall be held in each State in which a portion of the land lies;

(C) at least thirty days before the date of a hearing advise the Governor of each State and the governing board of each county, or in Alaska the borough, in which the lands are located, and Federal departments and agencies concerned, and invite such officials and Federal agencies to submit their views on the proposed action at the hearing or by no later than thirty days following the date of the hearing.

(2) Any views submitted to the appropriate Secretary under the provisions of (1) of this subsection with respect to any area shall be included with any recommendations to the President and to Congress with respect to such area.

(e) Any modification or adjustment of boundaries of any wilderness area shall be recommended by the appropriate Secretary after public notice of such proposal and public hearing or hearings as provided in subsection (d)

of this section. The proposed modification or adjustment shall then be recommended with map and description thereof to the President. The President shall advise the United States Senate and the House of Representative of his recommendations with respect to such modification or adjustment and such remommendations shall become effective only in the same manner as provided for in subsections (b) and (c) of this section.

USE OF WILDERNESS AREAS

SEC. 4. (a) The purposes of this Act are hereby declared to be within and supplemental to the purposes for which national forests and units of the national park and national wildlife refuge systems are established and administered and—

(1) Nothing in this Act shall be deemed to be in interference with the purpose for which national forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained-Yield Act of June 12, 1960 (74 Stat. 215).

(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thye-Blatnik Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thye-Blatnik-Andresen Act (Public Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.

(3) Nothing in this Act shall modify the statutory authority under which units of the national park system are created. Further, the designation of any area of any park, monument, or other unit of the national park system as a wilderness area pursuant to this Act shall in no manner lower the standards evolved for the use and preservation of such park, monument, or other unit of the national park system in accordance with the Act of August 25, 1916, the statutory authority under which the area was created, or any other Act of Congress which might pertain to or affect such area, including, but not limited to, the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 432 et seq.); section 3(2) of the Federal Power Act (16 U.S.C. 796(2)); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

(b) Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been estab-

lished as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use.

PROHIBITION OF CERTAIN USES

(c) Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

SPECIAL PROVISIONS

(d) The following special provisions are hereby made:

(1) Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable. In addition, such measures may be taken as may be necessary in the control of fire, insects, and diseases, subject to such conditions as the Secretary deems desirable.

(2) Nothing in this Act shall prevent within national forest wilderness areas any activity, including prospecting, for the purpose of gathering information about mineral or other resources, if such activity is carried on in a manner compatible with the preservation of the wilderness environment. Furthermore, in accordance with such program as the Secretary of the Interior shall develop and conduct in consultation with the Secretary of Agriculture, such areas shall be surveyed on a planned, recurring basis consistent with the concept of wilderness preservation by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present; and the results of such surveys shall be made available to the public and submitted to the President and Congress.

(3) Notwithstanding any other provisions of this Act, until midnight December 31, 1983, the United States mining laws and all laws pertaining to mineral leasing shall, to the same extent as applicable prior to the effective date of this Act, extend to those national forest lands designated by this Act as "wilderness areas"; sub-

ject, however, to such reasonable regulations governing ingress and egress as may be prescribed by the Secretary of Agriculture consistent with the use of the land for mineral location and development and exploration, drilling, and production, and use of land for transmission lines, waterlines, telephone lines, or facilities necessary in exploring, drilling, producing, mining, and processing operations, including where essential the use of mechanized ground or air equipment and restoration as near as practicable of the surface of the land disturbed in performing prospecting, location, and, in oil and gas leasing, discovery work, exploration, drilling, and production, as soon as they have served their purpose. Mining locations lying within the boundaries of said wilderness areas shall be held and used solely for mining or processing operations and uses reasonably incident thereto; and hereafter, subject to valid existing rights, all patents issued under the mining laws of the United States affecting national forest lands designated by this Act as wilderness areas shall convey title to the mineral deposits within the claim, together with the right to cut and use so much of the mature timber therefrom as may be needed in the extraction, removal, and benefication of the mineral deposits, if needed timber is not otherwise reasonably available, and if the timber is cut under sound principles of forest management as defined by the national forest rules and regulations, but each such patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except as otherwise expressly provided in this Act: *Provided*, That, unless hereafter specifically authorized, no patent within wilderness areas designated by this Act shall issue after December 31, 1983, except for the valid claims existing on or before December 31, 1983. Mining claims located after the effective date of this Act within the boundaries of wilderness areas designated by this Act shall create no rights in excess of those rights which may be patented under the provisions of this subsection. Mineral leases, permits, and licenses covering lands within national forest wilderness areas designated by this Act shall contain such reasonable stipulations as may be prescribed by the Secretary of Agriculture for the protection of the wilderness character of the land consistent with the use of the land for the purposes for which they are leased, permitted, or licensed. Subject to valid rights then existing, effective January 1, 1984, the minerals in lands designated by this Act as wilderness areas are withdrawn from all forms of appropriation under the mining laws and from dis-

position under all laws pertaining to mineral leasing and all amendments thereto.

(4) Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

(5) Other provisions of this Act to the contrary notwithstanding, the management of the Boundary Waters Canoe Area, formerly designated as the Superior, Little Indian Sioux, and Caribou Roadless Areas, in the Superior National Forest, Minnesota, shall be in accordance with regulations established by the Secretary of Agriculture in accordance with the general purpose of maintaining, without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams, and portages: *Provided*, That nothing in this Act shall preclude the continuance within the area of any already established use of motorboats.

(6) Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the areas.

(7) Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(8) Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests.

STATE AND PRIVATE LANDS WITHIN WILDERNESS AREAS

SEC. 5. (a) In any case where State-owned or privately owned land is completely surrounded by national forest lands within areas designated by this Act as wilderness, such State or private owner shall be given such rights as may be necessary to assure adequate access to such State-owned or privately owned land by such State or private owner and their successors in interest, or the

State-owned land or privately owned land shall be exchanged for federally owned land in the same State of approximately equal value under authorities available to the Secretary of Agriculture: *Provided, however*, That the United States shall not transfer to a State or private owner any mineral interests unless the State or private owner relinquishes or causes to be relinquished to the United States the mineral interest in the surrounded land.

(b) In any case where valid mining claims or other valid occupancies are wholly within a designated national forest wilderness area, the Secretary of Agriculture shall, by reasonable regulations consistent with the preservation of the area as wilderness, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated.

(c) Subject to the appropriation of funds by Congress, the Secretary of Agriculture is authorized to acquire privately owned land within the perimeter of any area designated by this Act as wilderness if (1) the owner concurs in such acquisition or (2) the acquisition is specifically authorized by Congress.

GIFTS, BEQUESTS, AND CONTRIBUTIONS

SEC. 6. (a) The Secretary of Agriculture may accept gifts or bequests of land within wilderness areas designated by this Act for preservation as wilderness. The Secretary of Agriculture may also accept gifts or bequests of land adjacent to wilderness areas designated by this Act for preservation as wilderness if he has given sixty days advance notice thereof to the President of the Senate and the Speaker of the House of Representatives. Land accepted by the Secretary of Agriculture under this section shall become part of the wilderness area involved. Regulations with regard to any such land may be in accordance with such agreements, consistent with the policy of this Act, as are made at the time of such gift, or such conditions, consistent with such policy, as may be included in, and accepted with, such bequest.

(b) The Secretary of Agriculture or the Secretary of the Interior is authorized to accept private contributions and gifts to be used to further the purposes of this Act.

ANNUAL REPORTS

SEC. 7. At the opening of each session of Congress, the Secretaries of Agriculture and Interior shall jointly report to the President for transmission to Congress on the status of the wilderness system, including a list and descriptions of the areas in the system, regulations in effect

and other pertinent information, together with any recommendations they may care to make.

Approved September 3, 1964.

Legislative History

House Reports: No. 1538 accompanying H.R. 9070 (Committee on Interior and Insular Affairs) and No. 1829 (Committee of Conference).
Senate Report No. 109 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 109 (1963):
Apr. 4, 8, considered in Senate.
Apr. 9, considered and passed Senate.
Vol. 110 (1964):
July 28, considered in House.
July 30, considered and passed House, amended, in lieu of H.R. 9070.
Aug. 20, House and Senate agree to conference report.

26. Youth Conservation Corps

An Act to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes. (84 Stat. 794)

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

POLICY AND PURPOSE

SECTION 1. The Congress finds that the gainful employment during the summer months of American youth, representing all segments of society, in the healthful outdoor atmosphere afforded in the national park system, the national forest system, the national wildlife refuge system, and other public land and water areas administered by the Secretary of the Interior and the Secretary of Agriculture creates an opportunity for understanding and appreciation of the Nation's natural environment and heritage. Accordingly, it is the purpose of this Act to further the development and maintenance of the natural resources of the United States by the youth, upon whom will fall the ultimate responsibility for maintaining and managing these resources for the American people.

YOUTH CONSERVATION CORPS

SEC. 2. (a) To carry out the purposes of this Act, there is hereby established in the Department of the Interior and the Department of Agriculture a three-year pilot program designated as the Youth Conservation Corps (hereinafter referred to as the "Corps"). The Corps shall consist of young men and women who are permanent residents of the United States, its territories, or possessions, who have attained age fifteen but have not attained age nineteen, and whom the Secretary of the Interior or the Secretary of Agriculture may employ during the summer months without regard to the civil service or classification laws, rules, or regulations, for the purpose of developing, preserving, or maintaining lands and waters of the United States under the jurisdiction of the appropriate Secretary.

(b) The Corps shall be open to youth of both sexes and youth of all social, economic, and racial classifications, with no person being employed as a member of the Corps for a term in excess of ninety days during any single year.

SECRETARIAL DUTIES

SEC. 3. (a) The Secretary of the Interior and the Secretary of Agriculture shall:

(1) determine the areas under their administra-

tive jurisdictions which are appropriate for carrying out programs using employees of the Corps;

(2) determine the rates of pay, hours, and other conditions of employment in the Corps: *Provided*, That members of the Corps shall not be deemed to be Federal employees, other than for the purposes of chapter 171 of title 28, United States Code, and chapter 81 of title 5, United States Code;

(3) provide for such transportation, lodging, subsistence, and other services and equipment as they may deem necessary or appropriate for the needs of members of the Corps in their duties. The Secretary of the Interior and the Secretary of Agriculture may contract with any public agency or organization or any private nonprofit agency or organization which has been in existence for at least five years for the operation of any Youth Conservation Corps project. Whenever economically feasible, existing but unoccupied Federal facilities, including military facilities, shall be utilized for the purposes of the Corps where appropriate and with the approval of the Federal agency involved. To minimize transportation costs Corps members shall be employed on conservation projects as near to their places of residence as is feasible;

(4) promulgate regulations to insure the safety, health, and welfare of the Corps members;

(5) prepare a report, indicating the most feasible and efficient method for initiating a cost-sharing youth conservation program with State natural resource, conservation, or outdoor recreation agencies, which report shall be submitted to the President not later than one year following enactment of this Act for transmittal to the Congress for review and appropriate action.

(b) The provision of title II of the Revenue and Expenditure Control Act of 1968 (82 Stat. 251, 270) shall not apply to appointments made to the Corps, to temporary supervisory personnel, or to temporary program support staff.

SECRETARIAL REPORTS

SEC. 4. Upon completion of each year's pilot program, the Secretary of the Interior and Secretary of Agriculture shall prepare a joint report detailing the contribution of the program toward achieving the purposes of the Act and providing recommendations. Each report shall be submitted to the President not later than one hundred and eighty days following completion of that year's pilot program. The President shall transmit the report to the Congress for review and appropriate action.

AUTHORIZATION OF FUNDS

SEC. 5. For three years following enactment of this Act, there are hereby authorized to be appropriated amounts not to exceed $3,500,000 annually to be made available to the Secretary of the Interior and the Secretary of Agriculture to carry out the purposes of this Act.

Approved August 13, 1970.

Legislative History

House Reports: No. 91–915 accompanying H.R. 15361 (Committee on Education and Labor) and No. 91–1338 (Committee of Conference).
Senate Report: No. 91–270 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 115 (1969): June 26, considered and passed Senate.
Vol. 116 (1970):
June 15, considered and passed House, amended, in lieu of H.R. 15361.
July 30, House agreed to conference report.
Aug. 5, Senate agreed to conference report.

II. NATIONAL PARKS

1. Acadia

An Act to authorize the Secretary of the Interior to convey certain lands in the State of Maine to the Mount Desert Island Regional School District. (80 Stat. 866)

Be it enacted by the Senate and House of Representatives of United States of America in Congress assembled, That the Secretary of the Interior may convey to the Mount Desert Island Regional School District in the State of Maine a portion of the Acadia National Park, formerly owned by John D. Rockefeller, Junior, comprising approximately sixty-six acres (lot 354), and in exchange therefor the Secretary may accept from said school district any property which in his judgment is suitable for addition to the park. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. Any cash payment received by the Secretary shall be credited to the Land and Water Conservation Fund in the Treasury of the United States. A conveyance of the federally owned lot shall eliminate it from the park.

Approved October 3, 1966.

Legislative History

House Report No. 2041 (Committee on Interior and Insular Affairs).
Senate Report No. 1522 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 112 (1966):
Aug. 29: Considered and passed Senate.
Sept. 19: Considered and passed House.

An Act to authorize an exchange of lands at Acadia National Park, Maine. (82 Stat. 40)

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 may, in his discretion, accept title to certain land in the town of Bar Harbor, Hancock County, Maine, held by the Jackson Laboratory, a nonprofit corporation organized and existing under the laws of the State of Maine, said land being more particularly described as follows:

Beginning at a stone bound set in the ground in the southerly side of State Highway Numbered 3 leading from Bar Harbor to Seal Harbor, said stone bound also marking the northeasterly corner of land of the United States of America and the northwesterly corner of land of the Jackson Laboratory;

thence north 72 degrees 58 minutes east and following the southerly side of State Highway Numbered 3, 80 feet to a stone bound set in the ground;

thence south 32 degrees 13 minutes east 762.5 feet to an iron pin set in the ledge;

thence north 88 degrees 16 minutes east 270.54 feet to a stone bound set in the ground in the southerly side of the old Morrell Park Racetrack;

thence north 61 degrees 56 minutes east 673.2 feet to an iron pipe driven in the ground, said iron pipe also being in a northwesterly line of land of the United States of America;

thence south 24 degrees 30 minutes west and always following a northwesterly line of land of the United States of America, 149 feet to an iron pipe driven in the ground;

thence south 64 degrees 05 minutes west and always following a northwesterly line of land of the United States of America, 577 feet to a stone bound set in the ground;

thence south 78 degrees 50 minutes west and always following a northerly line of land of the United States of America, 115 feet to an iron pin in a large boulder;

thence north 84 degrees 00 minutes west and always following a northerly line of land of the United States of America, 357 feet to an iron pin in the ledge;

thence north 22 degrees 40 minutes west and always following a northeasterly line of land of the United States of America, 460 feet to an iron pin in the ledge;

thence north 14 degrees 05 minutes west and always following an easterly line of land of the United States of America, 281.7 feet to the point of beginning, and containing 4,828 acres.

Said land, upon acceptance of title thereto, shall become a part of the Acadia National Park.

SEC. 2. In exchange for the conveyance to the United States of the land described in section 1 of this Act, the Secretary of the Interior may convey to the Jackson Laboratory all right, title, and interest of the United States in and to the following described land in the town of Bar Harbor, Hancock County, Maine, more particularly described as follows:

Beginning at a stone bound set in the ground in the southeasterly side line of State Highway Numbered 3 leading from Bar Harbor to Seal Harbor, said stone bound marking the northeasterly corner of lot formerly belonging to the trustees of Louise D. Morrell, now owned by the Jackson Laboratory; said stone bound also mark-

ing the northwesterly corner of land belonging to the United States of America;

thence in a northeasterly direction but always following the southeasterly side line of State Highway Numbered 3, 31.0 feet to a point which marks the northwesterly corner of land belonging to the Jackson Laboratory;

thence south 23 degrees 40 minutes east and always following a southwesterly line of land belonging to the Jackson Laboratory, 603 feet, more or less, to a point in the old road originally leading to the Bear Brook Campground;

thence south 71 degrees 04 minutes east 20 feet, more or less, to a stone bound set in the ground in a southwesterly line of land belonging to the Jackson Laboratory;

thence following the same course; namely, south 71 degrees 04 minutes east and always following a southwesterly line of land belonging to the Jackson Laboratory, 183.2 feet to a stone bound set in the ground;

thence north 84 degrees 46 minutes east and always following a southeasterly line of land belonging to the Jackson Laboratory, 89.9 feet to a stone bound set in the ground in the northwesterly side of an old crossroad leading from the old Campground Road to State Highway Numbered 3;

thence north 23 degrees 16 minutes east and following a southeasterly line of land belonging to the Jackson Laboratory, 160.0 feet to an angle in said line;

thence north 9 degrees 16 minutes east and following a southeasterly line of land belonging to the Jackson Laboratory, 79 feet to an angle point in said line;

thence north 20 degrees 31 minutes east and following a southeasterly line of land belonging to the Jackson Laboratory, 445 feet to a stone bound set in the ground;

thence following the same course; namely, north 20 degrees 31 minutes east and following a southeasterly line of land belonging to the Jackson Laboratory, 888.38 feet to a stone bound set in the ground; said stone bound marking the northeasterly corner of land belonging to the Jackson Laboratory and the southeasterly corner of a lot of land belonging to the United States of America;

thence in a general easterly direction 38 feet more or less to a point in the westerly side line of the Schooner Head Road so called;

thence in a general southerly direction and always following the westerly side line of the Schooner Head

Road, 202 feet more or less to a stone bound set in the ground;

thence south 20 degrees 31 minutes west across the land of the United States of America, 1,164 feet to a point in said line, said last described line being 100 feet distant from and parallel with the southeasterly line of land of the Jackson Laboratory;

thence following the same course; namely, south 20 degrees 31 minutes west across the land belonging to the United States of America, 137.3 feet to a stone bound set in the ground;

thence south 61 degrees 56 minutes west across the land belonging to the United States of America, 617.6 feet to an iron pipe driven in the ground, said iron pipe being in a southeasterly line of land formerly belonging to the trustees of Louise D. Morrell and now belonging to the Jackson Laboratory;

thence north 24 degrees 30 minutes east and following a southeasterly line of last mentioned land, 277 feet to an iron pipe driven in the ground;

thence following an easterly line of land belonging to the Jackson Laboratory along a curve to the left, 111 feet, the radius of said curve being 373 feet;

thence north 23 degrees 40 minutes west and always following a northeasterly line of land belonging to the Jackson Laboratory, said land belonging formerly to the trustees of Louise D. Morrell, 492 feet to the point of beginning, and containing 4,632 acres.

The conveyance of title to the lands described in this section shall eliminate them from the Acadia National Park.

Approved March 4, 1968.

Legislative History

House Report No. 1069 accompanying H.R. 5558 (Committee on Interior and Insular Affairs).
Senate Report No. 825 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 113 (1967): Dec. 1, considered and passed Senate.
Vol. 114 (1968): Feb. 20, considered and passed House in lieu of H.R. 5558.

An Act to authorize the Secretary of the Interior to exchange certain property at Acadia National Park in Maine with the owner of certain property adjacent to the park. (82 Stat. 46)

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 may convey to one Maurice Rich, Senior, a portion of the Acadia National Park, comprising approximately one and eight-tenths acres in the town of Southwest Harbor, Maine, and in exchange therefor the Secretary may accept from said Maurice Rich, Senior, any property which in the Secretary's judgment is suitable fo addition to the park. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal

the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. Any cash payment received by the Secretary shall be credited to the land and water conservation fund in the Treasury of the United States. A conveyance of the federally owned lot shall eliminate it from the park.

Approved March 12, 1968.

Legislative History

House Report No. 1070 accompanying H.R. 14463 (Committee on Interior and Insular Affairs).
Senate Report No. 826 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 113 (1967): Dec. 1, considered and passed Senate.
Vol. 114 (1968):
Feb. 20, considered and passed House, amended, in lieu of H.R. 14463.
Mar. 4, Senate concurred in House amendment.

2. Arches

An Act to establish the Arches National Park in the State of Utah. (85 Stat. 422)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subject to valid existing rights, the lands, waters, and interests therein within the boundary generally depicted on the map entitled "Boundary Map, Proposed Arches National Park, Utah," numbered RPSSC–138–20, 001E and dated September 1969, are hereby established as the Arches National Park (hereinafter referred to as the "park"). Such map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

(b) The Arches National Monument is hereby abolished, and any funds available for purposes of the monument shall be available for purposes of the park. Federal lands, waters, and interests therein excluded from the monument by this Act shall be administered by the Secretary of the Interior (hereinafter referred to as the "Secretary") in accordance with the laws applicable to the public lands of the United States.

SEC. 2. The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange or otherwise, the lands and interests in lands described in the first section of this Act, except that lands or interests therein owned by the State of Utah, or any political subdivision thereof, may be acquired only with the approval of such State or political subdivision.

SEC. 3. Where any Federal lands included within the park are legally occupied or utilized on the date of approval of this Act for grazing purposes, pursuant to a lease, permit, or license for a fixed term of years issued or authorized by any department, establishment, or agency of the United States, the Secretary of the Interior shall permit the persons holding such grazing privileges or their heirs to continue in the exercise thereof during the term of the lease, permit, or license, and one period of renewal thereafter.

SEC. 4. Nothing in this Act shall be construed as affecting in any way any rights of owners and operators of cattle and sheep herds, existing on the date immediately prior to the enactment of this Act, to trail their herds on traditional courses used by them prior to such date of enactment, and to water their stock, notwithstanding the fact that the lands involving such trails and watering are situated within the park: *Provided*, That the Secretary may designate driveways and promulgate reasonable regulations providing for the use of such driveways.

SEC. 5. (a) The National Park Service, under the direction of the Secretary, shall administer, protect, and develop the park, subject 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).

(b) Within three years from the date of enactment of this Act, the Secretary of the Interior shall report to the President, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), his recommendations as the suitability or nonsuitability of any area within the park for preservation as wilderness, and any designation of any such area as a wilderness shall be in accordance with said Wilderness Act.

SEC. 6. (a) The Secretary, in consultation with appropriate Federal departments and appropriate agencies of the State and its political subdivisions shall conduct a study of proposed road alinements within and adjacent to the park. Such study shall consider what roads are appropriate and necessary for full utilization of the area for the purpose of this Act as well as to connect with roads of ingress and egress to the area.

(b) A report of the findings and conclusions of the Secretary shall be submitted to the Congress within two years of the date of enactment of this Act, including recommendations for such further legislation as may be necessary to implement the findings and conclusions developed from the study.

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 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.

Approved November 12, 1971.

Legislative History

House Report No. 92–535 accompanying H.R. 7136 (Committee on Interior and Insular Affairs).
Senate Report No. 92–158 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 117 (1971):
June 21, considered and passed Senate.
Oct. 4, considered and passed House, amended, in lieu of H.R. 7136.
Oct. 29, Senate agreed to House amendments.

3. Canyonlands

An Act to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes. (78 Stat. 934)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve an area in the State of Utah possessing superlative scenic, scientific, and archeologic features for the inspiration, benefit, and use of the public, there is hereby established the Canyonlands National Park which, subject to valid existing rights, shall comprise the following generally described lands:

Beginning at a point on the left or east bank of the Green River on the north township line of township 27 south, range 17½ (partially surveyed), Salt Lake base and meridian:

thence easterly along the north township line through township 27 south, range 17½ east (partially surveyed), and township 27 south, range 18 east (partially surveyed), to the northeast corner of section 6, township 27 south, range 18 east (partially surveyed);

thence southerly along the east line of section 6 to the southeast corner of section 6, township 27 south, range 18 east (partially surveyed);

thence easterly along the north line of sections 8, 9, and 10 to the northeast corner of section 10, township 27 south, range 18 east (partially surveyed);

thence southerly along the east line of section 10 to the southeast corner of section 10, township 27 south, range 18 east (partially surveyed);

thence easterly along the north line of sections 14 and 13 to the northeast corner of section 13, township 27 south, range 18 east (partially surveyed);

thence continuing easterly along the north line of sections 18, 17, 16, and 15 to the northeast corner of section 15, township 27 south, range 19 east (partially surveyed);

thence southerly along the east line of section 15 and 22 to the southeast corner of section 22, township 27 south, range 19 east (partially surveyed);

thence easterly along the north line of sections 26 and 25 to the northeast corner of section 25, township 27 south, range 19 east (partially surveyed);

thence continuing easterly along the north line of section 30 to the northeast corner of section 30, township 27 south, range 20 east;

thence southerly along the east line of section 30 to the southeast corner of section 30, township 27 south, range 20 east;

thence easterly along the south line of section 29 to the southeast corner of the west half of section 28, township 27 south, range 20 east;

thence southerly along the east line of the west half of section 33 to the southeast corner of the west half of section 33, township 27 south, range 20 east;

thence continuing southerly along the east line of the west half of sections 4, 9, 16, and 21 to the southeast corner of the west half of section 21, township 28 south, range 20 east;

thence westerly along the south line of sections 21 and 20 to the southwest corner of section 20, township 28 south, range 20 east;

thence southerly along the east line of sections 30 and 31 to the southeast corner of section 31, township 28 south, range 20 east;

thence continuing southerly along the east line of sections 6 and 7 to the southeast corner of the north half of section 7, township 29 south, range 20 east;

thence westerly along the south line of the north half of section 7 to the southwest corner of the north half of section 7, township 29 south, range 19 east;

thence continuing westerly along the south line of the northeast quarter of section 12 to the southwest corner of the northeast quarter of section 12, township 29 south, range 19 east (partially surveyed);

thence southerly along the east line of the west half of sections 12, 13, and 24 to the southeast corner of the west half of section 24, township 29 south, range 19 east (partially surveyed);

thence westerly along the south line of section 24 to the southwest corner of section 24, township 29 south, range 19 east (partially surveyed);

thence southerly along the east line of sections 26 and 35 to the southeast corner of section 35, township 29 south, range 19 east (partially surveyed);

thence easterly along the south line of township 29 south, range 19 east, to the east line of the west half of section 36, township 29½ south, range 19 east (partially surveyed);

thence southerly along the east line of the west half of section 36 to the southeast corner of the west half of section 36, township 29½ south, range 19 east (partially surveyed);

thence continuing southerly along the east line of the west half of section 1 to the southeast corner of the northwest quarter of section 1, township 30 south, range 19 east (partially surveyed);

thence easterly along the north line of the southeast quarter of section 1 to the northeast corner of the southeast quarter of section 1, township 30 south, range 19 east (partially surveyed);

thence southerly along the east line of section 1 to the southeast corner of section 1, township 30 south, range 19 east (partially surveyed);

thence easterly along the north line of section 7 to the northeast corner of section 7, township 30 south, range 20 east;

thence southerly along the east line of section 7 to the southeast corner of section 7, township 30 south, range 20 east;

thence easterly along the north line of section 17 to the northeast corner of section 17, township 30 south, range 20 east;

thence southerly along the east line of section 17 to the southeast corner of section 17, township 30 south, range 20 east;

thence easterly along the north line of sections 21 and 22 to the northeast corner of section 22, township 30 south, range 20 east;

thence southerly along the east line of sections 22, 27, and 34 to the southeast corner of section 34, township 30 south, range 20 east;

thence easterly along the south line of township 30 south, range 20 east, to the east line of section 34, township 30½ south, range 20 east (partially surveyed);

thence southerly along the east line of section 34 to the southeast corner of section 34, township 30½ south, range 20 east (partially surveyed);

thence continuing southerly along the east line of sections 3, 10, 15, 22, 27, and 34 to the southeast corner of section 34, township 31 south, range 20 east (partially surveyed);

thence continuing southerly along the east line of sections 3, 10, and 15 to the southeast corner of section 15, township 32 south, range 20 east (partially surveyed);

thence westerly along the south line of sections 15, 16, 17, and 18 to the southwest corner of section 18, township 32 south, range 20 east (partially surveyed);

thence northerly along the west line of section 18 to the northwest corner of section 18, township 32 south, range 20 east (partially surveyed);

thence westerly along the south line of section 12 to the southwest corner of section 12, township 32 south, range 19 east (partially surveyed);

thence northerly along the west line of sections 12 and 1 to the northwest corner of section 1, township 32 south, range 19 east (partially surveyed);

thence westerly along the south line of section 35 to the southwest corner of section 35, township 31 south, range 19 east (partially surveyed);

thence northerly along the west line of section 35 and 26 to the northwest corner of section 26, township 31 south, range 19 east (partially surveyed);

thence westerly along the south line of sections 22, 21, 20, and 19 to the southwest corner of section 19, township 31 south, range 19 east (partially surveyed);

thence continuing westerly along the south line of sections 24, 23, 22, 21, 20, and 19 to the southwest corner of section 19, township 31 south, range 18 east (partially surveyed);

thence continuing westerly along the south line of sections 24, 23, and 22 to the southwest corner of the east half of section 22, township 31 south, range 17 east (partially surveyed);

thence northerly along the west line of the east half of section 22 to the northwest corner of the east half section 22, township 31 south, range 17 east (partially surveyed);

thence westerly along the south line of section 15 to the southwest corner of section 15, township 31 south, range 17 east (partially surveyed);

thence northerly along the west line of sections 15, 10, and 3 to the northwest corner of section 3, township 31 south, range 17 east (partially surveyed);

thence easterly along te northline of sections 3, 2, and 1 to the northeast corner of section 1, township 31 south, range 17 east (partially surveyed);

thence continuing easterly along the north line of section 6 to the northeast corner of section 6, township 31 south, range 18 east (partially surveyed); thence north through partially surveyed township 30½ south, range 18 east, to the northline of partially surveyed township 30½ south, range 18 east;

thence easterly along the north line of partially surveyed township 30½ south, range 18 east, to the southwest corner of section 34, township 30 south, range 18 east (partially surveyed);

thence northerly along the west line of sections 34 and 27 to the northwest corner of section 27, township 30 south, range 18 east (partially surveyed);

thence easterly along the north line of section 27 to the northeast corner of section 27, township 30 south, range 18 east (partially surveyed);

thence northerly along the west line of sections 23, 14, 11, and 2 to the northwest corner of section 2, township 30 south, range 18 east (partially surveyed);

thence continuing northerly along the west line of section 35 to the northwest corner of section 35, township 29 south, range 18 east (partially surveyed);

thence westerly along the south line of section 27 to the southwest corner of section 27, township 29 south, range 18 east (partially surveyed);

thence northerly along the west line of sections 27 and 22 to the northwest corner of section 22, township 29 south, range 18 east (partially surveyed);

thence westerly along the south line of section 16 to the southwest corner of section 16, township 29 south, range 18 east (partially surveyed);

thence northerly along the west line of sections 16 and 9 to the northwest corner of section 9, township 29 south, range 18 east (partially surveyed);

thence westerly along the south line of section 5 to the southwest corner of section 5, township 29 south range 18 east (partially surveyed);

thence northerly along the west line of section 5 to the northwest corner of section 5, township 29 south, range 18 east (partially surveyed);

thence continuing northerly along the west line of section 32 to the northwest corner of section 32, township 28½ south, range 18 east (partially surveyed);

thence westerly along the south line of section 30 to the southwest corner of section 30, township 28½ south, range 18 east (partially surveyed);

thence northerly along the west line of sections 30 and 19 to the northwest corner of the south half of section 19, township 28½ south, range 18 east (partially surveyed);

thence westerly along the south line of the north half of sections 24 and 23 to the southwest corner of the northeast quarter of section 23, township 28 south, range 17 east (partially surveyed);

thence northerly along the west line of the northeast quarter of section 23 and the west line of the southeast quarter of section 14 to the northwest corner of the southeast quarter of section 14, township 28 south, range 17 east (partially surveyed);

thence westerly along the south line of the north half of sections 14 and 15 to the southwest corner of the north half of section 15, township 28 south, range 17 east (partially surveyed);

thence northerly along the west line of sections 15, 10, and 3 to the northwest corner of section 3, township 28 south, range 17 east (partially surveyed);

thence continuing northerly along the west line of sections 34, 27, 22, and 15 to the northwest corner of the south half of section 15, township 27 south, range 17 east (partially surveyed);

thence easterly along the north line of the south half of sections 15 and 14 to the northeast corner of

the south half of section 14, township 27 south, range 17 east (partially surveyed);

thence northerly along the west line of sections 13, 12, and 1, township 27 south, range 17 east (partially surveyed), to the right or west bank of the Green River;

thence northerly across the Green River to the point of beginning, containing approximately 257,640 acres.

SEC. 2. Within the area described in section 1 hereof or which lies within the boundaries of the park, the Secretary of the Interior is authorized to acquire lands and interests in lands by such means as he may deem to be in the public interest. The Secretary may accept title to any non-Federal property within the park, including State-owned school sections and riverbed lands, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction within the State of Utah, notwithstanding any other provision of law. The properties so exchanged shall be of the same classification, as near as may be, and shall be of approximately equal value, and the Secretary shall take administrative action to complete transfer on any lands in a proper application by the State of Utah on or before the expiration of one hundred twenty days following the date of enactment of this Act: *Provided*, That the Secretary may accept cash from, or pay cash to, the grantor in such an exchange in order to equalize the values of the properties exchanged. Federal property located within the boundaries of the park may, with the concurrence of the agency having custody thereof, be transferred to the administrative jurisdiction of the Secretary of the Interior, without consideration, for use by him in carrying out the purposes of this Act. Any lands within the boundaries of the park which are subject to Bureau of Reclamation or Federal Power Commission withdrawals are hereby freed and exonerated from any such withdrawal and shall, on the date of enactment of this Act, become a part of the Canyonlands National Park subject to no qualifications except those imposed by this Act.

SEC. 3. Where any Federal lands included within the Canyonlands National Park are legally occupied or utilized on the date of approval of this Act for grazing purposes, pursuant to a lease, permit, or license for a fixed term of years issued or authorized by any department, establishment, or agency of the United States, the Secretary of the Interior shall permit the persons holding such grazing privileges to continue in the exercise thereof during the term of the lease, permit, or license, and one period of renewal thereafter.

SEC. 4. (a) In order to provide suitable access to the Canyonlands National Park and facilities and services required in the operation and administration of the park, the Secretary may select the location or locations of an entrance road or roads to such park and to points of interest therein from United States Route 160 and State Routes 24 and 95, including necessary entrance and related administrative headquarters sites upon lands located outside the park, and he may select a suitable location or locations outside the park for connections between entrance roads and between roads lying within the Canyonlands National Park.

(b) To carry out the purposes of this section, the Secretary may acquire non-Federal lands or interests in lands by donation, purchase, condemnation, exchange, or such other means as he may deem to be in the public interest: *Provided*, That lands and interests in lands acquired outside the park as rights-of-way for said entrance roads and connections shall not exceed an average of one hundred twenty-five acres per mile. Rights-of-way and entrance and administrative sites acquired pursuant to this authority shall be administered pursuant to such special regulations as the Secretary may promulgate in furtherance of the purposes of this section.

(c) The Secretary may construct, reconstruct, improve, and maintain upon the lands or interests in lands acquired pursuant to this section, or otherwise in Government ownership, an entrance road or roads and connections of parkway standards, including necessary bridges and other structures and utilities as necessary, and funds appropriated for the National Park Service shall be available for these purposes: *Provided*, That if any portion of such road or roads crosses national forest land the Secretary shall obtain the approval of the Secretary of Agriculture before construction of such portion shall begin.

(d) The Secretary is hereby authorized to cooperate with the Secretary of Agriculture in the location and extension of a forest development road from State Route 95 and may extend the same from the national forest boundary to the park and points of interest therein in accordance with the applicable provisions of this section.

SEC. 5. Subject to the provisions of this Act, the administration, protection, and development of the Canyonlands National Park, as established pursuant to this Act, shall be exercised by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 and the following), as amended and supplemented.

Approved September 12, 1964.

Legislative History

House Reports: No. 1823 accompanying H.R. 6925 (Committee on Interior and Insular Affairs) and No. 1881 (Committee of Conference).

Senate Report No. 381 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 109 (1963): Aug. 2, considered and passed Senate.
Vol. 110 (1964):
Aug. 19, considered and passed House, amended, in lieu of H.R. 6925.
Aug. 21, Senate disagreed to House amendments, asked for conference.
Sept. 3, House and Senate agreed to conference report.

An Act to revise the boundaries of the Canyonlands National Park in the State of Utah. (85 Stat. 421)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act providing for the establishment of the Canyonlands National Park (78 Stat. 934; 16 U.S.C. 271) is amended as follows:

(a) Delete section 1 and insert in lieu thereof:

"That in order to preserve an area in the State of Utah possessing superlative scenic, scientific, and archeologic features for the inspiration, benefit, and use of the public, there is hereby established the Canyonlands National Park which, subject to valid existing rights, shall comprise the area generally depicted on the drawing entitled 'Boundary Map, Canyonlands National Park Utah,' numbered 164–91004 and dated June 1970, which shows the boundaries of the park having a total of approximately three hundred and thirty-seven thousand two hundred and fifty-eight acres. The map is on file and available for public inspection in the offices of the National Park Service, Department of the Interior."

(b) In section 2—

(1) in the first sentence, delete the words "described in section 1 hereof or" which appear after the word "area";

(2) in the third sentence, insert the words "or any amendment thereto" after the word "Act"; and

(3) in the fifth sentence, insert the words "or any amendment thereto." after the word "Act".

(c) In section 3, after the word "Act" insert the words "or any amendment thereto".

(d) Add the following sections—

"SEC. 6. Within three years from the date of enactment of this section, the Secretary of the Interior shall report to the President, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any area within the national park for preservation as wilderness, and any designation of any such area as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

"SEC. 7. (a) The Secretary of the Interior, in consultation with appropriate Federal departments and appropriate agencies of the State and its political subdivisions, shall conduct a study of proposed road alinements within

and adjacent to the Canyonlands National Park. Such study shall consider what roads are appropriate and necessary for full utilization of the area for the purposes of this Act as well as to connect with roads of ingress and egress to the area.

"(b) A report of the findings and conclusions of the Secretary shall be submitted to the Congress within two years of the date of enactment of this Act, including recommendations for such further legislation as may be necessary to implement the findings and conclusions developed from the study.

"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 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."

Approved November 12, 1971.

Legislative History

House Report No. 92–536 accompanying H.R. 7137 (Committee on Interior and Insular Affairs).
Senate Report No. 92–155 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 117 (1971):
June 21, considered and passed Senate.
Oct. 4, considered and passed House, amended, in lieu of H.R. 7137.
Nov. 2, Senate agreed to House amendments.

4. Capitol Reef

An Act to establish the Capitol Reef National Park in the State of Utah. (85 Stat. 639)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subject to valid existing rights, the lands, waters, and interests therein within the boundary generally depicted on the map entitled "Boundary Map Proposed Capitol Reef National Park, Utah," numbered 158–91,002, and dated January 1971, are hereby established as the Capitol Reef National Park (hereinafter referred to as the "park"). Such map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

(b) The Capitol Reef National Monument is hereby abolished, and any funds available for purposes of the monument shall be available for purposes of the park. Federal lands, waters, and interests therein excluded from the monument by this Act shall be administered by the Secretary of the Interior (hereinafter referred to as the "Secretary") in accordance with the laws applicable to the public lands of the United States.

SEC. 2. The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or otherwise, the lands and interests in lands described in the first section of this Act, except that lands or interests therein owned by the State of Utah, or any political subdivision thereof, may be acquired only with the approval of such State or political subdivision.

SEC. 3. Where any Federal lands included within the park are legally occupied or utilized on the date of approval of this Act for grazing purposes, pursuant to a lease, permit, or license for a fixed term of years issued or authorized by any department, establishment, or agency of the United States, the Secretary of the Interior shall permit the persons holding such grazing privileges or their heirs to continue in the exercise thereof during the term of the lease, permit, or license, and one period of renewal thereafter.

SEC. 4. Nothing in this Act shall be construed as affecting in any way rights of owners and operators of cattle and sheep herds, existing on the date immediately prior to the enactment of this Act, to trail their herds on traditional courses used by them prior to such date of enactment, and to water their stock, notwithstanding the fact that the lands involving such trails and watering are situated within the park: *Provided*, That the Secretary may promulgate reasonable regulations providing for the use of such driveways.

SEC. 5. (a) The National Park Service, under the di-

rection of the Secretary, shall administer, protect, and develop the park, subject 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 (16 U.S.C. 1–4).

(b) The Secretary shall grant easements and rights-of-way on a nondiscriminatory basis upon, over, under, across, or along any component of the park area unless he finds that the route of such easements and rights-of-way would have significant adverse effects on the administration of the park.

(c) Within three years from the date of enactment of this Act, the Secretary of the Interior shall report to the President, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any area within the park for preservation as wilderness, and any designation of any such area as a wilderness shall be in accordance with said Wilderness Act.

SEC. 6 (a) The Secretary, in consultation with appropriate Federal departments and appropriate agencies of the State and its political subdivisions shall conduct a study of proposed road alinements within and adjacent to the park. Such study shall consider what roads are appropriate and necessary for full utilization of the area for the purposes of this Act as well as to connect with roads of ingress and egress to the area.

(b) A report of the findings and conclusions of the Secretary shall be submitted to the Congress within two years of the date of enactment of this Act, including recommendations for such further legislation as may be necessary to implement the findings and conclusions developed from the study.

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 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.

Approved December 18, 1971.

Legislative History

House Reports: No. 92–537 accompanying H.R. 8213 (Committee on Interior and Insular Affairs) and No. 92–685 (Committee of Conference).
Senate Report No. 92–157 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 117 (1971):
June 21, considered and passed Senate.
Oct. 4, considered and passed House, amended, in lieu of H.R. 8213.
Dec. 7, House agreed to conference report.
Dec. 9, Senate agreed to conference report.

5. Carlsbad Caverns

An Act to revise the boundaries of the Carlsbad Caverns National Park in the State of New Mexico, and for other purposes. (77 Stat. 818)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Carlsbad Caverns National Park situated in the State of New Mexico shall consist of the following described lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

Township 24 south, range 23 east: south half section 35; section 36.

Township 24 south, range 24 east: sections 25 to 29, inclusive; sections 31 to 36, inclusive.

Township 24 south, range 25 east: south half southeast quarter section 19; south half south half section 20; south half south half section 21; southwest quarter southwest quarter section 26; sections 27 to 33, inclusive; west half section 34; northwest quarter northeast quarter section 34.

Township 25 south, range 22 east: sections 24, 25, 35, and 36.

Township 25 south, range 23 east: sections 1 to 33, inclusive; northwest quarter section 34.

Township 25 south, range 24 east: north half section 1; west half section 2; northeast quarter section 2; sections 3 to 8, inclusive; west half section 9; northeast quarter section 9; northwest quarter section 10; west half section 17; northeast quarter section 17; section 18; northwest quarter section 19.

Township 25 south, range 25 east: north half section 5; north half section 6.

Township 26 south, range 22 east: north half section 1; west half southwest quarter section 1; section 2; section 11; west half west half section 12; northwest quarter section 14.

Township 26 south, range 23 east: northwest quarter section 6.

All of which contains 46,786.11 acres, more or less.

And the tract of land, including Rattlesnake Springs, lying in section 23, township 25 south, range 24 east, New Mexico principal meridian, acquired by the United States for water right purposes by warranty deed dated January 23, 1934, recorded in Eddy County, New Mexico, records in deedbook 64 on page 97, containing 79.87 acres, more or less.

SEC. 2. (a) For the purpose of acquiring the State-owned lands lying within the area described in section

1 of this Act, consisting of 2,721.12 acres, and described as follows:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

Township 24 south, range 23 east: section 36.
Township 24 south, range 24 east: section 32.
Township 24 south, range 25 east: section 32.
Township 25 south, range 24 east: lots 1, 2, 3, and 4, south half north half, southwest quarter section 2.
Township 26 south, range 22 east: south half section 2, the Secretary of the Interior may, subject to such terms, conditions, and reservations as may be necessary or are in the public interest, including the reservation of surface rights-of-way across Federal lands situated in township 25 south, range 24 east, New Mexico principal meridian, for the construction of roads and utility lines between park headquarters and Rattlesnake Springs, exchange the following described 2,719.80 acres of public land of approximately equal value:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

Township 24 south, range 25 east: southeast quarter section 34.
Township 25 south, range 24 east: south half section 1; west half section 11; west half section 14; section 15; southeast quarter section 17.
Township 25 south, range 25 east: south half section 5; lot 6, northeast quarter southwest quarter, southeast quarter section 6.
Township 26 south, range 22 east; west half west half section 13; north half northeast quarter section 14.

(b) For the purpose of acquiring the private lands or interests in lands lying within the area described in section 1 of this Act, the Secretary of the Interior may, subject to such terms, conditions, and reservations as may be necessary, exchange on an approximately equal value basis any of the following described lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

Township 25 south, range 24 east: southeast quarter section 9; south half, northeast quarter section 10.
Township 26 south, range 22 east: south half, south half northeast quarter section 14.

(c) Notwithstanding section 2(a) of this Act, when an exchange involves lands in section 32, township 24 south, range 24 east, New Mexico principal meridian, which the State of New Mexico has leased, the Secretary may compensate a lessee for the reasonable value of his improvements to the lands. Reasonable value shall be determined by the Secretary of the Interior by obtaining an impartial appraisal.

SEC. 3. The Secretary is authorized to convey to the State of New Mexico a right-of-way over lands between the western boundary of the southeast quarter of section 34, township 24 south, range 25 east, and the vicinity of the caverns for the use of the State in constucting a park-type road for public use thereon: *Provided*, That the State may construct a road which shall meet the general standards of National Park Service roads and shall agree to reconvey its interests in such lands and any improvements thereon, without cost to the United States, upon completion of such road. The location of the road shall be determined by the Secretary, after consultation with officials of the State of New Mexico.

SEC. 4. There are hereby authorized to be appropriated not more than $500 to carry out the purpose of this Act.

SEC. 5. Section 4 of the Act of May 14, 1930 (46 Stat. 279; 16 U.S.C. 407c), is repealed.

Approved December 30, 1963.

Legislative History

House Report No. 906 accompanying H.R. 7458 (Committee on Interior and Insular Affairs).
Senate Report No. 469 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 109 (1963):
Aug. 28: Considered and passed Senate.
Dec. 17: Passed House, amended, in lieu of H.R. 7458.
Dec. 20: Senate agreed to House amendment.

6. Everglades

An Act to authorize the Secretary of the Interior to accept a transfer of certain lands within Everglades National Park, Dade County, Florida, for administration as a part of said park, and for other purposes. (78 Stat. 933)

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 accept a transfer from the Administrator of the Farmers Home Administration, United States Department of Agriculture, which transfer is hereby authorized, of a tract of land consisting of approximately four thousand four hundred and twenty acres, lying within the boundaries of Everglades National Park, in Dade County, Florida, and more particularly described in the masters deed dated December 21, 1962, in the proceeding entitled "The Connecticut Mutual Life Insurance Company against Toni Iori, a single man; Peter Iori and Helen Iori, his wife, d/b/a Iori Bros., et al.," No. 61C–3823, in the Circuit Court of the Eleventh Judicial Circuit of Florida, in and for Dade County, and recorded in the official records of said county in book 3494 at page 457, or in any modification of such masters deed, for administration as a part of the Everglades National Park. Such transfer will be made by the Farmers Home Administration, Department of Agriculture, to the Secretary of Interior, only after the Farmers Home Administration's emergency credit revolving fund has been fully reimbursed for all cost incurred by it in connection with the aforesaid land. Such transfer may be accepted when title to the property is vested in the United States.

SEC. 2. There is hereby authorized to be appropriated to the emergency credit revolving fund, upon the transfer authorized in section 1, such sum as may be necessary but not in excess of $452,000 to reimburse the fund for costs incurred by the Farmers Home Administration in connection with the aforesaid property.

Approved September 12, 1964.

Legislative History

House Report. No. 1758 accompanying H.R. 8290 (Committee on Agriculture).
Senate Report No. 1103 (Committee on Interior and Insular Affairs).
Congressional Record. Vol. 110 (1964):
June 25: Considered and passed Senate.
Sept. 1: Considered and passed House, amended, in lieu of H.R. 8290.
Sept. 2: Senate concurred in House amendment.

An Act to amend the Act fixing the boundary of Everglades National Park, Florida, and authorizing the acquisition of land therein, in order to authorize an additional amount for the acquisition of certain lands for such park. (83 Stat. 134)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assem-

bled, That section 8 of the Act entitled "An Act to fix the boundary of Everglades National Park, Florida, to authorize the Secretary of the Interior to acquire land therein and to provide for the transfer of certain land not included within said boundary, and for other purposes" (72 Stat. 280, 286; 16 U.S.C. 410p), is amended by inserting "(a)" after "SEC. 8.", and by inserting at the end of such section a new subsection as follows:

"(b) In addition to the amount authorized in subsection (a) of this section there is authorized to be appropriated such amount, not in excess of $700,200, as is necessary for the acquisition, in accordance with the provisions of this Act, of the following described privately owned lands:

"Sections 3, 4, and 5; section 6, less the west half of the northwest quarter; sections 7, 8, 9, and 10; north half of section 15; and sections 17 and 18, all in township 59 south, range 37 east, Tallahassee meridian."

Approved October 17, 1969.

Legislative History

House Report No. 91–546 (Committee on Interior and Insular Affairs).
Senate Report No. 91–347 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 115 (1969):
Aug. 8: Considered and passed Senate.
Oct. 6: Considered and passed House, amended.
Oct. 8: Senate agreed to House amendment.

An Act to amend the Act fixing the boundary of Everglades National Park, Florida, and authorizing the acquisition of land therein, in order to increase the authorization for such acquisitions. (84 Stat. 885)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8(a) of the Act entitled "An Act to fix the boundary of Everglades National Park, Florida, to authorize the Secretary of the Interior to acquire land therein, and to provide for the transfer of certain land not included within said boundary, and for other purposes", approved July 2, 1958 (72 Stat. 280) as amended (83 Stat. 134; 16 U.S.C. 410p), is amended by striking out "$2,000,000" and inserting in lieu thereof "$22,000,000".

SEC. 2. The second sentence of section 2 of the said Act of July 2, 1958, is amended by inserting a period after the word "otherwise" and deleting the remainder of the sentence.

Approved September 26, 1970.

Legislative History

House Report No. 91–1455 accompanying H.R. 17789 (Committee on Interior and Insular Affairs).
Senate Report No. 91–1011 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970):
July 10, considered and passed Senate.
Sept. 21, considered and passed House, amended, in lieu of H.R. 17789.
Sept. 22, Senate concurred in House amendments.

7. Glacier (including excerpt from Omnibus bill)

An Act for the relief of Smith L. Parratt and Mr. and Mrs. Lloyd Parratt, his parents. (Private Law 88-137)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section 2041(b) of title 28 of the United States Code barring tort claims against the United States under the Federal tort claims provisions of title 28, United States Code, unless action is begun within two years after such claim accrues is hereby waived in favor of any claims of Smith L. Parratt and Mr. and Mrs. Lloyd Parratt, his parents, of Upland, California, against the United States arising out of the mauling of the said Smith L. Parratt by a grizzly bear in Glacier National Park, Montana, on July 18, 1960, if suit thereon is commenced within one year after date of enactment of this Act.

Approved December 21, 1963.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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

* * * * * * *

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of the Interior is authorized to revise the boundaries of the following units of the national park system:

* * * * * * *

(5) Glacier National Park, Montana: to add approximately 267.90 acres and to exclude approximately 68.47 acres;

* * * * * * *

SEC. 302. The boundary revisions authorized in section 301 shall become effective upon publication in the Federal Register of a map or other description of the lands added or excluded by the Secretary of the Interior.

SEC. 303. Within the boundaries of the areas as revised in accordance with section 301, the Secretary of the Interior is authorized to acquire lands and interest therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subject to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this Act,

the Secretary (i) may tender, to the owner or owners of record on the date of enactment of this Act, a revocable permit for the continued use and occupancy of such land or any portion thereof subject to such terms and conditions as he deems necessary or (ii) may acquire any land pursuant to this Act subject to the retention of a right of use and occupancy for a term not to exceed 25 years or for the life of the owner or owners. Lands and interests therein excluded from the areas pursuant to section 301 may be exchanged for non-Federal lands within the boundaries as revised, or they may be transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, as the Secretary of the Interior may deem appropriate. In exercising the authority in this section with respect to lands and interests therein excluded from the areas, the Secretary of the Interior may, on behalf of the United States retrocede to the appropriate State exclusive or concurrent legislative jurisdiction subject to such terms and conditions as he may deem appropriate, over such lands, to be effective upon acceptance thereof by the State. Any such lands not so exchanged or transferred may be disposed of in accordance with the Federal Property and Administrative Services Act of 1949, as amended.

SEC. 304. For the acquisition of lands and interests in lands which are added to the areas referred to in section 301, there are authorized to be appropriated such sums as may be necesary, but not more than the following amounts:

SEC. 305. The authorities in this title are supplementary to any other authorities available to the Secretary of the Interior with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved April 11, 1972.

8. Great Smoky Mountains

An Act to authorize the acceptance of donations of land in the State of North Carolina for the construction of an entrance road at Great Smoky Mountains National Park, and for other purposes. (77 Stat. 154)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide suitable access to the Cataloochee section of Great Smoky Mountains National Park, the Secretary of the Interior is authorized to select the location of an entrance road from a point on North Carolina Highway Numbered 107 close to its point of interchange with Interstate Route Numbered 40, near Hepco, North Carolina, to the eastern boundary of the park in the vicinity of the Cataloochee section, and to accept, on behalf of the United States, donations of land and interests in land for the construction of the entrance road, and to construct the entrance road on the donated land: *Provided*, That the right-of-way to be acquired, by donation, for the entrance road shall be of such width as to comprise not more than an average of one hundred and twenty-five acres per mile for its entire length of about four and two-tenths miles, constituting in the aggregate about five hundred and twenty-five acres of land.

All property acquired pursuant to this Act shall become a part of the Great Smoky Mountains National Park upon acceptance of title thereto by the Secretary, and shall be subject to all laws, rules, and regulations applicable thereto.

SEC. 2. There is hereby authorized to be appropriated for construction of an entrance road on land acquired pursuant to this Act not more than $1,160,000.

Approved September 9, 1963.

Legislative History
House Report No. 249 (Committee on Interior and Insular Affairs).
Senate Report No. 465 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 109 (1963):
May 6: Considered and passed House.
Aug. 28: Considered and passed Senate.

An Act to authorize the Secretary of the Interior to accept the transfer of certain national forest lands in Cocke County, Tennessee, for purposes of the Foothills Parkway, and for other purposes. (78 Stat. 388)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to transfer to the jurisdiction of the Secretary of the Interior, who is hereby authorized to accept such transfer, not to exceed three hundred and sixty acres of national forest land in Cocke County, Tennessee, now part of the Cherokee National Forest, located within and adjacent to the right-of-way for section 8A of the Foothills Parkway

between Tennessee Highway Numbered 32 and the Pigeon River.

Upon publication in the Federal Register of an order of transfer by the Secretary of Agriculture, the lands so transferred shall be a part of the Great Smoky Mountains National Park and available for the scenic parkway as authorized by the Act of February 22, 1944 (58 Stat. 19; 16 U.S.C. 403h–11).

Approved August 10, 1964.

Legislative History
House Report No. 1624 (Committee on Agriculture).
Senate Report No. 679 (Committee on Agriculture and Forestry).
Congressional Record:
Vol. 109 (1963): Dec. 6, considered and passed Senate.
Vol. 110 (1964): Aug. 3, passed House.

An Act to amend the Act of September 9, 1963, authorizing the construction of an entrance road at Great Smoky Mountains National Park in the State of North Carolina, and for other purposes. (83 Stat. 182)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved September 9, 1963 (77 Stat. 154), authorizing the construction of an entrance road at Great Smoky Mountains National Park in the State of North Carolina, is amended—

(1) by striking out, in the first sentence of section 1, the words "on North Carolina Highway Numbered 107 close to its point of interchange with Interstate Route Numbered 40, near Hepco, North Carolina, to the eastern boundary of the park in the vicinity of the Cataloochee section, and to accept, on behalf of the United States, donations of land and interests in land for the construction of the entrance road, and to construct the entrance road on the donated land:" and inserting in lieu thereof the words: "near the intersection at White Oak Church of North Carolina Routes Numbered 1338 and 1346 to the eastern boundary of the park in the vicinity of the Cataloochee section, and to accept, on behalf of the United States, donations of land and interests in land for the construction of the entrance road together with the necessary interchange with said Routes 1338 and 1346, and to construct the entrance road and the interchange on the donated land:";

(2) by striking out the words "four and two-tenths" and "five hundred and twenty-five" in the proviso of section 1 and inserting in lieu thereof the words: "five and two-tenths" and "six hundred and fifty", respectively; and

(3) by striking out the figure "$1,160,000" in section 2 and inserting in lieu thereof the words: "$2,500,000 (1969 prices), 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".

Approved November 4, 1969.

Legislative History

House Report No. 91–357 (Committee on Interior and Insular Affairs).
Senate Report No. 91–494 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 115 (1969):
July 21: Considered and passed House.
Oct. 23: Considered and passed Senate.

An Act to authorize the Secretary of the Interior to convey to the State of Tennessee certain lands within Great Smoky Mountains National Park and certain lands comprising the Gatlinburg Spur of the Foothills Parkway, and for other purposes. (83 Stat. 100)

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 convey to the State of Tennessee, subject to such conditions as he may deem necessary to preserve the natural beauty of the adjacent park lands, approximately twenty-eight acres of land comprising a portion of the right-of-way of Tennessee State Route 72 (U.S. 129), and approximately forty-one acres comprising portions of the right-of-way of Tennessee State Route 73 east of Gatlinburg, which are within the boundary of Great Smoky Mountains National Park.

SEC. 2. The Secretary is further authorized to convey to the State of Tennessee, subject to such conditions as he may deem necessary to assure administration and maintenance thereof by the State and to preserve the existing parkway character of the conveyed lands, the rights-of-way heretofore conveyed to the United States for the purposes of the Gatlinburg Spur of the Foothills Parkway together with any and all parcels of land heretofore conveyed by the State of Tennessee to the United States for the control and stabilization of landslides along said Gatlinburg Spur, except such lands as the Secretary determines may be necessary to provide for (1) the interchange between the road known as the Gatlinburg bypass and United States 441, (2) the interchange between United States Highway 441 and the Foothills Parkway in the vicinity of Caney Creek, and (3) the management and administration of the Foothills Parkway: *Provided*, That such reconveyance shall not be effected until construction of the Gatlinburg bypass and of two rock retaining walls to control erosion of the Gatlinburg Spur are completed, and Interstate Route 40 is open to public travel from Newport, Tennessee to United States Route 19 near Waynesville, North Carolina.

SEC. 3. The conveyance of the lands described in sections 1 and 2 of this Act shall eliminate them from the park and parkway. Upon such conveyance and upon ac-

ceptance by the State of Tennessee of legislative jurisdiction over the lands and notification of such acceptance being given to the Secretary of the Interior, such jurisdiction is retroceded to the State.

Approved August 9, 1969.

Legislative History

House Report No. 91–306 (Committee on Interior and Insular Affairs).
Senate Report No. 91–297 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 115 (1969) :
July 7 : Considered and passed House.
July 18 : Considered and passed Senate.

9. Guadalupe Mountains

An Act to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes. (80 Stat. 920)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership an area in the State of Texas possessing outstanding geological values together with scenic and other natural values of great significance, the Secretary of the Interior shall establish the Guadalupe Mountains National Park, consisting of the land and interests in land within the area shown on the drawing entitled "Proposed Guadalupe Mountains National Park, Texas", numbered SA–GM–7100C and dated February 1965, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

Notwithstanding the foregoing, however, the Secretary shall omit from the park sections 7 and 17, P.S.L. Block 121, in Hudspeth County, and revise the boundaries of the park accordingly if the owner of said sections agrees, on behalf of himself, his heirs and assigns that there will not be erected thereon any structure which, in the judgment of the Secretary, adversely affects the public use and enjoyment of the park.

SEC. 2. (a) Within the boundaries of the Guadalupe Mountains National Park, the Secretary of the Interior may acquire land or interests therein by donation, purchase with donated or appropriated funds, exchange, or in such other manner as he deems to be in the public interest. Any property, or interest therein, owned by the State of Texas, or any political subdivision thereof, may be acquired only with the concurrence of such owner.

(b) In order to facilitate the acquisition of privately owned lands in the park by exchange and avoid the payment of severance costs, the Secretary of the Interior may acquire approximately 4,667 acres of land or interests in land which lie adjacent to or in the vicinity of the park. Land so acquired outside the park boundary may be exchanged by the Secretary on an equal-value basis, subject to such terms, conditions, and reservations as he may deem necessary, for privately owned land located within the park. The Secretary may accept cash from or pay cash to the grantor in such exchange in order to equalize the values of the properties exchanged.

SEC. 3. (a) When title to all privately owned land within the boundary of the park, subject to such outstanding interests, rights, and easements as the Secretary determines are not objectionable, with the exception of approximately 4,574 acres which are planned to be ac-

quired by exchange, is vested in the United States and after the State of Texas has donated or agreed to donate to the United States whatever rights and interests in minerals underlying the lands within the boundaries of the park it may have and other owners of such rights and interests have donated or agreed to donate the same to the United States, notice thereof and notice of the establishment of the Guadalupe Mountains National Park shall be published in the Federal Register. Thereafter, the Secretary may continue to acquire the remaining land and interests in land within the boundaries of the park. The Secretary is authorized, pending establishment of the park, to negotiate and acquire options for the purchase of lands and interests in land within the boundaries of the park. He is further authorized to execute contracts for the purchase of such lands and interests, but the liability of the United States under any such contract shall be contingent on the availability of appropriated or donated funds to fulfill same.

(b) In the event said lands or any part thereof cease to be used for national park purposes, the persons (including the State of Texas) who donated to the United States rights and interests in minerals in the lands within the park shall be given notice, in accordance with regulations to be prescribed by the Secretary, of their preferential right to a reconveyance, without consideration, of the respective rights and interests in minerals which they donated to the United States. Such notice shall be in a form reasonably calculated to give actual notice to those entitled to such preferential right, and shall provide for a period of not less than one hundred and eighty days within which to exercise such preferential right. The preferential right to such reconveyance shall inure to the benefit of the successors, heirs, devisees, or assigns of such persons having such preferential right to a reconveyance, and such successors, heirs, devisees, or assigns shall be given the notice provided for in this subsection.

(c) Such rights and interests in minerals, including all minerals of whatever nature, in and underlying the lands within the boundaries of the park and which are acquired by the United States under the provisions of this Act are hereby withdrawn from leasing and are hereby excluded from the application of the present or future provisions of the Mineral Leasing Act for Acquired Lands (Aug. 7, 1947, c. 513, 61 Stat. 913) or other Act in lieu thereof having the same purpose, and the same are hereby also excluded from the provisions of all present and future laws affecting the sale of surplus property or of said mineral interests acquired pursuant to this Act by the United States or any department or agency thereof, except that, if such person having such preferential right to a conveyance fails or refuses to exercise such

preferential right to a reconveyance as provided in subparagraph (b) next above, then this subsection (c) shall not be applicable to the rights and interests in such minerals in the identical lands of such person so failing or refusing to exercise such preferential right to a reconveyance from and after the one hundred and eighty-day period referred to in subparagraph (b) next above.

(d) If at any time in the future an Act of Congress provides that the national welfare or an emergency requires the development and production of the minerals underlying the lands within the boundaries of the national park, or any portion thereof, and such Act of Congress, notwithstanding the provisions of subsection (c) of this section or any other Act, authorizes the Secretary to lease said land for the purpose of drilling, mining, developing, and producing said minerals, the Secretary shall give the persons (including the State of Texas) who donated such minerals to the United States notice of their preferential right to lease, without consideration, all or any part of the respective rights and interests in minerals which they donated to the United States, subject to such terms and conditions as the Secretary may prescribe. Such preferential right shall inure to the benefit of the successors or assigns, and of the heirs or devisees of such persons having such preferential right in the premises. The persons entitled to a preferential right under this subsection shall be given the same notice thereof as persons entitled to preferential rights under subsection (b) of this section. If such person having such preferential right fails or refuses to exercise such right within the time specified in the above notice, the Secretary may thereafter lease the minerals involved to any other persons under such terms and conditions as he may prescribe.

(e) If at any time oil, gas, or other minerals should be discovered and produced in commercial quantities from lands outside of the boundaries of the park, thereby causing drainage of oil, gas, or other minerals from lands within the boundaries of the park, and if the Secretary participates in a communitization agreement or takes other action to protect the rights of the United States, the proceeds, if any, derived from such agreement or action shall inure to the benefit of the donors of the oil, gas, or other minerals, or their successors, heirs, devisees, or assigns.

SEC. 4. The Guadalupe Mountains National Park shall be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

SEC. 5. Any funds available for the purpose of administering the five thousand six hundred and thirty-two

acres of lands previously donated to the United States in Culberson County, Texas, shall upon establishment of the Guadalupe Mountains National Park pursuant to this Act be available to the Secretary for purposes of such park.

Sec. 6. There are hereby authorized to be appropriated such sums, but not more than $1,800,000 in all, as may be necessary for the acquisition of lands and interest in lands, and not more than $10,362,000, as may be necessary for the development of the Guadalupe Mountains National Park.

Approved October 15, 1966.

Legislative History

House Report No. 1566 (Committee on Interior and Insular Affairs).
Senate Report No. 1682 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 112 (1966):
June 20: Considered and passed House.
Oct. 7: Considered and passed Senate, amended.
Oct. 10: House concurred in Senate amendments.

10. Hot Springs

An Act to authorize the disposition by the city of Hot Springs, Arkansas, of certain property heretofore conveyed to the city by the United States, and for other purposes. (82 Stat. 862)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 2 of the Act of May 29, 1928 (45 Stat. 959), providing for a reversion to the United States under specified circumstances of the title to part of lot numbered 3 in block numbered 115 in the city of Hot Springs, Arkansas, the city of Hot Springs is hereby authorized to sell or otherwise dispose of said lot upon the condition that the proceeds received from such sale or other disposition shall be used to construct a fire station within the city limits.

SEC. 2. The conditions in the patent issued by the United States on September 7, 1928, to the city of Hot Springs, Arkansas, pursuant to the Act of May 29, 1928 (45 Stat. 959), which provided for a reversion of title to the United States, are hereby released to the extent they are inconsistent with this Act.

Approved September 21, 1968.

Legislative History

House Report No. 1568 (Committee on Interior and Insular Affairs).
Senate Report No. 1534 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 114 (1968):
July 1: Considered and passed House.
Sept. 12: Considered and passed Senate.

11. Isle Royale (excerpt from omnibus bill)

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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

* * * * * * *

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of the Interior is authorized to revise the boundaries of the following units of the national park system:

* * * * * * *

(6) Isle Royale National Park, Michigan: to add approximately 0.52 acre;

* * * * * * *

SEC. 302. The boundary revisions authorized in section 301 shall become effective upon publication in the Federal Register of a map or other description of the lands added or excluded by the Secretary of the Interior.

SEC. 303. Within the boundaries of the areas as revised in accordance with section 301, the Secretary of the Interior is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subject to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this Act, the Secretary (i) may tender, to the owner or owners of record on the date of enactment of this Act, a revocable permit for the continued use and occupancy of such land or any portion thereof subject to such terms and conditions as he deems necessary or (ii) may acquire any land pursuant to this Act subject to the retention of a right of use and occupancy for a term not to exceed 25 years or for the life of the owner or owners. Lands and interests therein excluded from the areas pursuant to section 301 may be exchanged for non-Federal lands within the boundaries as revised, or they may be transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, as the Secretary of the Interior may deem appropriate. In exercising the authority in this section with respect to lands and interests therein excluded from the areas, the Secretary of the Interior may, on behalf of the United States, retrocede to the appropriate State exclusive or

concurrent legislative jurisdiction subject to such terms and conditions as he may deem appropriate, over such lands, to be effective upon acceptance thereof by the State. Any such lands not so exchanged or transferred may be disposed of in accordance with the Federal Property and Administration Services Act of 1949, as amended.

SEC. 304. For the acquisition of lands and interests in lands which are added to the areas referred to in section 301, there are authorized to be appropriated such sums as may be necessary, but not more than the following amounts:

SEC. 305. The authorities in this title are supplementary to any other authorities available to the Secretary of the Interior with respect to the acquisition development, and administration of the areas referred to in section 301.

* * * * * * *

Approved April 11, 1972.

12. Kings Canyon

An Act to add certain lands to the Kings Canyon National Park in the State of California, and for other purposes. (79 Stat. 446)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all lands in Tehipite Valley within the Sierra National Forest lying north of a line described as follows:

Beginning at a point on the existing west boundary of the Kings Canyon National Park on the hydrographic divide on the southwest side of the Gorge of Despair in section 13, township 12 south, range 29 east, Mount Diablo base and meridian, being the crest of a ridge designated as Silver Spur;

thence following the crest of Silver Spur westerly to the intersection with the west line of section 14, township 12 south, range 29 east; thence northwesterly in a straight line across the middle fork of the Kings River to the point of intersection of the right bank of a stream or intermittent stream and the 4,400-foot contour north of Tombstone Ridge, in section 15, township 12 south, range 29 east, being a point on the existing west boundary of the park;

and all lands in the Cedar Grove area of the Sequoia National Forest lying east of the west section lines of sections 11 and 14, township 13 south, range 30 east, Mount Diablo base and meridian, are hereby excluded from the said national forests and made a part of the Kings Canyon National Park, subject to all the laws and regulations applicable to such park.

Approved August 6, 1965.

Legislative History

House Report No. 384 (Committee on Interior and Insular Affairs).
Senate Report No. 499 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965) :
June 7 : Considered and passed House.
July 23 : Considered and passed Senate.

13. Lassen Volcanic (wilderness and excerpt from Omnibus bill)

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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

* * * * * * *

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of the Interior is authorized to revise the boundaries of the following units of the national park system:

* * * * * * *

(8) Lassen Volcanic National Park, California: to exclude approximately 482 acres;

* * * * * * *

SEC. 302. The boundary revisions authorized in section 301 shall become effective upon publication in the Federal Register of a map or other description of the lands added or excluded by the Secretary of the Interior.

SEC. 303. Within the boundaries of the areas as revised in accordance with section 301, the Secretary of the Interior is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subject to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this Act, the Secretary (i) may tender, to the owner or owners of record on the date of enactment of this Act, a revocable permit for the continued use and occupancy of such land or any portion thereof subject to such terms and conditions as he deems necessary or (ii) may acquire any land pursuant to this Act subject to the retention of a right of use and occupancy for a term not to exceed 25 years or for the life of the owner or owners. Lands and interests therein excluded from the areas pursuant to section 301 may be exchanged for non-Federal lands within the boundaries as revised, or they may be transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, as the Secretary of the Interior may deem appropriate. In exercising the authority in this section with respect to lands and interests therein excluded from the areas, the Secretary of the Interior may, on behalf of the

United States, retrocede to the appropriate State exclusive or concurrent legislative jurisdiction subject to such terms and conditions as he may deem appropriate, over such lands, to be effective upon acceptance thereof by the State. Any such lands not so exchanged or transferred may be disposed of in accordance with the Federal Property and Administrative Services Act of 1949, as amended.

SEC. 305. The authorities in this title are supplementary to any other authorities available to the Secretary of the Interior with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved April 11, 1972.

An Act to designate certain lands in the Lassen Volcanic National Park, California, as wilderness. (86 Stat. 918)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act (78 Stat. 892; 16 U.S.C. 1132(c)), certain lands in the Lassen Volcanic National Park, which comprise about seventy-eight thousand nine hundred and eighty-two acres, and which are depicted on the map entitled "Recommended Wilderness, Lassen Volcanic National Park, California" numbered NP–LV–9013C and dated August 1972, are hereby designated as wilderness. The map and the description of the boundaries of such lands shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

SEC. 2. As soon as practicable after this Act takes effect, a map of the wilderness area and a description of its boundaries shall be filed with the Interior and Insular Affairs Committee of the United States Senate and House of Representatives, and such map and description shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in such legal description and map may be made.

SEC. 3. The wilderness area designated by this Act shall be known as the "Lassen Volcanic Wilderness" and shall be administered by the Secretary of the Interior in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

SEC. 4. Section 1 of the Act of August 9, 1916 (39 Stat. 443; 16 U.S.C. 201) is amended by deleting the words "that the United States Reclamation Service may enter upon and utilize for flowage or other purposes any area

within said park which may be necessary for the development and maintenance of a Government reclamation project" and the semicolon appearing thereafter.

Approved October 19, 1972.

Legislative History

House Report No. 92–1422 (Committee on Interior and Insular Affairs).
Senate Report No. 92–1248 accompanying S. 667 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Oct. 2, considered and passed House.
Oct. 5, considered and passed Senate.

14. Mesa Verde

An Act to revise the boundaries of Mesa Verde National Park, Colorado, and for other purposes. (77 Stat. 473)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of Mesa Verde National Park are hereby revised to include the following described lands which, subject to valid existing rights, shall be administered as a part of the park 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 (16 U.S.C. 1 et seq.):

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

Township 36 North, Range 14 West

Section 29: All portions of the south half and the southeast quarter northwest quarter lying south and west of the right-of-way of United States Highway 160.

Section 32: Those portions of the section lying south and west of the right-of-way of United States Highway 160, except the north entrance road to the park, the southeast quarter southwest quarter, and the southeast quarter northeast quarter southwest quarter.

Section 33: That portion of the northwest quarter northwest quarter, more particularly described as follows: Beginning at a point on the west line of section 33 which is 456.5 feet south of the northwest corner of section 33, thence running south along the west line of section 33 for a distance of 373.0 feet, thence running east for a distance of 516.8 feet, thence running north for a distance of 132.7 feet, thence running north 65 degrees 06 minutes west for a distance of 570.0 feet along the southwesterly right-of-way of Highway 160 to the point of beginning.

SEC. 2. The Secretary of the Interior may acquire by purchase, with donated or appropriated funds, lands and interests in lands within the boundaries of Mesa Verde National Park as revised by section 1 of this Act.

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

Approved December 23, 1963.

Legislative History

House Report No. 784 (Committee on Interior and Insular Affairs).
Senate Report No. 778 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 109 (1963):
Oct. 7: Considered and passed House.
Dec. 16: Considered and passed Senate.

15. North Cascades Complex

An Act to establish the North Cascades National Park and Ross Lake and Lake Chelan National Recreation Areas, to designate the Pasayten Wilderness and to modify the Glacier Peak Wilderness, in the State of Washington, and for other purposes. (82 Stat. 926)

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

TITLE I—NORTH CASCADES NATIONAL PARK

SEC. 101. In order to preserve for the benefit, use, and inspiration of present and future generations certain majestic mountain scenery, snowfields, glaciers, alpine meadows, and other unique natural features in the North Cascade Mountains of the State of Washington, there is hereby established, subject to valid existing rights, the North Cascades National Park (hereinafter referred to in this Act as the "park"). The park shall consist of the lands, waters, and interests therein within the area designated "national park" on the map entitled "Proposed Management Units, North Cascades, Washington," numbered NP–CAS–7002, and dated October 1967. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior, and in the office of the Chief, Forest Service, Department of Agriculture.

TITLE II—ROSS LAKE AND LAKE CHELAN NATIONAL RECREATION AREAS

SEC. 201. In order to provide for the public outdoor recreation use and enjoyment of portions of the Skagit River and Ross, Diablo, and Gorge Lakes, together with the surrounding lands, and for the conservation of the scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Ross Lake National Recreation Area (hereinafter referred to in this Act as the "recreation area"). The recreation area shall consist of the lands and waters within the area designated "Ross Lake National Recreation Area" on the map referred to in section 101 of this Act.

SEC. 202. In order to provide for the public outdoor recreation use and enjoyment of portions of the Stehekin River and Lake Chelan, together with the surrounding lands, and for the conservation of the scenic, scientific, historic, and other values contributing to public enjoy-

ment of such lands and waters, there is hereby established, subject to valid existing rights, the Lake Chelan National Recreation Area (hereinafter referred to in this Act as the "recreation area"). The recreation area shall consist of the lands and waters within the area designated "Lake Chelan National Recreation Area" on the map referred to in section 101 of this Act.

TITLE III—LAND ACQUISITION

SEC. 301. Within the boundaries of the park and recreation areas, the Secretary of the Interior (hereinafter referred to in this Act as the "Secretary") may acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange, except that he may not acquire any such interests within the recreation areas without the consent of the owner, so long as the lands are devoted to uses compatible with the purposes of this Act. Lands owned by the State of Washington or any political subdivision thereof may be acquired only by donation. Federal property within the boundaries of the park and recreation areas is hereby transferred to the administrative jurisdiction of the Secretary for administration by him as part of the park and recreation areas. The national forest land within such boundaries is hereby eliminated from the national forests within which it was heretofore located.

SEC. 302. In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the park and recreation areas and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction in the State of Washington which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

SEC. 303. Any owner of property acquired by the Secretary which on the date of acquisition is used for agricultural or single-family residential purposes, or for commercial purposes which he finds are compatible with the use and development of the park or the recreation areas, may, as a condition of such acquisition, retain the right of use and occupancy of the property for the same purposes for which it was used on such date, for a period ending at the death of the owner or the death of his spouse, whichever occurs later, or for a fixed term of not to exceed twenty-five years, whichever the owner may elect. Any right so retained may during its existence be transferred or assigned. Any right so retained may be

terminated by the Secretary at any time after the date upon which any use of the property occurs which he finds is a use other than one which existed on the date of acquisition. In the event the Secretary terminates a right of use and occupancy under this section, he shall pay to the owner of the right the fair market value of the portion of said right which remains unexpired on the date of termination.

TITLE IV—ADMINSTRATIVE PROVISIONS

SEC. 401. The Secretary shall administer the park in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

SEC. 402. (a) The Secretary shall administer the recreation areas in a manner which in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of renewable natural resources and the continuation of such existing uses and developments as will promote or are compatible with, or do not significantly impair, public recreation and conservation of the scenic, scientific, historic, or other values contributing to public enjoyment. In administering the recreation areas, the Secretary may utilize such statutory authorities pertaining to the administration of the national park system, and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate for recreation and preservation purposes and for resource development compatible therewith.

(b) The lands within the recreation areas, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws. The Secretary, under such reasonable regulations as he deems appropriate, may permit the removal of the nonleasable minerals from lands or interest in lands within the recreation areas in the manner prescribed by section 10 of the Act of August 4, 1939, as amended (53 Stat. 1196; 43 U.S.C. 387), and he may permit the removal of leasable minerals from lands or interests in lands within the recreation areas in accordance with the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181 et seq.), or the Acquired Lands Mineral Leasing Act of August 7, 1947 (30 U.S.C. 351 et seq.), if he finds that such disposition would not have significant adverse effects on the administration of the recreation areas.

(c) All receipts derived from permits and leases issued on lands or interests in lands within the recreation areas under the Mineral Leasing Act of February 25, 1920, as

amended, or the Acquired Lands Mineral Leasing Act of August 7, 1947, shall be disposed of as provided in the applicable Act; and receipts from the disposition of nonleasable minerals within the recreation areas shall be disposed of in the same manner as moneys received from the sale of public lands.

(d) The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the recreation areas in accordance with applicable laws of the United States and of the State of Washington, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the Department of Game of the State of Washington.

(e) The Secretary shall not permit the construction or use of any road within the park which would provide vehicular access from the North Cross State Highway to the Stehekin Road. Neither shall he permit the construction or use of any permanent road which would provide vehicular access between May Creek and Hozomeen along the east side of Ross Lake.

TITLE V—SPECIAL PROVISIONS

SEC. 501. The distributive shares of the respective counties of receipts from the national forests from which the national park and recreation areas are created, as paid under the provisions of the Act of May 23, 1908 (35 Stat. 260), as amended (16 U.S.C. 500), shall not be effected by the elimination of lands from such national forests by the enactment of this Act.

SEC. 502. Where any Federal lands included in the park or recreation areas are legally occupied or utilized on the effective date of this Act for any purpose, pursuant to a contract, lease, permit, or license issued or authorized by any department, establishment, or agency of the United States, the Secretary shall permit the persons holding such privileges to continue in the exercise thereof, subject to the terms and conditions thereof, for the remainder of the term of the contract, lease, permit, or license or for such longer period of time as the Secretary deems appropriate.

SEC. 503. Nothing in this Act shall be construed to affect adversely or to authorize any Federal agency to take any action that would affect adversely any rights or privileges of the State of Washington in property within the Ross Lake National Recreation Area which is being utilized for the North Cross State Highway.

SEC. 504. Within two years from the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture shall agree on the designation of areas within the park or recreation areas or within national forests adjacent to the park and recreation areas needed for public use facilities and for administrative purposes by the Secretary of Agriculture or the Secretary of the Interior, respectively. The areas so designated shall be administered in a manner that is mutually agreeable to the two Secretaries, and such public use facilities, including interpretive centers, visitor contact stations, lodges, campsites, and ski lifts, shall be constructed according to a plan agreed upon by the two Secretaries.

SEC. 505. Nothing in this Act shall be construed to supersede, repeal, modify, or impair the jurisdiction of the Federal Power Commission under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), in the recreation areas.

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 shall be appropriated for the acquisition of lands or interest in lands.

TITLE VI—WILDERNESS

SEC. 601. (a) In order to further the purposes of the Wilderness Act, there is hereby designated, subject to valid existing rights, the Pasayten Wilderness within and as a part of the Okanogan National Forest and the Mount Baker National Forest, comprising an area of about five hundred thousand acres lying east of Ross Lake, as generally depicted in the area designated as "Pasayten Wilderness" on the map referred to in section 101 of this Act.

(b) The previous classification of the North Cascades Primitive Area is hereby abolished.

SEC. 602. The boundaries of the Glacier Peak Wilderness, an area classified as such more than thirty days before the effective date of the Wilderness Act and being within and a part of the Wenatchee National Forest and the Mount Baker National Forest, subject to valid existing rights, are hereby extended to include portions of the Suiattle River corridor and the White Chuck River corridor on the western side thereof, comprising areas totaling about ten thousand acres, as depicted in the area designated as "Additions to Glacier Peak Wilderness" on the map referred to in section 101 of this Act.

SEC. 603. (a) As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file a map and legal description of the Pasayten Wilderness and of the Glacier Peak Wilderness, as hereby modified, with the Interior and Insular Affairs Committees of the

United States Senate and House of Representatives, and such descriptions shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical or typographical errors in such legal descriptions and maps may be made.

(b) Upon the filing of the legal descriptions and maps as provided for in subsection (a) of this section the Pasayten Wilderness and the additions to the Glacier Peak Wilderness shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act and thereafter shall be subject to the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

SEC. 604. Within two years from the date of enactment of this Act, the Secretary of the Interior shall review the area within the North Cascades National Park, including the Picket Range area and the Eldorado Peaks area, and shall report to the president, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), his recommendation as to the suitability or nonsuitability of any area within the park for preservation as wilderness, and any designation of any such area as a wilderness area shall be accomplished in accordance with said subsections of the Wilderness Act.

Approved October 2, 1968.

Legislative History

House Report No. 1870 accompanying H.R. 8970 (Committee on Interior and Insular Affairs).
Senate Report No. 700 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 113 (1967): Nov. 2, considered and passed Senate.
Vol. 114 (1958):
Sept. 16, considered and passed House, amended, in lieu of H.R. 8970.
Sept. 19, Senate concurred in House amendment.

16. Petrified Forest

An Act to designate certain lands as wilderness. (84 Stat. 1105)

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

* * * * * * *

DESIGNATION OF WILDERNESS AREAS WITHIN NATIONAL PARKS AND MONUMENTS

SEC. 2. In accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness:

(a) certain lands in the Craters of the Moon National Monument, which comprise about forty-three thousand two hundred and forty-three acres and which are depicted on a map entitled "Wilderness Plan Craters of the Moon National Monument, Idaho," numbered 131–91,000 and dated March 1970, which shall be known as the "Craters of the Moon National Wilderness Area";

(b) certain lands in the Petrified Forest National Park, which comprise about fifty thousand two hundred and sixty acres and which are depicted on a map entitled "Recommended Wilderness, Petrified Forest National Park, Arizona", numbered NP–PF–3320–O and dated November 1967, which shall be known as the "Petrified Forest National Wilderness Area".

* * * * * * *

SEC. 4. As soon as practicable after this Act takes effect, a map and a legal description of each wilderness area shall be filed with the Interior and Insular Affairs Committes of the United States Senate and the House of Representatives, and such description shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in such legal description and map may be made.

SEC. 5. Wilderness areas designated by or pursuant to this Act shall be administered in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary who has administrative jurisdiction over the area.

Approved October 23, 1970.

17. Redwood

An Act to establish a Redwood National Park in the State of California, and for other purposes. (82 Stat. 931)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve significant examples of the primeval coastal redwood (Sequoia sempervirens) forests and the streams and seashores with which they are associated for purposes of public inspiration, enjoyment, and scientific study, there is hereby established a Redwood National Park in Del Norte and Humboldt Counties, California.

SEC. 2. (a) The area to be included within the Redwood National Park is that generally depicted on the maps entitled "Redwood National Park," numbered NPS–RED–7114–A and NPS–RED–7114–B, and dated September 1968, copies of which maps shall be kept available for public inspection in the offices of the National Park Service, Department of the Interior, and shall be filed with appropriate officers of Del Norte and Humboldt Counties. The Secretary of the Interior (hereinafter referred to as the "Secretary") may from time to time, with a view to carrying out the purpose of this Act and with particular attention to minimizing siltation of the streams, damage to the timber, and assuring the preservation of the scenery within the boundaries of the national park as depicted on said maps, modify said boundaries, giving notice of any changes involved therein by publication of a revised drawing or boundary description in the Federal Register and by filing said revision with the officers with whom the original maps were filed, but the acreage within said park shall at no time exceed fifty-eight thousand acres, exclusive of submerged lands.

(b) The Secretary is authorized to acquire by donation only all or part of existing publicly owned highways and roads within the boundaries of the park as he may deem necessary for park purposes. Until such highways and roads have been acquired, the Secretary may cooperate with appropriate State and local officials in patroling and maintaining such roads and highways.

SEC. 3. (a) The Secretary is authorized to acquire lands and interests in land within the boundaries of the Redwood National Park and, in addition thereto, not more than ten acres outside of those boundaries for an administrative site or sites. Such acquisition may be by donation, purchase with appropriated or donated funds, exchange, or otherwise, but lands and interests in land owned by the State of California may be acquired only by donation.

(b)(1) 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 park boundaries designated in maps NPS–RED–7114–A and NPS–RED–7114–B, except real property owned by the State of California or a political subdivision thereof and except as provided in paragraph (3) of this subsection. The Secretary shall allow for the orderly termination of all operations on real property acquired by the United States under this subsection, and for the removal of equipment, facilities, and personal property therefrom.

(2) The United States will pay just compensation to the owner of any real property taken by paragraph (1) of this subsection. Such compensation shall be paid either: (A) by the Secretary of the Treasury from money appropriated from the Land and Water Conservation Fund, including money appropriated to the Fund pursuant to section 4(b) of the Land and Water Conservation Fund Act of 1965, as amended, subject to the appropriation limitation in section 10 of this Act, upon certification to him by the Secretary 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 the property to the date of payment therefor; or (B) by the Secretary, if the owner of the land concurs, with any federally owned property available to him for purposes of exchange pursuant to the provisions of section 5 of this Act; or (C) by the Secretary using any combination of such money or federally owned property. Any action against the United States for the recovery of just compensation for the land and interests therein taken by the United States by this subsection shall be brought in the Court of Claims as provided in title 28, United States Code, section 1491.

(3) Subsection 3(b) shall apply to ownerships of fifty acres or less only if such ownerships are held or occupied primarily for nonresidential or nonagricultural purposes, and if the Secretary gives notice to the owner within sixty days after the effective date of this Act of the application of this subsection. Notice by the Secretary shall be deemed to have been made as of the effective date of this Act. The district court of the United States for that district in which such ownerships are located shall have jurisdiction to hear and determine any action brought by any person having an interest therein for damages occurring by reason of the temporary application of this paragraph, between the effective date of this Act and the date upon which the Secretary gives such notice. Nothing in this paragraph shall be construed as affecting the authority of the Secretary under subsections (a) and (c) of this

section to acquire such areas for the purposes of this Act.

(c) If any individual tract or parcel of land acquired is partly inside and partly outside the boundaries of the park or the administrative site the Secretary may, in order to minimize the payment of severance damages, acquire the whole of the tract or parcel and exchange that part of it which is outside the boundaries for land or interests in land inside the boundaries or for other land or interests in land acquired pursuant to this Act, and dispose of so much thereof as is not so utilized in accordance with the provisions of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (40 U.S.C. 471 et seq.). The cost of any land so acquired and disposed of shall not be charged against the limitation on authorized appropriations contained in section 10 of this Act.

(d) The Secretary is further authorized to acquire, as provided in subsection (a) of this section, lands and interests in land bordering both sides of the highway between the present southern boundary of Prairie Creek Redwoods State Park and a point on Redwood Creek near the town of Orick to a depth sufficient to maintain or to restore a screen of trees between the highway and the land behind the screen and the activities conducted thereon.

(e) In order to afford as full protection as is reasonably possible to the timber, soil, and streams within the boundaries of the park, the Secretary is authorized, by any of the means set out in subsections (a) and (c) of this section, to acquire interests in land from, and to enter into contracts and cooperative agreements with, the owners of land on the periphery of the park and on watersheds tributary to streams within the park designed to assure that the consequences of forestry management, timbering, land use, and soil conservation practices conducted thereon, or of the lack of such practices, will not adversely affect the timber, soil, and streams within the park as aforesaid. As used in this subsection, the term "interests in land" does not include fee title unless the Secretary finds that the cost of a necessary less-than-fee interest would be disproportionately high as compared with the estimated cost of the fee. No acquisition other than by donation shall be effectuated and no contract or cooperative agreement shall be executed by the Secretary pursuant to the provisions of this subsection until sixty days after he has notified the President of the Senate and the Speaker of the House of Representatives of his intended action and of the costs and benefits to the United States involved therein.

SEC. 4. (a) The owner of improved property on the date of its acquisition by the Secretary under this Act

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 the 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 minus 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 purpose 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.

(b) The term "improved property", as used in this section, means a detached, noncommercial residential dwelling, the construction of which was begun before October 9, 1967, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

(c) The Secretary shall have, with respect to any real property acquired by him in sections 5 and 8, township 13 north, range 1 east, Humboldt meridan, authority to sell or lease the same to the former owner under such conditions and restrictions as will assure that it is not utilized in a manner or for purposes inconsistent with the national park.

SEC. 5. In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the park, and outside of such boundaries within the limits prescribed in this Act. Notwithstanding any other provision of law, the Secretary may acquire such property from the grantor by exchange for any federally owned property under the jurisdiction of the Bureau of Land Management in California, except property needed for public use and management, which he classifies as suitable for exchange or other disposal, or any federally owned property he may designate within the Northern Redwood Purchase Unit in Del Norte County, California, except

that section known and designated as the Yurok Experimental Forest, consisting of approximately nine hundred and thirty-five acres. Such federally owned property shall also be available for use by the Secretary in lieu of, or together with, cash in payment of just compensation for any real property taken pursuant to section 3(b) of this Act. The values of the properties so exchanged either shall be approximately equal or, if they are not approximately equal, the value shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. Through the exercise of his exchange authority, the Secretary shall, to the extent possible, minimize economic dislocation and the disruption of the grantor's commercial operations.

SEC. 6. Notwithstanding any other provision of law, any Federal property located within any of the areas described in sections 2 and 3 of this Act may, with the concurrence of the head of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act.

SEC. 7. (a) Notwithstanding any other provision of law, the Secretary shall have the same authority with respect to contracts for the acquisition of land and interests in land for the purposes of this Act as was given the Secretary of the Treasury for other land acquisitions by section 34 of the Act of May 30, 1908 (35 Stat. 545; 40 U.S.C. 261), and the Secretary and the owner of land to be acquired under this Act may agree that the purchase price will be paid in periodic installments over a period that does not exceed ten years, with interest on the unpaid balance thereof at a rate which is not in excess of the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities on the installments.

(b) Judgments against the United States for amounts in excess of the deposit in court made in condemnation actions shall be subject to the provisions of section 1302 of the Act of July 27, 1956 (70 Stat. 694), as amended (31 U.S.C. 724a), and the Act of June 25, 1948 (62 Stat. 979), as amended (28 U.S.C. 2414, 2517).

SEC. 8. The present practice of the California Department of Parks and Recreation of maintaining memorial groves of redwood trees named for benefactors of the State redwood parks shall be continued by the Secretary in the Redwood National Park.

SEC. 9. The Secretray shall administer the Redwood National Park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

SEC. 10. There are hereby authorized to be appropriated $92,000,000 for land acquisition to carry out the provisions of this Act.

Approved October 2, 1968.

Legislative History

House Reports: No. 1630 (Committee on Interior and Insular Affairs) and No. 1890 (Committee of Conference).
Senate Report No. 641 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 113 (1967): Oct. 13, Nov. 1, considered and passed Senate.
Vol. 114 (1968):
July 15, considered and passed House, amended.
Sept. 12, House agreed to conference report.
Sept. 19, Senate agreed to conference report.

18. Sequoia

Joint Resolution to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project. (77 Stat. 70)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to issue a permit to occupy and use lands of the United States within Sequoia National Park necessary for the continued operation, maintenance, and use of the hydroelectric project known as the Kaweah number 3 project of Southern California Edison Company.

SEC. 2. The term of such permit shall expire not later than August 6, 1974, and the permit shall contain such other terms and conditions as the Secretary of the Interior shall deem necessary for the protection and utilization of Sequoia National Park.

SEC. 3. Such permit shall specifically recite that the privileges granted thereby are to be exercised in accordance with the Federal Power Act (16 U.S.C. 791(a)–825(r)) and the rules and regulations thereunder which the Secretary of the Interior, after consultation with the Federal Power Commission, determines to be applicable.

Approved June 21, 1963.

Legislative History

House Report No. 163 (Interior and Insular Affairs Committee).
Senate Report No. 259 (Interior and Insular Affairs Committee).
Congressional Record, Vol. 109, 1963:
Apr. 22: Passed House.
June 19: Considered and passed Senate.

496-156—73——13

19. Voyageurs

An Act to authorize the establishment of the Voyageurs National Park in the State of Minnesota, and for other purposes. (84 Stat. 1971)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the purpose of this Act is to preserve, for the inspiration and enjoyment of present and future generations, the outstanding scenery, geological conditions, and waterway system which constituted a part of the historic route of the Voyageurs who contributed significantly to the opening of the Northwestern United States.

ESTABLISHMENT

SEC. 101. In furtherance of the purpose of this Act, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to establish the Voyageurs National Park (hereinafter referred to as the "park") in the State of Minnesota, by publication of notice to that effect in the Federal Register at such time as the Secretary deems sufficient interests in lands or waters have been acquired for administration in accordance with the purposes of this Act: *Provided*, That the Secretary shall not establish the park until the lands owned by the State of Minnesota and any of its political subdivisions within the boundaries shall have been donated to the Secretary for the purposes of the park: *Provided further*, That the Secretary shall not acquire other lands by purchase for the park prior to such donation unless he finds that acquisition is necessary to prevent irreparable changes in their uses or character of such a nature as to make them unsuitable for park purposes and notifies the Committees on Interior and Insular Affairs of both the Senate and the House of Representatives of such findings at least thirty days prior to such acquisition.

SEC. 102. The park shall include the lands and waters within the boundaries are generally depicted on the drawing entitled "A Proposed Voyageurs National Park, Minnesota," numbered LNPMW–VOYA–1001, dated February 1969, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. Within one year after acquisition of the lands owned by the State of Minnesota and its political subdivisions within the boundaries of the park the Secretary shall affix to such drawing an exact legal description of said boundaries. The Secretary may revise the boundaries of the park from time to time by publishing in the Federal Register a revised

drawing or other boundary description, but such revisions shall not increase the land acreage within the park by more than one thousand acres.

LAND ACQUISITION

SEC. 201. (a) The Secretary may acquire lands or interests therein within the boundaries of the park 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 aquired outside of the park boundaries may be exchanged by the Secretary for non-Federal lands within the park boundaries. Any portion of land acquired outside the park boundaries 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 park may be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of the park. Lands within the boundaries of the park owned by the State of Minnesota, or any political subdivision thereof, may be acquired only by donation.

(b) In exercising his authority to acquire property under this section, the Secretary shall give immediate and careful consideration to any offer made by any individual owning property within the park area to sell such property to the Secretary. In considering such offer, the Secretary shall take into consideration any hardship to the owner which might result from any undue delay in acquiring his property.

SEC. 202. (a) Any owner or owners (hereinafter referred to as "owner") of improved property on the date of its acquisition by the Secretary may, if the Secretary determines that such improved property is not, at the time of its acquisition, required for the proper administration of the park, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed 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 retained. 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.

(b) If the State of Minnesota donates to the United States any lands within the boundaries of the park sub-

ject to an outstanding lease on which the lessee began construction of a noncommercial or recreational residential dwelling prior to January 1, 1969, the Secretary may grant to such lessee a right of use and occupancy for such period of time as the Secretary, in his discretion, shall determine; *Provided*, That no such right of use and occupancy shall be granted, extended, or continue after ten years from the date of the establishment of the park.

(c) Any right of use and occupancy retained or granted pursuant to this section shall be subject to termination by the Secretary upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this Act, or upon his determination that the property is required for the proper administration of the park. The Secretary shall tender to the holder of the right so terminated an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

(d) The term "improved property", as used in this section, shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1969, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

SEC. 203. Notwithstanding any other provision of law, the Secretary is authorized to negotiate and enter into concession contracts with former owners of commercial, recreational, resort, or similar properties located within the park boundaries for the provision of such services at their former location as he may deem necessary for the accommodation of visitors.

SEC. 204. The Secretary is authorized to pay a differential in value, as hereinafter set forth, to any owner of commercial timberlands within the park with whom the State of Minnesota has negotiated, for the purpose of conveyance to the United States, an exchange of lands for State lands outside the park. Payment hereunder may be made when an exchange is based upon valuations for timber purposes only, and shall be the difference between the value of such lands for timber purposes, as agreeable to the State, the Secretary, and any owner, and the higher value, if any, of such lands for recreational purposes not attributable to establishment or authorization of the park: *Provided*, That any payment shall be made only at such time as fee title of lands so acquired within the boundaries is conveyed to the United States.

ADMINISTRATION

SEC. 301. (a) Except as hereinafter provided, the Secretary shall administer the lands acquired for the park, and after establishment shall administer the park, in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535) as amended and supplemented (16 U.S.C. 1–4).

(b) Within four years from the date of establishment, the Secretary of the Interior shall review the area within the Voyaguers National Park and shall report to the President, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), his recommendation as to the suitability or nonsuitability of any area within the lakeshore for preservation as wilderness, and any designation of any such area as a wilderness may be accomplished in accordance with said subsections of the Wilderness Act.

(c) All mining and mineral activities and commercial water power development within the boundaries of the park shall be prohibited, and further, any conveyance from the State of Minnesota shall contain a convenant that the State of Minnesota, its licensees, permittees, lessees, assigns, or successors in interest shall not engage in or permit any mining activity nor water power development.

SEC. 302. (a) The Secretary shall permit recreational fishing on lands and waters under his jurisdiction within the boundaries of the park in accordance with applicable laws of the United States and of the State of Minnesota, except that the Secretary may designate zones where and establish periods when no fishing shall be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate agency of the State of Minnesota.

(b) The seining of fish at Shoepac Lake by the State of Minnesota to secure eggs for propagation purposes shall be continued in accordance with plans mutually acceptable to the State and the Secretary.

SEC. 303. The Secretary may, when planning for development of the park, include appropriate provisions for (1) winter sports, including the use of snowmobiles, (2) use by seaplanes, and (3) recreational use by all types of watercraft, including houseboats, runabouts, canoes, sailboats, fishing boats, and cabin cruisers.

SEC. 304. Nothing in this Act shall be construed to affect the provisions of any treaty now or hereafter in force between the United States and Great Britain relating to Canada or between the United States and Canada,

or of any order or agreement made or entered into pursuant to any such treaty, which by its terms would be applicable to the lands and waters which may be acquired by the Secretary hereunder, including, without limitation on the generality of the foregoing, the Convention Between the United States and Canada on Emergency Regulation of Level of Rainy Lake and of Other Boundary Waters in the Rainy Lake Watershed, signed September 15, 1938, and any order issued pursuant thereto.

SEC. 305. The Secretary is authorized to make provision for such roads within the park as are, or will be, necessary to assure access from present and future State roads to public facilities within the park.

APPROPRIATIONS

SEC. 401. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, $26,014,000 for the acquisition of property, and not to exceed $19,179,000 (June 1969 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.

Approved January 8, 1971.

Legislative History

House Report No. 91–1552 (Committee on Interior and Insular Affairs).
Senate Report No. 91–1513 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970):
Oct. 5, considered and passed House.
Dec. 22, considered and passed Senate, amended.
Dec. 29, House concurred in Senate amendments.

20. Yosemite

An Act to validate the action of the Acting Superintendent, Yosemite National Park, in extending the 1955 leave year for certain Federal employees, and for other purposes. (80 Stat. 120)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, inasmuch as the administrative order issued by the Acting Superintendent of Yosemite National Park recalling to duty certain Federal employees to assist in meeting the storm and flood emergency which existed in late 1955 and early 1956 was in the public interest, his action purporting to extend to March 15, 1956, the time within which leave available for the 1955 leave year could be used is hereby validated.

Approved April 14, 1966.

Legislative History

House Report No. 1403 (Committee on Post Office and Civil Service).
Senate Report No. 1061 (Committee on Post Office and Civil Service).
Congressional Record, Vol. 112 (1966):
Mar. 14: Considered and passed Senate.
Apr. 4: Passed House.

An Act to authorize the Secretary of the Interior to grant long-term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, California, and for other purposs. (82 Stat. 393)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the purposes of the Act entitled "An Act to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, California, on lands adjacent to the park, and for other purposes," approved September 2, 1958 (72 Stat. 1772), the Secretary of the Interior is authorized, notwithstanding any other provision of law, to lease lands within the El Portal administrative site for periods of fifty-five years to any operator of concession facilities in the park, or its successor, for purposes of providing employee housing. Such leases shall provide that the concessioner may sublease the property to its employees for terms not to exceed the remaining terms of such leases, and they shall be subject to such terms and conditions as the Secretary of the Interior may require to assure appropriate administration, protection, and development of the land for purposes incident to the provisions of facilities and services required in the operation and administration of the park: *Provided*, That the Secretary of the Interior shall grant such leases in consideration of an annual payment to the United States of the fair rental value of the leased lands, as determined by him at the beginning of each calendar year.

SEC. 2. The Secretary of the Interior may enter into agreements with other Federal agencies and with any concessioner or its successor in order to effectuate the purposes of this Act.

Approved July 21, 1968.

Legislative History

House Report No. 615 (Committee on Interior and Insular Affairs).
Senate Report No. 1364 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 113 (1967): Sept. 11, considered and passed House.
Vol. 114 (1968): July 10, considered and passed Senate.

III. NATIONAL HISTORICAL PARKS

1. Chesapeake and Ohio Canal

An Act to establish and develop the Chesapeake and Ohio Canal National Historical Park, and for other purposes. (84 Stat. 1978)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Chesapeake and Ohio Canal Development Act".

DEFINITIONS

SEC. 2. As used in this Act—

(a) "Park means the Chesapeake and Ohio Canal National Historical Park, as herein established.

(b) "Canal" means the Chesapeake and Ohio Canal, including its towpath.

(c) "Secretary" means the Secretary of the Interior.

(d) "State" means any State, and includes the District of Columbia.

(e) "Local government" means any political subdivision of a State, including a county, municipality, city, town, township, or a school or other special district created pursuant to State law.

(f) "Person" means any individual, partnership, corporation, private nonprofit organization, or club.

(g) "Landowner" means any person, local government, or State owning, or on reasonable grounds professing to own, lands or interests in lands adjacent to or in the vicinity of the park.

ESTABLISHMENT OF PARK

SEC. 3. (a) In order to preserve and interpret the historic and scenic features of the Chesapeake and Ohio Canal, and to develop the potential of the canal for public recreation, including such restoration as may be needed, there is hereby established the Chesapeake and Ohio Canal National Historical Park, in the States of Maryland and West Virginia and in the District of Columbia. The park as initially established shall comprise those particular properties in Federal ownership, containing approximately five thousand two hundred and fifty acres, including those properties along the line of the Chesapeake and Ohio Canal in the State of Maryland and appurtenances in the State of West Virginia designated as the Chesapeake and Ohio Canal National Monument, and those properties along the line of the Chesapeake and

Ohio Canal between Rock Creek in the District of Columbia and the terminus of the Chesapeake and Ohio Canal National Monument near the mouth of Seneca Creek in the State of Maryland. The boundaries of the park shall be as generally depicted on the drawing entitled "Boundary Map, Proposed Chesapeake and Ohio Canal National Historical Park," in five sheets, numbered CHOH 91,000, and dated October 1969, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior: *Provided*, That no lands owned by any State shall be included in the boundaries of the park—

(1) unless they are donated to the United States, or

(2) until a written cooperative agreement is negotiated by the Secretary which assures the administration of such lands in accordance with established administrative policies for national parks, and

(3) until the terms and conditions of such donation or cooperative agreement have been forwarded to the Committees on Interior and Insular Affairs of the United States House of Representatives and Senate at least sixty days prior to being executed.

The exact boundaries of the park shall be established, published, and otherwise publicized within eighteen months after the date of this Act and the owners of property other than property lying between the canal and the Potomac River shall be notified within said period as to the extent of their property included in the park.

(b) Within the boundaries of the park, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, or exchange, but he shall refrain from acquiring, for two years from the date of the enactment of this Act, any lands designated on the boundary map for acquisition by any State if he has negotiated and consummated a written cooperative agreement with such State pursuant to subsection (a) of this section.

COOPERATIVE AGREEMENTS

SEC. 4. The Secretary shall take into account comprehensive local or State development, land use, or recreational plans effecting or relating to areas in the vicinity of the canal, and shall, wherever practicable, consistent with the purposes of this Act, exercise the authority granted by this Act in a manner which he finds will not conflict with such local or State plans.

ACCESS

SEC. 5. (a) The enactment of this Act shall not affect adversely any valid rights heretofore existing, or any

valid permits heretofore issued, within or relating to areas authorized for inclusion in the park.

(b) Other uses of park lands, and utility, highway, and railway crossings, may be authorized under permit by the Secretary, if such uses and crossings are not in conflict with the purposes of the park and are in accord with any requirements found necessary to preserve park values.

(c) Authority is hereby granted for individuals to cross the park by foot at locations designated by the Secretary for the purpose of gaining access to the Potomac River or to non-Federal lands for hunting purposes: *Provided*, That while such individuals are within the boundaries of the park firearms shall be unloaded, bows unstrung, and dogs on leash.

ADVISORY COMMISSION

SEC. 6. (a) There is hereby established a Chesapeake and Ohio Canal National Historical Park Commission (hereafter in this section referred to as the "Commission").

(b) The Commission shall be composed of nineteen members appointed by the Secretary for terms of five years each, as follows:

(1) Eight members to be appointed from recommendations submitted by the boards of commissioners or the county councils, as the case may be, of Montgomery, Frederick, Washington, and Allegany Counties, Maryland, of which two members shall be appointed from recommendations submitted by each such board or council, as the case may be;

(2) Eight members to be appointed from recommendations submitted by the Governor of the State of Maryland, the Governor of the State of West Virginia, the Governor of the Commonwealth of Virginia, and the Commissioner of the District of Columbia, of which two members shall be appointed from recommendations submitted by each such Governor or Commissioner, as the case may be; and

(3) Three members to be appointed by the Secretary, one of whom shall be designated Chairman of the Commission and two of whom shall be members of regularly constituted conservation organizations.

(c) Any vacancy in the Commission shall be filed in the same manner in which the original appointment was made.

(d) Members of the Commission shall serve without compensation, as such, but the Secretary is authorized to pay, upon vouchers signed by the Chairman, the expenses reasonably incurred by the Commission and its members in carrying out their responsibilities under this Act.

(e) The Secretary, or his designee, shall from time to time but at least annually, meet and consult with the Commission on general policies and specific matters related to the administration and development of the park.

(f) The Commission shall act and advise by affirmative vote of a majority of the members thereof.

(g) The Commission shall cease to exist ten years from the effective date of this Act.

ADMINISTRATION AND APPROPRIATIONS

SEC. 7. The Chesapeake and Ohio Canal National Historical Park shall be administered by the Secretary of the Interior in accordance with the Act of August 25, 1916 (30 Stat. 535; 16 U.S.C. 1, 2–4), as amended and supplemented.

SEC. 8. (a) Any funds that may be available for purposes of administration of the Chesapeake and Ohio Canal property may hereafter be used by the Secretary for the purposes of the park.

(b) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed $20,400,000 for land acquisition and not to exceed $17,000,000 (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 cost indices applicable to the types of construction involved herein.

Approved January 8, 1971.

Legislative History

House Report No. 91–1553 (Committee on Interior and Insular Affairs).
Senate Report No. 91–1512 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970):
Oct. 5, considered and passed House.
Dec. 22, considered and passed Senate.

2. Colonial

An Act to authorize the Secretary of the Interior to acquire certain properties within the Colonial National Historical Park, in Yorktown, Virginia, and for other purposes. (81 Stat. 176)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to permit acquisition of the Thomas Nelson House, the Edmund Smith House, the John Ballard House, and the Thomas Pate House, all of which are located within the boundaries of the Colonial National Historical Park on lots numbered 42A, 44 through 55, 84, 85, and 120 through 129, and known as the George Waller Blow Estate, the appropriation authorization in section 4 of the Act of July 3, 1930, as amended (46 Stat. 1490), is amended by deleting "$2,000,000" and substituting "$2,777,000".

Approved August 29, 1967.

3. George Rogers Clark

An Act to authorize the Secretary of the Interior to accept a donation by the State of Indiana of the George Rogers Clark Memorial for establishment as the George Rogers Clark National Historical Park, and for other purposes. (80 Stat. 325)

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 accept the donation by the State of Indiana of approximately seventeen acres of land comprising the George Rogers Clark Memorial in Vincennes, Indiana, for establishment and administration as the George Rogers Clark National Historical Park.

SEC. 2. The Secretary of the Interior may enter into cooperative agreements with the owners of property in Vincennes, Indiana, historically associated with George Rogers Clark and the Northwest Territory for the inclusion of such property in the George Rogers Clark National Historical Park. Under such agreements the Secretary may assist in the preservation, renewal, and interpretation of the property.

SEC. 3. The Secretary of the Interior shall administer, protect, develop, and maintain the George Rogers Clark National Historical Park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented.

Approved July 23, 1966.

Legislative History

House Report No. 1562 (Committee on Interior and Insular Affairs).
Senate Report No. 1354 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 112 (1966):
June 6: Considered and passed House.
July 11: Considered and passed Senate.

4. Harpers Ferry

An Act to change the name of Harpers Ferry National Monument to Harpers Ferry National Historical Park. (77 Stat. 52)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Harpers Ferry National Monument established pursuant to the Act entitled "An Act to provide for the establishment of the Harpers Ferry National Monument", approved June 30, 1944 (58 Stat. 645), shall hereafter be known as Harpers Ferry National Historical Park, and any law, regulation, document, or record of the United States in which such monument is designated or referred to under the name of Harpers Ferry National Monument shall be held to refer to such monument under and by the name of Harpers Ferry National Historical Park.

Approved May 29, 1963.

Legislative History

House Report No. 291 (Interior and Insular Affairs Committee).
Senate Report No. 114 (Interior and Insular Affairs Committee).
Congressional Record, Vol. 109, 1963:
Apr. 9: Considered and passed Senate.
May 20: Considered and passed House.

5. Independence

An Act to authorize the exchange of certain property at Independence National Historical Park, and for other purposes. (78 Stat. 958)

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 convey on behalf of the United States a certain tract of land, or any interest therein, being a portion of Independence National Historical Park project B, embracing fifteen thousand six hundred and fifty square feet, more or less, and situate on the northeast corner of South Fifth Street and Marshall Court (formerly Manning Street), city of Philadelphia, Pennsylvania, together with the improvements thereon, to the Redevelopment Authority of the City of Philadelphia in exchange for property, or interest therein, owned by the authority of approximately equal value and which the Secretary deems necessary for use in connection with the Independence National Historical Park. Property conveyed by the Secretary pursuant to this Act shall thereupon cease to be a part of the park, and the property acquired in exchange therefor shall thereafter be a part of the park, subject to all the laws and regulations applicable to the park.

Approved September 18, 1964.

Legislative Hisory

House Report No. 1389 (Committee on Interior and Insular Affairs).
Senate Report No. 1529 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 110 (1964):
May 18: Considered and passed House.
Sept. 8: Considered and passed Senate.

An Act to authorize the Secretary of the Interior to acquire the Graff House site for inclusion in Independence National Historical Park, and for other purposes. (78 Stat. 587)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to include in Independence National Historical Park the site of the Graff House where Thomas Jefferson wrote the Declaration of Independence, the Secretary of the Interior is authorized to acquire by purchase, donation, or with donated funds all or any interests in the land and improvements thereon located at the southwest corner of Market and South Seventh Streets, in the city of Philadelphia, State of Pennsylvania, and more particularly described as follows:

Beginning at a point located at the intersection of the southerly line of Market Street with the westerly line of South Seventh Street, thence southerly along the west side of South Seventh Street 124 feet, thence westerly 50 feet, thence northerly 124 feet, thence easterly 50 feet to the point of beginning.

SEC. 2. The Secretary is further authorized to erect on

the site aforesaid, with donated funds, a replica of the Graff House and to furnish and maintain the same.

SEC. 3. The lands hereinbefore described and the building to be erected thereon shall become a part of the Independence National Historical Park and shall be administered in accordance with the laws and regulations applicable thereto.

SEC. 4. There are authorized to be appropriated such sums, but not more than $200,000, as may be necessary for acquisition of the land described in the first section of this Act: *Provided*, That the Secretary of the Interior shall not obligate or expend any moneys herein authorized to be appropriated for acquisition of the land unless and until commitments are obtained for donations in an amount which in the judgment of the Secretary is sufficient to provide a replica of the Graff House in accordance with section 2.

Approved August 21, 1964.

Legislative History

House Report No. 904 (Committee on Interior and Insular Affairs).
Senate Report No. 1279 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 109 (1963): Dec. 2, considered and passed House.
Vol. 110 (1964):
Aug. 1, considered and passed Senate, amended.
Aug. 7, House concurred in Senate amendment.

An Act to authorize the exchange of certain property at Independence National Historical Park, and for other purposes. (78 Stat. 958)

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 convey on behalf of the United States a certain tract of land, or any interest therein, being a portion of Independence National Historical Park project B, embracing fifteen thousand six hundred and fifty square feet, more or less, and situate on the northeast corner of South Fifth Street and Marshall Court (formerly Manning Street), city of Philadelphia, Pennsylvania, together with the improvements thereon, to the Redevelopment Authority of the City of Philadelphia in exchange for property, or interest therein, owned by the authority of approximately equal value and which the Secretary deems necessary for use in connection with the Independence National Historical Park. Property conveyed by the Secretary pursuant to this Act shall thereupon cease to be a part of the park, and the property acquired in exchange therefor shall thereafter be a part of the park, subject to all the laws and regulations applicable to the park.

Approved September 18, 1964.

Legislative History

House Report No. 1389 (Committee on Interior and Insular Affairs).
Senate Report No. 1529 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 110 (1964):
May 18: Considered and passed House.
Sept. 8: Considered and passed Senate.

An Act to amend the Act of June 29, 1948, as amended, relating to the acquisition of property for the Independence National Historical Park. (84 Stat. 333)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 6 of the Act entitled "An Act to provide for the establishment of the Independence National Historical Park, and for other purposes," approved June 28, 1948 (62 Stat. 1061, as amended; 16 U.S.C. 407r), is further amended by striking out "$7,950,000" and inserting in lieu thereof "$11,200,000."

Approved June 25, 1970.

Legislative History

House Report No. 91–1123 accompanying H.R. 15608 (Committee on Interior and Insular Affairs).
Senate Report No. 91–571 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 115 (1969): Dec. 8, considered and passed Senate.
Vol. 116 (1970): June 15, considered and passed House, in lieu of H.R. 15608.

6. Minute Man

An Act to amend the Act of September 21, 1959 (73 Stat. 590), to authorize the Secretary of the Interior to revise the boundaries of Minute Man National Historical Park, and for other purposes. (84 Stat. 1436)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of September 21, 1959 (73 Stat. 590) is amended by inserting "(a)" after the word "that" in the first sentence and adding two subsections, as follows:

"(b) Notwithstanding the description set forth in subsection (a) of this section, if the Secretary should determine that the relocation of Highway 2 by the Commonwealth of Massachusetts makes it desirable to establish new boundaries in common with, contiguous or adjacent to the proposed right-of-way for that highway, he is authorized to relocate such boundaries accordingly, and shall give notice thereof by publication of a map or other suitable description in the Federal Register: *Provided*, That any net acreage increase by reason of the boundary revision and land exchanges with the Commonwealth shall not be included in calculations of acreage in regard to the limitation set forth in subsection (a) of this section, but shall be in addition thereto.

"(c) Any lands added to the Minute Man National Historical Park, pursuant to subsection (b) may be acquired only if such acquisition can be accomplished without cost for land acquisition and, when so acquired, shall be subject to all laws, rules, and regulations applicable thereto."

SEC. 2. Section 6 of the Act of September 21, 1951 (73 Stat. 590), is amended by (1) deleting "$8,000,000" and inserting "$13,900,000" and (2) deleting "$5,000,000" and inserting "$10,900,000".

Approved December 14, 1970.

Legislative History

House Report No. 91–1398 (Committee on Interior and Insular Affairs).
Senate Report No. 91–1390 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970):
Sept. 14, considered and passed House.
Dec. 4, considered and passed Senate.

7. Morristown

An Act to authorize the addition of lands to Morristown National Historical Park in the State of New Jersey, and for other purposes. (78 Stat. 957)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 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 two hundred and eighty-one acres of land and interests therein which two hundred and eighty-one acres shall include Stark's Brigade campsite and other lands necessary for the proper administration and interpretation of the Morristown National Historical Park.

SEC. 2. Lands acquired pursuant to this Act, unless exchanged pursuant to section 1 hereof, shall constitute a part of the Morristown National Historical Park, and be administered in accordance with the laws and regulations applicable to such park.

SEC. 3. There are authorized to be appropriated such sums, but not more than $281,000 for acquisition of lands and interests in land, as may be necessary to carry out the purposes of this Act.

Approved September 18, 1964.

Legislative History

House Report No. 1065 (Committee on Interior and Insular Affairs).
Senate Report No. 1527 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 110 (1964):
Jan. 20: Considered and passed House.
Sept. 8: Considered and passed Senate.

8. Nez Perce

An Act to authorize the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho, and for other purposes. (79 Stat. 110)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to facilitate protection and provide interpretation of sites in the Nez Perce country of Idaho that have exceptional value in commemorating the history of the Nation.

SEC. 2. To implement this purpose the Secretary of the Interior may designate as the Nez Perce National Historical Park various component sites in Federal and non-Federal ownership relating to the early Nez Perce culture, the Lewis and Clark Expedition through the area, the fur trade, missionaries, gold mining and logging, the Nez Perce war of 1877, and such other sites as he finds will depict the role of the Nez Perce country in the westward expansion of the Nation.

SEC. 3. The Secretary of the Interior may acquire by donation or with donated funds such lands, or interests therein, and other property which in his judgment will further the purpose of this Act and he may purchase with appropriated funds land, or interests therein, required for the administration of the Nez Perce National Historical Park: *Provided*, That he may purchase no more than one thousand five hundred acres in fee, and no more than one thousand five hundred acres in scenic easements. The Nez Perce Tribe's governing body, if it so desires, with the approval of the Secretary of the Interior, is authorized to sell, donate, or exchange tribal-owned lands held in trust needed to further the purpose of this Act.

SEC. 4. (a) Indian trust land may be designated by the Secretary of the Interior for inclusion in the Nez Perce National Historical Park with the concurrence of the beneficial owner. Sites in Federal ownership under the administrative jurisdiction of other Government agencies may likewise be designated by the Secretary of the Interior for inclusion in the Nez Perce National Historical Park with the concurrence of the agency having administrative responsibility therefor, but such designation shall effect no transfer of administrative control unless the administering agency consents thereto. Not more than one thousand and five hundred acres overall shall be designated pursuant to the foregoing provisions of this subsection. The Secretary of the Interior may cooperate with the Nez Perce Tribe or the administering agency, as the case may be, in research into and interpretation of the significance of any site so designated

and in providing desirable interpretive services and facilities and other facilities required for public access to and use and enjoyment of the site and in conservation of the scenic and other resources thereof.

(b) The Secretary of the Interior may enter into cooperative agreements with the owners of property which, under the provisions of this Act, may be designated for inclusion in Nez Perce National Historical Park as sites in non-Federal ownership, and he may assist in the preservation, renewal, and interpretation of the properties, provided the cooperative agreements shall contain, but not be limited to, provisions that: (1) the Secretary has right of access at all reasonable times to all public portions of the property for the purpose of conducting visitors through the property and interpreting it to the public, and (2) no changes or alterations shall be made in the properties, including buildings and grounds, without the written consent of the Secretary.

SEC. 5. When the Secretary of the Interior determines that he has acquired title to, or interest in, sufficient properties or determines that he has entered into appropriate cooperative agreements with owners of non-Federal properties, or any combination thereof including the designation of sites already in Federal ownership, he shall by publication in the Federal Register establish the Nez Perce National Historical Park and thereafter administer the Federal property under his administrative jurisdiction in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented.

SEC. 6. (a) In order to carry out the purpose of this Act the Secretary of the Interior may contract and make cooperative agreements with the State of Idaho, its political subdivisions or agencies, corporations, associations, the Nez Perce Tribe, or individuals, to protect, preserve, maintain, or operate any site, object, or property included within the Nez Perce National Historical Park, regardless of whether title thereto is in the United States: *Provided*, That no contract or cooperative agreement shall be made or entered into which will obligate the general fund of the Treasury unless or until Congress has appropriated money for such purpose.

(b) To facilitate the interpretation of the Nez Perce country the Secretary is authorized to erect and maintain tablets or markers in accordance with the provisions contained in the Act approved August 21, 1935, entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes" (49 Stat. 666).

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 for construction, restoration work, and other improvements at the Nez Perce National Historical Park under this Act.

Approved May 15, 1965.

Legislative History

House Report No. 238 accompanying H.R. 908 (Committee on Interior and Insular Affairs).
Senate Report No. 63 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965) :
Feb. 10 : Considered and passed Senate.
May 3 : Considered and passed House, amended, in lieu of H.R. 908.
May 5 : Senate concurred in House amendment.

9. San Juan Island

An Act to authorize the establishment of the San Juan Island National Historical Park in the State of Washington, and for other purposes. (80 Stat. 737)

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 acquire on behalf of the United States by donation, purchase with donated or appropriated funds, or by exchange, lands, interests in lands, and such other property on San Juan Island, Puget Sound, State of Washington, as the Secretary may deem neecssary for the purpose of interpreting and preserving the sites of the American and English camps on the island, and of commemorating the historic events that occurred from 1853 to 1871 on the island in connection with the final settlement of the Oregon Territory boundary dispute, including the so-called Pig War of 1859. Lands or interests therein owned by the State of Washington or a political subdivision thereof may be acquired only by donation.

SEC. 2. The property acquired under the provisions of the first section of this Act shall be known as the San Juan Island National Historical Park and shall commemorate the final settlement by arbitration of the Oregon boundary dispute and the peaceful relationship which has existed between the United States and Canada for generations. The Secretary of the Interior shall administer, protect, and develop such park in accordance with the provisions of 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; 16 U.S.C. 461 et seq.).

SEC. 3. The Secretary of the Interior may enter into cooperative agreements with the State of Washington, political subdivisions thereof, corporations, associations, or individuals, for the preservation of nationally significant historic sites and structures and for the interpretation of significant events which occurred on San Juan Island, in Puget Sound, and on the nearby mainland, and he may erect and maintain tablets or markers at appropriate sites in accordance with the provisions of the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

SEC. 4. There are hereby authorized to be appropriated such sums, but not more than $3,542,000 for the acquisition of lands and interests therein and for the development of the San Juan National Historical Park.

Approved September 9, 1966.

Legislative History

House Report No. 1665 accompanying H.R. 2623 (Committee on Interior and Insular Affairs).
Senate Report No. 510 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 111 (1965): July 29, considered and passed Senate.
Vol. 112 (1966):
July 18, considered and passed House, amended, in lieu of H.R. 2623.
Aug. 25, Senate concurred in House amendments.

IV. NATIONAL MILITARY PARKS

1. Chickamauga and Chattanooga

An Act to provide for the conveyance of the interest held by the United States in certain real property situated in the State of Georgia. (Private Law 90–141)

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 and directed to convey to William M. Ransom and Kerry E. Ransom of Walker County, Georgia, upon payment to the United States of the sum of the fair market value of the land as of the time the conveyance is made and the administrative costs of making the conveyance, both as determined by the Secretary, all right, title, and interest of the United States in and to the real property described in section 2 of this Act and formerly used as the right-of-way for an approach road to the Chickamauga and Chattanooga National Military Park, Georgia, known as the LaFayette Extension Road.

SEC. 2. The real property referred to in the first section of this Act is more particularly described as follows:

"All that tract or parcel of land lying and being in the eighth district and fourth section of Walker County, Georgia, and being a part of land lot numbered 193 in said district and section and being in the northwest portion of said land lot numbered 193 and more particularly described as follows: Being that portion of the right-of-way, 50 feet wide, lying 25 feet on each side of the centerline of said public road right-of-way as described in deed from William Glass to United States of America dated August 19, 1897, and recorded April 5, 1899, in deed book 13, page 88 and shown on plat attached to said deed recorded in deed book 13, page 89, recorded in the office of the clerk of superior court of Walker County, Georgia, and being that portion of such right-of-way 50 feet wide which lies between the present U.S. Highway Numbered 27 on the east and right-of-way of Central of Georgia Railway Company on the west, and which runs through the lot or parcel of land of William M. Ransom and Kerry E. Ransom as shown on survey and plat of said tract or parcel of land of William M. Ransom and Kerry E. Ransom made by H. L. Campbell, Walker County, surveyor, on April 13, 1960, and recorded in the office of the clerk of superior court of Walker County, Georgia in plat book 4, page 267."

Approved November 9, 1967.

An Act to authorize the disposal of certain real property in the Chickamauga and Chattanooga National Military Park, Georgia, under the Federal Property and Administrative Services Act of 1949. (83 Stat. 371)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 3(d) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472(d)), the Secretary of the Interior may designate as excess property subject to the retention by the Department of the Interior of a reversionary interest in perpetuity with respect to any portion of such property not utilized for educational purposes under that Act, lot 94 in the ninth district and fourth section of Cateosa County, Georgia, the same consisting of one hundred and sixty acres, more or less, in the Chickamauga battlefield section of the Chickamauga and Chattanooga National Military Park in the State of Georgia, and such lot shall be utilized or disposed of by the Administrator of General Services in accordance with the remaining provisions of such Act.

Approved December 22, 1969.

Legislative History

House Report No. 91–562 (Committee on Interior and Insular Affairs).
Senate Report No. 91–572 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 115 (1969):
Oct. 20: Considered and passed House.
Dec. 8: Considered and passed Senate, amended.
Dec. 10: House concurred in Senate amendment.

2. Fort Donelson

An Act to authorize the appropriation of funds for Fort Donelson National Battlefield in the State of Tennessee, and for other purposes. (83 Stat. 359)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, there are hereby authorized to be appropriated such sums as may be necessary to satisfy the final net judgments rendered against the United States in civil actions numbered 3371 and 3397 in the United States District Court for the Middle District of Tennessee, Nashville Division, for the acquisition of lands for the Fort Donelson National Battlefield, totaling $12,721.25, plus interest as provided by law.

Approved December 16, 1969.

Legislative History

House Report No. 91–561 (Committee on Interior and Insular Affairs).
Senate Report No. 91–570 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 115 (1969):
Oct. 20: Considered and passed House.
Dec. 8: Considered and passed Senate.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park systems, and for other purposes. (86 Stat. 120)

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 limitation 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:

* * * * * * *

(5) Fort Donelson National Military Park, Tennessee: section 3 of the Act of September 8, 1960 (74 Stat. 875), is amended by changing "$226,000" to "$454,000":

* * * * * * *

Approved April 11, 1972.

3. Shiloh

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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 limitation 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:

* * * * * * *

(8) Shiloh National Military Park, Tennessee: section 1 of the Act of July 3, 1926 (44 Stat. 826), is amended by changing "$57,100" to "$150,100".

* * * * * * *

Approved April 11, 1972.

4. Vicksburg (including Cairo)

An Act to consolidate Vicksburg National Military Park and to provide for certain adjustments necessitated by the installation of a park tour road, and for other purposes. (77 Stat. 55)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve and protect the essential historical features of Vicksburg National Military Park in the State of Mississippi and to enhance visitor enjoyment and safety by means of a park tour road and through the consolidation of park lands, the Secretary of the Interior is authorized, in his discretion, and under such terms and conditions as he determines are in the public interest—

(a) to quitclaim to the city of Vicksburg, Mississippi, approximately one hundred and fifty-four acres of land, including the roads thereon and the park land abutting said roads, in exchange for the city's agreeing to place the roads in its road system and thereby assume jurisdiction and maintenance thereof, and upon the further agreement of the city to maintain the parklike character of so much of the park land conveyed to it and abutting the road as the Secretary may prescribe, said land being generally that part of Vicksburg National Military Park lying south of Fort Garrott with the exception of Navy Circle, South Fort, and Louisiana Circle: *Provided*, That title to so much of said abutting park land prescribed by the Secretary and covered by said agreement of the city to maintain the parklike character thereof shall revert to the United States if its parklike character is not maintained; to quitclaim to Warren County, Mississippi, upon like terms and conditions approximately twenty-four acres of land, including the road and abutting park land, being known as Sherman Avenue and the Sherman Avenue spur; to release or quitclaim to Warren County or any other appropriate political subdivision of the State all interest which the United States of America has, if any, in those portions of any public road located on park land which are no longer required for park purposes: *Provided*, That the United States shall reserve from the conveyance or conveyances made pursuant to this subsection title to all historical monuments, means of access thereto, and such other easements as the Secretary determines are required for the continued administration of said monuments as a part of Vicksburg National Military Park; and

(b) to acquire not in excess of five hundred and forty-four acres of land, or interests in land, for addition to Vicksburg National Military Park, such

authority to include purchase and condemnation with appropriated funds but not to constitute a limitation upon existing authority to accept donations; and

(c) to enter into agreements with duly authorized 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 will have upon the existing local road systems; subject to the availability of funds, to obligate the United States to make provision for such alterations, relocations and construction of local roads, including procurement of rights-of-way therefor and the subsequent transfer thereof to the State or its appropriate political subdivisions which shall thereupon assume jurisdiction and maintenance, as the Secretary and said officials agree are directly attributable to the installation of the park tour road; and to transfer to the city or county jurisdiction and maintenance of service roads which the Secretary constructs on park lands to properties that otherwise would be denied access because of the installation of the park tour road.

The Secretary of the Interior shall not, without first obtaining the consent of the city and county officials referred to in subsection (c), convert the portion of the existing road known as Confederate Avenue lying between Graveyard Road and Fort Garrett into a one-way park tour road with controlled access, or otherwise limit the use of such portion by local traffic, until the United States has provided for such alterations, relocations, and construction of local roads (including procurement of rights-of-way) as the Secretary and said officials agree are directly attributable to the installation of such park tour road.

SEC. 2. Upon the delivery and acceptance of the conveyances herein authorized, any jurisdiction heretofore ceded to the United States by the State of Mississippi over the lands and roads transferred shall thereby cease and thereafter rest in the State of Mississippi.

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

Approved June 4, 1963.

Legislative History

House Report No. 292 accompanying H.R. 1162 (Interior and Insular Affairs Committee).
Senate Report No. 115 (Interior and Insular Affairs Committee).
Congressional Record, Vol. 109, 1963:
Apr. 10: Considered and passed Senate.
May 20: Considered and passed House amended (in lieu of H.R. 1162).
May 21: Senate agrees to House amendment.

An Act to authorize the Secretary of the Interior to provide for the restoration, reconstruction, and exhibition of the gunboat "Cairo", and for other purposes. (86 Stat. 796)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve an object having national significance as part of the history of the Civil War, for the benefit and inspiration of the people of the United States, the Secretary of the Interior shall, in such manner as he deems advisable, utilize the authorities contained in the Act of August 21, 1935 (49 Stat. 666) to provide for the restoration and reconstruction on the gunboat "Cairo", formerly of the Union Navy, sunk in action in the Yazoo River, Mississippi, and for its exhibition at the Vicksburg National Military Park.

SEC. 2. At such time as the restoration and reconstruction of the "Cairo" shall have been completed, and it has been located within the boundaries of the Vicksburg National Military Park, the "Cairo" shall be administered in accordance with all laws, rules, and regulations applicable to such park.

SEC. 3. There are hereby authorized to be appropriated not more than $3,200,000 for the restoration of the "Cairo" and for the development of protective and interpretive facilities associated therewith.

Approved October 12, 1972.

Legislative History

House Report No. 92–1220 accompanying H.R. 6618 (Committee on Interior and Insular Affairs).
Senate Report No. 92–533 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 117 (1971): Dec. 6, considered and passed Senate.
Vol. 118 (1972):
Aug. 14, considered and passed House, amended, in lieu of H.R. 6618.
Oct. 3, Senate concurred in House amendment with an amendment.
Oct. 4, House concurred in Senate amendment.

V. NATIONAL BATTLEFIELDS

1. Big Hole

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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 limitation 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:

* * * * * * *

(2) Big Hole National Battlefield, Montana: section 5 of the Act of May 17, 1963 (77 Stat. 18), is amended by changing "$20,000" to "$42,500";

* * * * * * *

Approved April 11, 1972.

2. Cowpens

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of the Interior is authorized to revise the boundaries of the following units of the national park system:

* * * * * * *

(2) Cowpens National Battleground Site, South Carolina: to add approximately 845 acres;

* * * * * * *

SEC. 302. The boundary revisions authorized in section 301 shall become effective upon publication in the Federal Register of a map or other description of the lands added or excluded by the Secretary of the Interior.

SEC. 303. Within the boundaries of the areas as revised in accordance with section 301, the Secretary of the Interior is authorized to acquire lands and interest therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subject to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this Act, the Secretary (i) may tender, to the owner or owners of record on the date of enactment of this Act, a revocable permit for the continued use and occupancy of such land or any portion thereof subject to such terms and conditions as he deems necessary or (ii) may acquire any land pursuant to this Act subject to the retention of a right of use and occupancy for a term not to exceed 25 years or for the life of the owner or owners. Lands and interests therein excluded from the areas pursuant to section 301 may be exchanged for non-Federal lands within the boundaries as revised, or they may be transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, as the Secretary of the Interior may deem appropriate. In exercising the authority in this section with respect to lands and interests therein excluded from the areas, the Secretary of the Interior may, on behalf of the United States, retrocede to the appropriate State exclusive or concurrent legislation jurisdiction subject to such terms and conditions as he may deem appropriate, over such lands, to be

effective upon acceptance thereof by the State. Any such lands not so exchanged or transferred may be disposed of in accordance with the Federal Property and Administrative Services Act of 1949, as amended.

SEC. 305. The authorities in this title are supplementary to any other authorities available to the Secretary of the Interior with respect to the acquisition, development, and administration of the areas referred to in section 301.

TITLE IV—MISCELLANEOUS CHANGES

SEC. 402. For the purposes of the Cowpens National Battleground Site, which is hereby redesignated as the Cowpens National Battlefield, there are authorized to be appropriated not more than $2,363,900 for the acquisition of lands and interests in lands and not more than $3,108,000 for development.

Approved April 11, 1972.

3. Petersburg

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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

* * * * * * *

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of the Interior is authorized to revise the boundaries of the following units of the national park system:

* * * * * * *

(11) Petersburg National Battlefield, Virginia: to exclude approximately 257.53 acres.

* * * * * * *

SEC. 302. The boundary revisions authorized in section 301 shall become effective upon publication in the Federal Register of a map or other description of the lands added or excluded by the Secretary of the Interior.

SEC. 303. Wtihin the boundaries of the areas as revised in accordance with section 301, the Secretary of the Interior is authorized to acquire lands and interest therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subject to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this Act, the Secretary (i) may tender, to the owner or owners of record on the date of enactment of this Act, a revocable permit for the continued use and occupancy of such land or any portion thereof subject to such terms and conditions as he deems necessary or (ii) may acquire any land pursuant to this Act subject to the retention of a right of use and occupancy for a term not to exceed 25 years or for the life of the owner or owners. Lands and interests therein excluded from the areas pursuant to section 301 may be exchanged for non-Federal lands within the boundaries as revised, or they may be transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, as the Secretary of the Interior may deem appropriate. In exercising the authority in this section with respect to lands and interests therein excluded from the areas, the Secretary of the Interior may,

on behalf of the United States, retrocede to the appropriate State exclusive or concurrent legislative jurisdiction subject to such terms and conditions as he may deem appropriate, over such lands, to be effective upon acceptance thereof by the State. Any such lands not so exchanged or transferred may be disposed of in accordance with the Federal Property and Administrative Services Act of 1949, as amended.

* * * * * * *

Approved April 11, 1972.

4. Wilson's Creek

An Act to amend the Act of April 22, 1960, providing for the establishment of the Wilson's Creek Battlefield National Park. (84 Stat. 1441)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the establishment of the Wilson's Creek Battlefield National Park, in the State of Missouri", approved April 22, 1960 (74 Stat. 76), is amended as follows:

(a) Strike out "Wilson's Creek Battlefield National Park" in the title and in section 2(a), and substitute "Wilson's Creek National Battlefield".

(b) Amend section 3 to read as follows:

"SEC. 3. For development of the Wilson's Creek National Battlefield, there are authorized to be appropriated not more than $2,285,000 (March 1969 prices), 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."

Approved December 16, 1970.

Legislative History

House Report No. 91–1395 (Committee on Interior and Insular Affairs).
Senate Report No. 91–1389 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970):
Sept. 14, considered and passed House.
Dec. 4, considered and passed Senate.

VI. NATIONAL HISTORICAL SITES

1. Adams

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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

* * * * * * *

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of the Interior is authorized to revise the boundaries of the following units of the national park system:

(1) Adams National Historic Site, Massachusetts: to add approximately 3.68 acres;

* * * * * * *

SEC. 302. The boundary revisions authorized in section 301 shall become effective upon publication in the Federal Register of a map or other description of the lands added or excluded by the Secretary of the Interior.

SEC. 303. Within the boundaries of the areas as revised in accordance with section 301, the Secretary of the Interior is authorized to acquire lands and interest therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subject to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this Act, the Secretary (i) may tender, to the owner or owners of record on the date of enactment of this Act, a revocable permit for the continued use and occupancy of such land or any portion thereof subject to such terms and conditions as he deems necessary or (ii) may acquire any land pursuant to this Act subect to the retention of a right of use and occupancy for a term not to exceed 25 years or for the life of the owner or owners. Lands and interests therein excluded from the areas pursuant to section 301 may be exchanged for non-Federal lands within the boundaries as revised, or they may be transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, as the Secretary of the Interior may deem appropriate. In exer-

cising the authority in this section with respect to lands and interests therein excluded from the areas, the Secretary of the Interior may, on behalf of the United States, retrocede to the appropriate State exclusive or concurrent legislative jurisdiction subject to such terms and conditions as he may deem appropriate, over such lands, to be effective upon acceptance thereof by the State. Any such lands not so exchanged or transferred may be disposed of in accordance with the Federal Property and Administrative Service Act of 1949, as amended.

SEC. 304. For the acquisition of lands and interests in lands which are added to the areas referred to in section 301, there are authorized to be appropriated such sums as may be necessary, but not more than the following amounts:

(1) Adams National Historic Sites, $122,000;

* * * * * * *

Approved April 11, 1972.

2. Allegheny Portage Railroad

An Act to provide for the establishment of the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes. (78 Stat. 752)

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 establish, as herein provided, the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial in the State of Pennsylvania. For this purpose the Secretary may designate up to nine hundred and fifty acres of land that may, in his discretion, include portions of the Pennsylvania Canal, the Lemon House, the summit of the Allegheny Portage Railroad, the Skew Arch Bridge, incline planes numbered 6, 7, 8, 9, and 10 and the levels between them, the Portage Railroad tunnel, and such other land and historic features as may be necessary to illustrate the significant role of the Allegheny Portage Railroad and the Pennsylvania Canal in the Nation's history; and he may designate up to fifty-five acres in Cambria County, Pennsylvania, for use in commemorating the tragic Johnstown flood of May 31, 1889.

SEC. 2. Within the areas designated pursuant to section 1, the Secretary is authorized to acquire lands and interests in lands by purchase, donation, purchase with donated funds, or otherwise.

SEC. 3. When the Secretary of the Interior has acquired sufficient lands to form administrable park units, he shall publish notice of that fact in the Federal Register and the areas designated pursuant to section 1 shall thereafter be known as the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial and shall be administered by the Secretary of the Interior pursuant to the provisions of the Act entitled "An Act to establish the National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535), as amended and supplemented.

SEC. 4. To provide for the preservation and interpretation of the remaining portions of the Allegheny Portage Railroad route not included within the national historic site, and to further commemorate the Johnstown flood, the Secretary is authorized to enter into cooperative agreements with the State of Pennsylvania, political subdivisions thereof, corporations, associations, or individuals, and to erect and maintain tablets or markers in accordance with the provisions contained in the Act approved August 21, 1935, entitled "An Act to provide for the preservation of historic American sites, buildings,

objects, and antiquities of national significance, and for other purposes" (49 Stat. 666).

SEC. 5. There are authorized to be appropriated such sums, but not more than $2,000,000, for land acquisition and development, as may be necessary to carry out the purposes of this Act.

Approved August 31, 1964.

Legislative History

House Report No. 970 (Committee on Interior and Insular Affairs).
Senate Report No. 1465 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 110 (1964) :
Aug. 3 : Considered and passed House.
Aug. 19 : Considered and passed Senate.

3. Andersonville

An Act to authorize the establishment of the Andersonville National Historic Site in the State of Georgia, and for other purposes. (84 Stat. 989)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide an understanding of the overall prisoner-of-war story of the Civil War, to interpret the role of prisoner-of-war camps in history, to commemorate the sacrifice of Americans who lost their lives in such camps, and to preserve the monuments located therein, the Secretary is hereby authorized to designate not more than five hundred acres in Macon and Sumter Counties, Georgia, for establishment as the Andersonville National Historic Site.

SEC. 2. Within the area designated pursuant to section 1 of this Act, the Secretary of the Interior may acquire by donation, purchase with donated or appropriated funds, transfer from any Federal agency, or exchange lands and interests therein for the purposes of this Act. When an individual tract of land is only partly within the area designated, the Secretary may acquire the entire tract by any of the above methods to avoid the payment of severance costs. Land so acquired outside the designated area may be exchanged by the Secretary for non-Federal lands within such area, and any portion of the land not utilized for such exchanges may be disposed of in accordance with the provisions of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (40 U.S.C. 471 et seq.). In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within such area, and in exchange therefor he may convey to the grantor of such property any federally owned property in the State of Georgia under his jurisdiction which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. Notwithstanding any other provision of law, Federal property designated for the purposes of the national historic site may, with the concurrence of the head of the agency having custody thereof, be transferred, without a transfer of funds, to the administrative jurisdiction of the Secretary of the Interior for the purposes of this Act.

SEC. 3. The Secretary of the Interior shall administer Andersonville National Historic Site in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended

and supplemented (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467).

SEC. 4. There are authorized to be appropriated not more than $363,000 for the acquisition of lands and interests in lands and not more than $1,605,000 (March 1969 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.

Approved October 16, 1970.

Legislative History

House Report No. 91–1394 (Committee on Interior and Insular Affairs).
Senate Report No. 91–1258 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970):
Sept. 14, considered and passed House.
Oct. 7, considered and passed Senate.

4. Ansley Wilcox House

An Act to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, New York, as a national historic site. (80 Stat. 1101)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of the Interior shall, subject to the provisions of section 2 of this Act, acquire on behalf of the United States the real property described in section 3 of this Act, known as the Ansley Wilcox House, which real property is of national historic significance as the place in which Theodore Roosevelt took the oath of office as President of the United States on September 14, 1901, following the assassination of President William McKinley. The Secretary shall provide, in accordance with section 2 of this Act, for the operation and maintenance, at no expense to the United States of such property as a national historic site for the inspiration and benefit of the people of the United States.

SEC. 2. (a) The Secretary shall not obligate or expend any moneys herein authorized to be appropriated for acquisition and restoration of the real property described in section 3, nor shall he establish such property as a national historic site in Federal ownership, unless and until commitments are obtained for donations of funds or services in an amount which in the judgment of the Secretary is sufficient to complete restoration of the property and to operate and maintain it for public benefit.

(b) The Secretary shall determine at the beginning of each fiscal year, beginning the first full fiscal year following the date of enactment of this Act, whether and to what extent donations of funds or services will be forthcoming for the purposes of subsection (a) of this section. If at any time following the acquisition of the property referred to in the first section of this Act the Secretary finds that during the next full fiscal year donated funds or services will not be forthcoming in amounts sufficient to satisfactorily carry on or complete restoration or to continue the operation and maintenance of the property as a national historic site in Federal ownership he shall, in accordance with such regulations as he may prescribe, dispose of such property at not less than its fair market value, as determined by him. The proceeds received from such disposal shall be credited to the Land and Water Conservation Fund in the Treasury of the United States.

SEC. 3. The real property referred to in the first section of this Act is more particularly described as follows:

All that tract or parcel of land, situate in the city of Buffalo, county of Erie, State of New York, and

beginning at a point in the east line of Delaware Avenue distant 110 feet southerly from the southerly line of land of Catharine Marie Richmond, recorded in Erie County clerk's office in liber 247 of deeds at page 167; running thence easterly a distance of 110 feet;

Running thence southerly a distance of 60 feet to a point in the north line of land of Morris Michael, recorded in Erie County clerk's office in liber 531 of deeds at page 335; running thence easterly and along the north line of land of the said Morris Michael 64 feet more or less, and continuing easterly on a line extended from the land of Morris Michael a further distance of 174 feet more or less to the westerly line of Franklin Street; running thence northerly along the westerly line of Franklin Street 110 feet; running thence westerly 134 feet; running thence northerly and parallel with Franklin Street 59.51 feet more or less to a point distant 40 feet more or less easterly from the southeast corner of lands of Amelia Stevenson, recorded in Erie County clerk's office in liber 669 at page 299;

Running thence westerly 40 feet to the southeast corner of lands of the said Amelia Stevenson and continuing westerly in a line along the south line of the land of Catharine Marie Richmond a further distance of 174 feet more or less to the easterly line of Delaware Avenue; running thence southerly along the easterly line of Delaware Avenue 110 feet to the place of beginning.

And being subject to an easement as contained in a lease agreement dated January 6, 1959, between the landlord and the Liberty Bank of Buffalo covering a driveway ramp and automobile parking privileges, together with the rights of ingress and egress to Delaware Avenue and Franklin Street, as contained in said lease.

SEC. 4. There is hereby authorized to be appropriated not more than $250,000 for the acquisition and not more than $50,000 for the restoration of the real property described in section 3 of this Act.

Approved November 2, 1966.

Legislative History

House Report No. 1205 (Committee on Interior and Insular Affairs).
Senate Report No. 1731 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 112 (1966):
Feb. 7: Considered and passed House.
Oct. 17: Considered and passed Senate, amended.
Oct. 18: House concurred in Senate amendments.

5. Carl Sandburg Home

An Act to authorize the establishment of the Carl Sandburg Home National Historic Site in the State of North Carolina, and for other purposes. (82 Stat. 1154)

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 acquire, by donation or purchase with donated or appropriated funds, all or any part of the property and improvements thereon at Flat Rock, North Carolina, where Carl Sandberg lived and worked during the last twenty years of his life, comprising approximately two hundred and forty-two acres, together with approximately six acres of adjacent or related property which the Secretary may deem necessary for establishment of the Carl Sandburg Home National Historic Site.

SEC. 2. The national historic site established pursuant to this Act shall be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467).

SEC. 3. There are authorized to be appropriated the sums of $225,000 for the acquisition of lands and interests in lands and $952,000 for development expenses incurred pursuant to the provisions of this Act.

Approved October 17, 1968.

Legislative History

House Report No. 1676 (Committee on Interior and Insular Affairs).
Senate Report No. 1592 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 114 (1968):
Sept. 16: Considered and passed House.
Oct. 2: Considered and passed Senate.

496-156—73——16

6. Eisenhower

Joint Resolution to provide for the development of the Eisenhower National Historic Site at Gettysburg, Pennsylvania, and for other purposes. (83 Stat. 274)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby authorized to be appropriated not more than $1,081,000 for the development of the Eisenhower National Historic Site at Gettysburg, Pennsylvania, which may not be expended for the construction of major capital improvements as long as the special use permit issued to Mamie Doud Eisenhower by the National Park Service, United States Department of the Interior, on June 3, 1969, remains in effect.

SEC. 2. There are hereby excluded from the boundaries of Gettysburg National Military Park, and included within the boundaries of the Eisenhower National Historic Site, the lands and interests therein identified as "Additions to Eisenhower NHS" on the drawing entitled "Proposed Additions to Eisenhower National Historic Site", numbered EISE–20000 and dated June 1969, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

Approved December 2, 1969.

Legislative History

House Report No. 91–479 accompanying H.J. Res. 81 (Committee on Interior and Insular Affairs).
Senate Report No. 91–365 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 115 (1969) :
Aug. 13 : Considered and passed Senate.
Sept. 15 : Considered and passed House, amended, in lieu of H.J Res. 81.
Nov. 19 : Senate concurred in House amendment.

7. Ford's Theatre

An Act to establish the Ford's Theatre National Historic Site, and for other purposes. (84 Stat. 322)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That, the properties administered by the Secretary of the Interior in the District of Columbia known as the House Where Lincoln Died, the Lincoln Museum, Ford's Theatre, and the property authorized to be acquired in section 2 of this Act are hereby established as the Ford's Theatre National Historic Site, which shall be administered in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666), as amended and supplemented.

SEC. 2. The Secretary of the Interior is authorized to acquire by donation or by purchase with donated or appropriated funds the property and the improvements thereon located at 517 Tenth Street, Northwest, in the District of Columbia, adjacent to the historic Ford's Theatre and consisting of approximately eight hundred and twelve square feet of land.

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, of which not more than $94,000 shall be used for the acquisition of the property referred to in section 2 of this Act, and not more than $176,000 shall be used for the development of said property.

Approved June 23, 1970.

Legislative History

House Report No. 91–1099 (Committee on Interior and Insular Affairs).
Senate Report No. 91–921 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970) :
June 1, considered and passed House.
June 12, considered and passed Senate.

8. Fort Bowie

An Act to authorize the establishment of the Fort Bowie National Historic Site in the State of Arizona, and for other purposes. (78 Stat. 681)

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 Bowie National Historic Site, the site and remaining historic structures of old Fort Bowie, situated in Cochise County, Arizona, together with such additional land, interests in land, and improvements thereon, as the Secretary in his discretion may deem necessary to accomplish the purposes of this Act: *Provided*, That the Secretary shall designate no more than one thousand acres for inclusion in said site.

SEC. 2. Within the area designated pursuant to section 1 hereof, the Secretary of the Interior is authorized, under such terms, reservations, and conditions as he may deem satisfactory, to procure by purchase, donation, with donated funds, exchange, or otherwise, land and interests in land for the national historic site. When the historic remains of old Fort Bowie and all other privately owned lands within the aforesaid designated area have been acquired as provided in this Act, notice thereof and of the establishment of the Fort Bowie National Historic Site shall be published in the Federal Register. Thereupon all public lands within the designated area shall become a part of the Fort Bowie National Historic Site.

SEC. 3. The Fort Bowie 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, subject 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, the Historic Sites Act of August 21, 1935 (49 Stat. 666), and all laws and regulations of general application to historic areas within the national park system.

SEC. 4. There is hereby authorized to be appropriated a sum not to exceed $550,000 to carry out the purposes of this Act.

Approved August 30, 1964.

Legislative History

House Report No. 1297 (Committee on Interior and Insular Affairs).
Senate Report No. 1280 accompanying S. 91 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 110 (1964):
Aug. 1: S. 91 considered and passed Senate.
Aug. 3: Considered and passed House.
Aug. 14: Considered and passed Senate.

9. Fort Larned

An Act to provide for the establishment of Fort Larned as a national historic site, and for other purposes. (78 Stat. 748)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to commemorate the significant role played by Fort Larned in the opening of the West, the Secretary of Interior may acquire on behalf of the United States by gift, purchase, or other means not more than seven hundred and fifty acres of land, or interests in land, which comprise the site and remaining historic structures of Fort Larned, located in Pawnee County, Kansas, or which he deems necessary to accomplish the purposes of this Act, including nearby remains of the Santa Fe Trail. The land acquired by the Secretary shall be known as the Fort Larned National Historic Site, and shall be administered in accordance with 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; 16 U.S.C. 1 et seq.), as amended and supplemented: *Provided*, That establishment of such national historic site shall not become effective until the historic remains of old Fort Larned and adjoining historically significant lands have been acquired.

SEC. 2. Notice of the boundaries of the site shall be published in the Federal Register.

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

Approved August 31, 1964.

Legislative History

House Report No. 907 (Committee on Interior and Insular Affairs).
Senate Report No. 1457 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 110 (1964):
Aug. 3: Considered and passed House.
Aug. 18: Considered and passed Senate.

10. Fort Point

An Act to establish the Fort Point National Historic Site in San Francisco, California, and for other purposes. (84 Stat. 970)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve and interpret for future generations the historical significance of Fort Point in the Presidio of San Francisco, California, the Congress hereby establishes the Fort Point National Historic Site comprising the area depicted on the map entitled "Boundary Map, Fort Point National Historic Site, California", numbered NHS–POI–91,000 and dated July 1970, together with such adjacent lands as may hereafter be transferred, without monetary consideration, to the Secretary of the Interior by the Secretary of the Army. Such additional lands, which shall neither exceed ten acres of fast lands nor sixty-three acres of submerged lands, shall, when transferred, be added to the Fort Point National Historic Site and shall be administered in accordance with the provisions of this Act: *Provided*, That no transfer of lands pursuant to this section shall be consummated until sixty days after the description, terms, and conditions of the proposed transfer have been forwarded to the Committees on Interior and Insular Affairs of the House of Representatives and Senate of the United States.

SEC. 2. The Secretary of the Interior shall administer the Fort Point National Historic Site in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467).

SEC. 3. There are authorized to be appropriated for development of Fort Point National Historic Site such sums as may be necessary, but not more than $5,250,000 (February 1970 prices), 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.

Approved October 16, 1970.

Legislative History

House Report No. 91–1400 (Committee on Interior and Insular Affairs).
Senate Report No. 91–1269 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970):
Sept. 14, considered and passed House.
Oct. 7, considered and passed Senate.

11. Fort Union Trading Post

An Act to authorize establishment of the Fort Union Trading Post National Historic Site, North Dakota and Montana, and for other purposes. (80 Stat. 211)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to commemorate the significant role played by Fort Union as a fur trading post on the upper Missouri River, the Secretary of the Interior may acquire by donation, purchase with donated or appropriated funds, or otherwise, the historic remains of Fort Union located in Williams County, North Dakota, and such additional lands and interests in land in Williams County, North Dakota, and Roosevelt County, Montana, as he may deem necessary to accomplish the purposes of this Act: *Provided*, That the total area so acquired shall not exceed 400 acres.

SEC. 2. When the site of historic Fort Union and other required lands and interests in lands have been acquired by the United States as provided in section 1 of this Act, the Secretary of the Interior shall establish such area or areas as the Fort Union Trading Post National Historic Site, by publication of notice thereof in the Federal Register.

SEC. 3. The Secretary of the Interior shall administer, protect, develop, and maintain the Fort Union Trading Post National Historic Site subject 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, and the provisions of the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat. 666).

SEC. 4. There are hereby authorized to be appropriated not more than $613,000 for the acquisition of lands and interests in land and for the development of the Fort Union Trading Post National Historic Site, as provided in this Act.

Approved June 20, 1966.

Legislative History

House Report No. 580 (Committee on Interior and Insular Affairs).
Senate Report No. 1208 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 111 (1965): July 12, considered and passed House.
Vol. 112 (1966): June 8, considered and passed Senate.

12. Golden Spike

An Act to authorize the Secretary of the Interior to acquire lands for, and to develop, operate, and maintain, the Golden Spike National Historic Site. (79 Stat. 426)

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 shall acquire on behalf of the United States by gift, purchase, condemnation, or otherwise, such lands and interest in land, together with any improvements thereon, as the Secretary may deem necessary for the purpose of establishing a national historic site commemorating the completion of the first transcontinental railroad across the United States on the site described on a map entitled "Proposed Golden Spike National Historic Site, Utah", prepared by the National Park Service, Southwest Region, dated February 1963. In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the area depicted on such drawing, and in exchange therefor he may convey to the grantor of such property any federally owned property in the State of Utah under his jurisdiction which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be of approximately equal value, but the Secretary may accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged.

SEC. 2. (a) The property acquired under the provisions of the first section of this Act shall be designated as the "Golden Spike National Historic Site" and shall be set aside as a public national memorial. The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop such historic site, subject 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. 525), as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat. 666), as amended.

(b) In order to provide for the proper development and maintenance of such national historic site, the Secretary of the Interior is authorized to construct and maintain therein such markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $1,168,000, 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.

Approved July 30, 1965.

Legislative History

House Report No. 569 accompanying H.R. 6280 (Committee on Interior and Insular Affairs).
Senate Report No. 329 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965) :
June 16 : Considered and passed Senate.
July 12 : Considered and passed House, amended, in lieu of H.R. 6280.
July 21 : Senate concurred in House amendment.

13. Grant-Kohrs Ranch

An Act to authorize the establishment of the Grant-Kohrs Ranch National Historic Site in the State of Montana, and for other purposes. (86 Stat. 632)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide an understanding of the frontier cattle era of the Nation's history, to preserve the Grant-Kohrs Ranch, and to interpret the nationally significant values thereof for the benefit and inspiration of present and future generations, the Secretary of the Interior (hereinafter referred to as the "Secretary") is hereby authorized to designate not more than two thousand acres in Deer Lodge Valley, Powell County, Montana, for establishment as the Grant-Kohrs Ranch National Historic Site.

SEC. 2. Within the area designated pursuant to section 1 of this Act, the Secretary is authorized to acquire lands and interests in lands, together with buildings and improvements thereon, by donation, purchase or exchange. The Secretary shall establish the Grant-Kohrs Ranch National Historic Site by publication of a notice to that effect in the Federal Register at such time as he deems sufficient lands and interests in lands have been acquired for administration in accordance with the purposes of this Act.

SEC. 3. Pending such establishment and thereafter, the Secretary shall administer lands and interests in lands acquired for the Grant-Kohrs Ranch National Historic Site in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.), as amended.

SEC. 4. There are authorized to be appropriated $350,000 for land acquisition and not to exceed $1,800,000 (July 1971 prices) for development plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuation in construction costs as indicated by engineering cost indices applicable to the type of construction involved herein.

Approved August 25, 1972.

Legislative History

House Report No. 92–1222 accompanying H.R. 9594 (Committee on Interior and Insular Affairs).
Senate Report No. 92–1029 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Aug. 10, considered and passed Senate.
Aug. 14, considered and passed House, amended, in lieu of H.R. 9594.
Aug. 17, Senate concurred in House amendments.

14. Herbert Hoover

An Act to establish the Herbert Hoover National Historic Site in the State of Iowa. (79 Stat. 510)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership historically significant properties associated with the life of Herbert Hoover, the Secretary of the Interior may acquire the necessary acres of land or interests in land (including scienic easements) in or near West Branch, Iowa, by donation, purchase with donated or appropriated funds, transfer from a Federal agency, or otherwise. Such property shall be known as the Herbert Hoover National Historic Site.

SEC. 2. The Secretary of the Interior and the Administrator of General Services may enter into agreements which provide for the—

(1) transfer of lands and other property, except the Herbert Hoover Library building, from the administrative control of the Administrator to that of the Secretary without transfer of funds; and

(2) use by the Administrator of portions of facilities constructed by the Secretary.

SEC. 3. The Secretary shall administer the Herbert Hoover National Historic Site in accordance with the Act approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act approved August 21, 1935 (49 Stat. 666).

SEC. 4. There are authorized to be appropriated not more than $1,650,000 for land acquisition and development in connection with the Herbert Hoover National Historic Site as provided in this Act.

Approved August 12, 1965.

Legislative History
House Report No. 604 (Committee on Interior and Insular Affairs).
Senate Report No. 515 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965) :
July 12 : Considered and passed House.
Aug. 3 : Considered and passed Senate.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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

* * * * * * *

TITLE II—DEVELOPMENT CEILING INCREASES

SEC. 201. The limitations on appropriations for acquisition and development of units of the national park

system contained in the following Acts are amended as follows:

(1) Herbert Hoover National Historic Site, Iowa: section 4 of the Act of August 12, 1965 (79 Stat. 510), is amended by changing "$1,650,000" to "$3,500,000";

* * * * * * *

SEC. 202. The additional sums authorized to be appropriated for development in the Acts as amended in section 201 are based on March 1971 prices and may be increased or decreased in appropriation Acts by 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 for each area.

* * * * * * *

Approved April 11, 1972.

15. Hubbell Trading Post

An Act to authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes. (79 Stat. 584)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of establishing the Hubbell Trading Post National Historic Site, the Secretary of the Interior is authorized to purchase with donated funds or funds appropriated for the purpose, at a price to be agreed upon between the Secretary and the owner or owners, not to exceed the fair market value, the site and remaining structures of the Hubbell Trading Post at Ganado, Arizona, including the contents of cultural and historical value, together with such additional land and interests in land as in his discretion are needed to preserve and protect the post and its invirons for the benefit and enjoyment of the public: *Provided*, That the total area so acquired shall not exceed one hundred and sixty acres: *Provided further*, That the amount of land retained for the purpose hereinbefore stated shall not be in excess of that amount of land reasonably required to carry out the purposes of this Act, and any excess land, together with water rights, shall be offered for sale to the Navajo Indian Tribe at a price per acre equal to the per-acre price paid for the total area, excluding structures and contents thereof.

SEC. 2. Upon a determination by the Secretary of the Interior that sufficient land, structures, and other property have been acquired by the United States for the national historic site, as provided in section 1 of this Act, such property shall be established as the Hubbell Trading Post National Historic Site, and thereafter shall be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended. An order of the Secretary, constituting notice of such establishment, shall be published in the Federal Register.

SEC. 3. There are hereby authorized to be appropriated not more than $952,000 for the acquisition of lands and interests in land and the contents of the Hubbell Trading Post which are of cultural and historical value and for development costs in connection with the national historic site as provided in this Act.

Approved August 28, 1965.

Legislative History

House Report No. 566 (Committee on Interior and Insular Affairs).
Senate Report No. 580 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965):
July 12: Considered and passed House.
Aug. 16: Considered and passed Senate.

16. John Fitzgerald Kennedy

An Act to establish the John Fitzgerald Kennedy National Historic Site in the Commonwealth of Massachusetts. (81 Stat. 29)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership and for the purpose of establishing the birthplace of John Fitzgerald Kennedy as a national historic site, the Secretary of the Interior is hereby authorized to acquire by donation the property in the town of Brookline, county of Norfolk, Commonwealth of Massachusetts, with the improvements thereon, situated on Beals Street, shown on a plan entitled "Subdivision lot 47 Plan Beals' Estate, Brookline, Oct. 1897, Joseph R. Carr, C.E." recorded with Norfolk Deeds, book 1080, page 461, and bounded and described as follows:

northwesterly by Beals Street, 50 feet;

northeasterly by lot 50 on plan recorded with said deeds at the end of book 800, 72.46 feet;

southeasterly by lot 48 on said last mentioned plan, 50.51 feet; and

southwesterly by a part of lot 47 on said last mentioned plan conveyed by Robert M. Goode to Estille C. Ralph, by deed recorded with said deeds, book 1092, page 53, 80.33 feet,

such property having erected thereon a dwelling which is the birthplace of President John Fitzgerald Kennedy. The Secretary is further authorized to acquire personal property used and to be used in connection therewith.

SEC. 2. The Secretary shall administer the John Fitzgerald Kennedy National Historic Site in accordance with the Act approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act approved August 21, 1935 (49 Stat. 666), as amended.

Approved: May 26, 1967.

Legislative History

House Report No. 183 accompanying H.R. 6224 (Committee on Interior and Insular Affairs).
Senate Report No. 75 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 113 (1967):
Mar. 21: Considered and passed Senate.
Apr. 17: Considered and passed House, amended, in lieu of H.R. 6424.
May 11: Senate concurred in House amendment.

17. John Muir

An Act to provide for the establishment of the John Muir National Historic Site in the State of California, and for other purposes. (78 Stat. 753)

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 may acquire on behalf of the United States the land, improvements thereon, and interests therein situated in the county of Contra Costa, State of California, and described as follows:

Beginning at a point marked by a post that bears south 24 degrees 30 minutes east 257.40 feet from the northwest corner of lot E of division numbered 1 of the Rancho El Pinole; thence north 70 degrees 00 minutes east to a point in the westerly right-of-way line of Alhambra Avenue;

thence southward along the said westerly right-of-way line of Alhambra Avenue to a point on the right-of-way line of the freeway survey delineated in the California State Division of Highways, district IV, appraisal map numbered A–655.34, dated November 21, 1962, said point also being in line with station (28+81′) on the "M" line of said freeway survey;

thence following the right-of-way line of said survey south 71 degrees 09 minutes 19 seconds west 2.0 feet to a point;

thence along the said right-of-way line of the freeway survey the following two courses; south 18 degrees 50 minutes 41 seconds east 59.54 feet to a point, on a curve to the right, radius 1,958.0 feet, delta angle 2 degrees 1 minute 6 seconds, a distance of 68.97 feet to a point;

thence south 16 degrees 49 minutes 35 seconds east about 112 feet to a point;

thence south 31 degrees 55 minutes 10 seconds west about 160 feet to a point;

thence south 80 degrees 08 minutes 57 seconds west 741.66 feet to a point;

thence north 77 degrees 12 minutes 60 seconds west 132.68 feet to a point;

thence north 65 degrees 53 minutes 54 seconds west 78.75 feet to a point in the center line of the Franklin Canyon Road;

thence northward along the said center line of the Franklin Canyon Road to a point (which is south 9 degrees 24 minutes east along the center line of Franklin Canyon Road 281.43 feet and thence south 1 degree 50 minutes west 304.98 feet from the point

common to the center line of the said Franklin Canyon Road and a north line of that certain 44.87-acre tract of land described in the deed from Daniel L. Parsowith to Pearl Parsowith, dated November 18, 1931, and recorded November 18, 1931, in Volume 290 of official records, at page 359);

thence north 88 degrees 28 minutes 15 seconds east 418.01 feet (north 87 degrees 45 minutes 30 seconds east 421.70 feet-deed), as surveyed by the California State Division of Highways, district IV, appraisal map numbered A–655.34, dated November 21, 1962, to a point in the center of Franklin Creek;

thence north 23 degrees 25 minutes 01 seconds east 121.15 feet (north 23 degrees 30 minutes east 120.56 feet-deed) as surveyed by said California State Division of Highways along Franklin Creek to a point;

thence north 17 degrees 30 minutes east 132 feet continuing along Franklin Creek to a point;

thence leaving Franklin Creek north 70 degrees 0 minutes east 320.10 feet, more or less, to the point of beginning; containing approximately 9.2 acres.

SEC. 2. The property acquired under this Act shall be designated as the John Muir National Historic Site and shall be set aside as a public national memorial to John Muir in recognition of his efforts as a conservationist and a crusader for national parks and reservations. The Secretary of the Interior shall administer, protect, and develop such national historic site in accordance with 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, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes," approved August 21, 1935 (49 Stat. 666), as amended.

SEC. 3. There is hereby authorized to be appropriated not more than $300,000 for land acquisition and restoration of the buildings thereon.

Approved August 31, 1964.

Legislative History

House Report No. 1156 (Committee on Interior and Insular Affairs).
Senate Report No. 1463 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 110 (1964):
Aug. 3: Considered and passed House.
Aug. 19: Considered and passed Senate.

18. Lincoln Home

An Act to authorize the Secretary of the Interior to establish the Lincoln Home National Historic Site in the State of Illinois, and for other purposes. (85 Stat. 347)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve and interpret for the benefit of present and future generations the home of Abraham Lincoln in Springfield, Illinois, the Secretary of the Interior is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange the property and improvements thereon in the city of Springfield, Illinois, within the area generally depicted on the map entitled "Boundary Map, Lincoln Home National Historic Site," numbered LIHO–20,000 and dated April 1970, which he deems necessary for the establishment and administration of a national historic site: *Provided*, That lands or interests in lands owned by such State or city may be acquired by donation only. The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

SEC. 2. The property acquired pursuant to the first section of this Act shall be known as the Lincoln Home National Historic Site, and it shall be administered by the Secretary of the Interior in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1, 2–4), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467).

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 (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.

Approved August 18, 1971.

Legislative History

House Report No. 92–419 (Committee on Interior and Insular Affairs).
Senate Report No. 92–308 accompanying S. 489 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 117 (1971):
Aug. 2, considered and passed House.
July 30, Aug. 3, considered and passed Senate.

496–156—73——17

19. Longfellow

An Act to authorize the establishment of the Longfellow National Historic Site in Cambridge, Massachusetts, and for other purposes. (86 Stat. 791)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve in public ownership for the benefit and inspiration of the people of the United States, a site of national historical significance containing a dwelling which is an outstanding example of colonial architecture and which served as George Washington's headquarters during the siege of Boston in 1775–1776, and from 1837 to 1882 as the home of Henry Wadsworth Longfellow, the Secretary of the Interior is authorized to acquire by donation the fee simple title to the real property and improvements thereon, together with furnishings and other personal property, situated at and known as 105 Brattle Street, Cambridge, Massachusetts, for establishment as the Longfellow National Historic Site.

SEC. 2. The Secretary of the Interior is further authorized to accept the donation of not less than $200,000, and such other sums of money as may be tendered from time to time by the Trustees of the Longfellow House Trust, established pursuant to indentures dated October 28, 1913, and November 18, 1914, and such funds or any part thereof and any interest thereon, may be used exclusively for the purposes of administration, maintenance, and operation of the Longfellow National Historic Site.

SEC. 3. The Longfellow National Historic Site shall be established when title to the real and personal property described in section 1 of this Act and the sum of $200,000 as set forth in section 2 of this Act have been accepted by the Secretary of the Interior, and upon such establishment, the Longfellow National Historic Site shall be administered by the Secretary of the Interior in accordance with the Act approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act approved August 21, 1935 (49 Stat. 666).

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, $586,600 (May 1971 prices) for development of the area, 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.

Approved October 9, 1972.

Legislative History

House Report No. 92–1448 accompanying H.R. 3986 (Committee on Interior and Insular Affairs).
Senate Report No. 92–702 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Mar. 22, considered and passed Senate.
Oct. 2, considered and passed House, in lieu of H.R. 3986.

20. Lyndon B. Johnson

An Act to establish the Lyndon B. Johnson National Historic Site. (83 Stat. 279)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership historically significant properties associated with the life of Lyndon B. Johnson, the Secretary of the Interior is authorized to acquire, by donation or by purchase with donated funds, such lands and interests in lands, together with the buildings and improvements thereon, at or in the vicinity of Johnson City, Texas, as are depicted on the drawing entitled "Lyndon B. Johnson National Historic Site Boundary Map", numbered NHS–LBJ–20,000 and dated September 1969, together with such lands as from time to time may be donated for addition to the site and such lands as he shall deem necessary to provide adequate public parking for visitors at a suitable location. The drawing shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. When acquired such site shall be known as the Lyndon B. Johnson National Historic Site.

SEC. 2. The Secretary shall administer the Lyndon B. Johnson National Historic Site in accordance with the Act approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented, and the Act approved August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.), as amended.

SEC. 3. There are hereby authorized to be appropriated not more than $180,000 to provide for the development of the Lyndon B. Johnson National Historic Site.

Approved December 2, 1969.

Legislative History

House Report No. 91–636 (Committee on Interior and Insular Affairs).
Senate Report No. 91–364 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 115 (1969):
Aug. 13: Considered and passed Senate.
Nov. 17: Considered and passed House, amended.
Nov. 19: Senate concurred in House amendment.

21. Mar-A-Lago

An Act to provide for the administration of the Mar-A-Lago National Historic Site, in Palm Beach, Florida. (86 Stat. 1049)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, (a) That the Secretary of the Interior (hereinafter referred to as the "Secretary") may accept, maintain, develop, and administer the Mar-A-Lago National Historic Site described in the order of designation dated January 16, 1969, as a part of the national park system pursuant to the provision of the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.), as amended, at such time as the right to possession of the real and personal property comprising the historic site shall vest in the United States.

(b) The Secretary is directed to use the authority contained in the Act of August 21, 1935 (supra) to enter into such agreements and to take such actions as he may deem necessary to provide for administration and for the use of the Mar-A-Lago National Historic Site as a temporary residence for visiting foreign diagnitaries or heads of state or members of the executive branch of the United States Government. Any further use of this property shall be determined by the Secretary after conferring with the Mar-A-Lago National Historic Site Advisory Commission.

SEC. 2. (a) There is hereby established a Mar-A-Lago National Historic Site Advisory Commission (hereafter referred to as the "Commission").

(b) The Commission shall be composed of five members appointed by the Secretary of the Interior for terms of three years each, as follows:

(1) One member to be appointed from recommendations submitted by the Governor of the State of Florida;

(2) One member to be appointed from recommendations submitted by the trustees appointed pursuant to the Mar-A-Lago Trust; and

(3) Three members to be appointed by the Secretary, one of whom shall be designated Chairman of the Commission, to represent the general public interest, and two of whom shall be appointed from recommendations submitted by the town council of Palm Beach, Florida.

(c) Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) Members of the Commission shall serve without compensation, as such, but the Secretary is authorized to pay, upon vouchers signed by the Chairman, the expenses

reasonably incurred by the Commission and its members in carrying out their responsibilities under this Act.

(e) The Secretary, or his designee, shall, as the circumstances require meet and consult with the Commission on general policies and specific matters related to the administration of the historic site.

(f) The Commission shall act and advise by affirmative vote of a majority of the members thereof.

Approved October 21, 1972.

Legislative History

House Report No. 92–1541 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Oct. 10, considered and passed House.
Oct. 12, considered and passed Senate.
Weekly Compilation of Presidential Documents, Vol. 8, No. 44: Oct. 28, Presidential statement.

22. Puukohola Heiau

An Act to provide for the establishment of the Puukohola Heiau National Historic Site, in the State of Hawaii, and for other purposes. (86 Stat. 562)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to restore and preserve in public ownership the historically significant temple associated with Kamehameha the Great, who founded the historic Kingdom of Hawaii, and the property of John Young who fought for Kamehameha the Great during the period of his ascendancy to power, the Secretary of the Interior is authorized to acquire, by donation or purchase with donated funds, such lands and interests in lands, together with structures and improvements thereon, not to exceed one hundred acres, in the vicinity of Kawaihae, Hawaii, as generally depicted on a map entitled "Boundary Map, Proposed Puukohola Heiau National Historic Site," numbered NHS–PK 20,002, dated February 1970, which shall be on file and available for public inspection in the offices of the National Park Service, Washington, District of Columbia. The Secretary of the Interior may from time to time revise the boundaries of the proposed historic site, but the total acreage of the site shall not exceed one hundred acres.

SEC. 2. The Secretary of the Interior shall establish the area as the "Puukohola Heiau National Historic Site" at such time as he deems sufficient interests in lands have been acquired to constitute an administrable unit. Pending and after establishment, the Puukohola Heiau National Historic Site shall be administered, developed, preserved, and maintained in accordance with 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 (16 U.S.C. 1 et seq.), and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

SEC. 3. Notwithstanding the acreage limitation contained in section 1 of this Act, the Secretary of the Interior is authorized to acquire by donation, purchase, or exchange, such additional lands and interests therein outside the boundary of the site as he deems necessary to relocate portions of State and county roads which are currently within the boundary of the site, and he may construct roadways on the lands so acquired and convey the same, subject to such terms and conditions as he deems necessary, to the State of Hawaii or its appropriate politi-

cal subdivision. Any relocation of State and county roads shall be undertaken in accordance with an agreement between the Secretary and the State or county concerned, which shall provide, among other things, for the continued maintenance of the relocated portions of road by such State or county.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act not to exceed, however, $1,040,600 (May 1971 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.

Approved August 17, 1972.

Legislative History

House Report No. 92-984 (Committee on Interior and Insular Affairs).
Senate Report No. 92-946 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Apr. 17, considered and passed House.
June 30, considered and passed Senate, amended.
Aug. 8, House concurred in Senate amendment.

23. Saint-Gaudens

An Act to authorize establishment of the Saint-Gaudens National Historic Site, New Hampshire, and for other purposes. (78 Stat. 749)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership historically significant properties associated with the life and cultural achievements of Augustus Saint-Gaudens, the Secretary of the Interior may acquire, by donation from the Saint-Gaudens Memorial, a corporation, the sites and structures comprising the Saint-Gaudens Memorial situated at Cornish, New Hampshire, and by donation or purchase with donated funds not to exceed three acres of adjacent lands which the Secretary of the Interior deems necessary for the purposes of this Act, together with any works of art, furnishings, reproductions, and other properties within the structures and on the memorial grounds.

SEC. 2. (a) In accordance with the Act entitled "An Act to create a National Park Trust Fund Board, and for other purposes", approved July 10, 1935 (49 Stat. 477), as amended, the National Park Trust Fund Board may accept from the Saint-Gaudens Memorial the amount of $100,000 and such additional amounts as the corporation may tender from time to time from the endowment funds under its control, which funds, when accepted, shall be utilized only for the purposes of the historic site established pursuant to this Act.

(b) Nothing in this Act shall limit the authority of the Secretary of the Interior under other provisions of law to accept donations of property in the name of the United States.

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.

SEC. 4. (a) The Secretary of the Interior shall administer, protect, develop, and maintain the Saint-Gaudens National Historic Site subject to the provisions of this Act and in accordance with 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, and the provisions of the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for

other purposes", approved August 21, 1935 (49 Stat. 666).

(b) In order that the Saint-Gaudens National Historic Site may achieve more effectively its purpose as a living memorial, the Secretary of the Interior is authorized to cooperate with the Saint-Gaudens Memorial, the American Academy of Arts and Letters, and other organizations and groups in the presentation of art expositions and festivals and other appropriate events that are traditional to the site.

SEC. 5. The Saint-Gaudens Memorial having by its active interest preserved for posterity this important site, its structures, objects, and cultural values, the executive committee thereof shall, upon establishment of the Saint-Gaudens National Historic Site, serve in an advisory capacity to the Secretary of the Interior in matters relating to its preservation, development, and use.

SEC. 6. There are hereby authorized to be appropriated such sums, but not more than $210,000 for development, as may be necessary to carry out the purposes of this Act.

Approved August 31, 1964.

Legislative History

House Report No. 782 (Committee on Interior and Insular Affairs).
Senate Report No. 1458 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 110 (1964):
Aug. 3: Considered and passed House.
Aug. 18: Considered and passed Senate.

24. Salem Maritime

An Act to authorize the Secretary of the Interior to acquire and add certain lands to the Salem Maritime National Historic Site in Massachusetts, and for other purposes. (77 Stat. 359)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve, as a part of the Salem Maritime National Historic Site, one of the few substantially unaltered houses of seventeenth century Massachusetts, the Secretary of the Interior is authorized to procure by purchase, donation, or purchase with donated funds certain lands and interests in lands situated in Salem, Massachusetts, being known as the Narbonne House, and consisting of approximately 0.187 acre, the same being the premises conveyed to Margaret Hale by deed dated November 5, 1958, and recorded with the Essex County deeds, book 4511, page 575. When acquired, said lands shall be administered as a part of the site under the laws and regulations applicable thereto.

SEC. 2. There are hereby authorized to be appropriated such sums, but not more than $18,000, as may be necessary to acquire the property described in section 1 of this Act.

Approved December 12, 1963.

Legislative History

House Report No. 430 (Committee on Interior and Insular Affairs).
Senate Report No. 660 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 109 (1963):
July 8: Passed House.
Nov. 27: Considered and passed Senate.

25. Saugus Iron Works

An Act to establish the Saugus Iron Works National Historic Site in the State of Massachusetts, and for other purposes. (82 Stat. 72)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve in public ownership the first sustained integrated ironworks in the Thirteen Colonies, the Secretary of the Interior may acquire by donation, purchase with donated or appropriated funds, or otherwise, lands and interests in lands within the boundaries of the area generally depicted on drawing numbered NHS–SI–7100B, entitled "Proposed Saugus Iron Works National Historic Site", dated May 1967, which is on file in the Department of the Interior. The property acquired pursuant to this section shall be known as the Saugus IronWorks National Historic Site.

SEC. 2. The Secretary shall administer the Saugus Iron Works National Historic Site in accordance with the Act approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act approved August 21, 1935 (49 Stat. 666).

SEC. 3. There are authorized to be appropriated $400,000 to carry out the purposes of this Act.

Approved April 5, 1968.

Legislative History

House Report No. 593 (Committee on Interior and Insular Affairs).
Senate Report No. 1019 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 113 (1967): Oct. 2, considered and passed House.
Vol. 114 (1968): Mar. 26, considered and passed Senate.

26. William Howard Taft

An Act to provide for the establishment of the William Howard Taft National Historic Site. (83 Stat. 273)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership historically significant properties associated with the life of William Howard Taft, the Secretary of the Interior is authorized to acquire, by donation or purchase with donated funds, such land and interests in land, together with buildings and improvements thereon and including scenic easements, at or in the vicinity of Auburn Avenue, Cincinnati, Ohio, as are depicted on the drawing entitled "William Howard Taft National Historic Site Boundary Map," numbered TAHO–20009, and dated August 1969. The drawing shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. When acquired such site shall be known as the William Howard Taft National Historic Site.

SEC. 2. The administration, development, preservation, and maintenance of the William Howard Taft National Historic Site shall be exercised by the Secretary of the Interior in accordance with the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended (16 U.S.C. 1 et seq.), and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (16 U.S.C. 461 et seq.).

SEC. 3. There are hereby authorized to be appropriated not to exceed $318,000 to provide for the restoration and development of the William Howard Taft National Historic Site.

Approved December 2, 1969.

Legislative History

House Report No. 91–478 (Committee on Interior and Insular Affairs).
Senate Report No. 91–396 accompanying S. 560 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 115 (1969) :
Sept. 15 : Considered and passed House.
Sept. 24 : Considered and passed Senate, amended, in lieu of S. 560.
Nov. 18 : House concurred in Senate amendment, with amendment.
Nov. 19 : Senate concurred in House amendment.

VII. NATIONAL MEMORIALS

1. Arkansas Post

An Act to increase the amount authorized to be appropriated for the devlopment of the Arkansas Post National Memorial. (80 Stat. 339)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to provide for the establishment of the Arkansas Post National Memorial, in the State of Arkansas", approved July 6, 1960 (74 Stat. 334; Public Law 86–595), is amended by striking out "$125,000" and inserting in lieu thereof "550,000".

Approved August 11, 1966.

Legislative History

House Report No. 1567 (Committee on Interior and Insular Affairs).
Senate Report No. 1402 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 112 (1966):
June 20: Considered and passed House.
July 27: Considered and passed Senate.

2. Benjamin Franklin

Joint Resolution to designate Benjamin Franklin Memorial Hall at the Franklin Institute, Philadelphia, Pennsylvania, as the Benjamin Franklin National Memorial. (86 Stat. 1164)

Whereas the American people feel a deep debt of gratitude to Benjamin Franklin for his outstanding services to this Nation as a statesman and for his achievements as a scientist and inventor;

Whereas the Franklin Institute of Philadelphia, Pennsylvania, has played a leading role in promoting the development of science and technology in the United States;

Whereas the said Franklin Institute named the Benjamin Franklin Memorial Hall in honor of Benjamin Franklin over thirty years ago;

Whereas the year 1974 is the one hundred and fiftieth anniversary of the founding of the said Franklin Institute;

Whereas the city of Philadelphia, Pennsylvania, is a most appropriate location for a national memorial to Benjamin Franklin since Philadelphia was his home for many years;

Whereas Benjamin Franklin Memorial Hall is a fitting memorial to this great American: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Benjamin Franklin Memorial Hall located in the Franklin Institute of Philadelphia, Pennsylvania, is hereby designated as Benjamin Franklin National Memorial.

SEC. 2. The designation made by the first section of this resolution shall become effective upon conclusion of a cooperative agreement satisfactory to the governing body of the Franklin Institute and the Secretary of the Interior.

Approved October 25, 1972.

Legislative History

House Report No. 92–1592 (Committee on Interior and Insular Affairs).
Senate Report No. 92–916 (Committee on Rules and Administration).
Congressional Record, Vol. 118 (1972):
June 23, considered and passed Senate.
Oct. 13, considered and passed House.

3. Chamizal

An Act to provide for the establishment of the Chamizal National Memorial in the city of El Paso, Texas, and for other purposes. (80 Stat. 232)

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 establish and develop a memorial to be known as the Chamizal National Memorial at El Paso, Texas, on approximately fifty-five acres in the northeastern part of the portion of Cordova Island acquired by the United States under the Convention between the United States of America and the United Mexican States for the Solution of the Problem of the Chamizal, signed at Mexico City August 29, 1963 (TIAS–5515). The Chamizal National Memorial shall commemorate the harmonious settlement of the longstanding boundary dispute between the United States and Mexico concerning the Chamizal, an area of land situated to the north of the Rio Grande in the El Paso Ciudad Juarez region.

SEC. 2. The Secretary of the Interior may, in his discretion, defer the establishment of the Chamizal National Memorial until the city of El Paso or other governmental agencies of the State of Texas has submitted, and the Secretary has approved, a comprehensive plan for the development of the remaining lands acquired by the United States under the Chamizal Convention, August 29, 1963, upon their transfer to said city or other government agencies in the State of Texas under other provisions of law. Such comprehensive plan shall include a development plan and work schedule that is in the judgment of the Secretary compatible and coordinated with the development plan and schedule for the Chamizal National Memorial.

SEC. 3. The Secretary of the Interior shall administer, protect, and develop such memorial, subject 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; 16 U.S.C. 1 et seq.), as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes," approved August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

SEC. 4. The Secretary of the Interior is authorized to cooperate and consult with the city and county of El Paso, Texas, Texas Western College, local historical and preservation societies, and other interested government agencies, associations and persons in the utilization and preservation of the Chamizal National Memorial.

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

Approved June 30, 1966.

Legislative History

House Report No. 1496 (Committee on Interior and Insular Affairs).
Senate Report No. 1197 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 112 (1966):
May 16: Considered and passed House.
June 2: Considered and passed Senate, amended.
June 16: House concurred in Senate amendment.

4. Jefferson National Expansion

An Act to amend the Act of May 17, 1954 (68 Stat. 98), as amended, providing for the construction of the Jefferson National Expansion Memorial at the site of old Saint Louis, Missouri, and for other purposes. (79 Stat. 991)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 17, 1954 (68 Stat. 98), entitled "An Act to provide for the construction of the Jefferson National Expansion Memorial at the site of old Saint Louis, Missouri, in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes," as amended by the Act of September 6, 1958 (72 Stat. 1794), is hereby further amended by striking the figure "$17,250,000" from section 4 thereof and inserting in lieu thereof the figure "$23,250,000."

Approved October 19, 1965.

Legislative History

House Report No. 881 accompanying H.R. 6519 (Committee on House Administration).
Senate Report No. 320 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965) :
June 17 : Considered and passed Senate.
Oct. 1 : Considered and passed House, in lieu of H.R. 6519.

5. Johnstown Flood

An Act to provide for the establishment of the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes. (78 Stat. 752)

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 establish, as herein provided, the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial in the State of Pennsylvania. For this purpose the Secretary may designate up to nine hundred and fifty acres of land that may, in his discretion, include portions of the Pennsylvania Canal, the Lemon House, the summit of the Allegheny Portage Railroad, the Skew Arch Bridge, incline planes numbered 6, 7, 8, 9, and 10 and the levels between them, the Portage Railroad tunnel, and such other land and historic features as may be necessary to illustrate the significant role of the Allegheny Portage Railroad and the Pennsylvania Canal in the Nation's history; and he may designate up to fifty-five acres in Cambria County, Pennsylvania, for use in commemorating the tragic Johnstown flood of May 31, 1889.

SEC. 2. Within the areas designated pursuant to section 1, the Secretary is authorized to acquire lands and interests in lands by purchase, donation, purchase with donated funds, or otherwise.

SEC. 3. When the Secretary of the Interior has acquired sufficient lands to form administrable park units, he shall publish notice of that fact in the Federal Register and the areas designated pursuant to secton 1 shall thereafter be known as the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial and shall be administered by the Secretary of the Interior pursuant to the provisions of the Act entitled "An Act to establish the National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535), as amended and supplemented.

SEC. 4. To provide for the preservation and interpretation of the remaining portions of the Allegheny Portage Railroad route not included within the national historic site, and to further commemorate the Johnstown flood, the Secretary is authorized to enter into cooperative agreements with the State of Pennsylvania, political subdivisions thereof, corporations, associations, or individuals, and to erect and maintain tablets or markers in accordance with the provisions contained in the Act approved August 21, 1935, entitled "An Act to provide for the preservation of historic American sites, buildings, ob-

jects, and antiquities of national significance, and for other purposes" (49 Stat. 666).

SEC. 5. There are authorized to be appropriated such sums, but not more than $2,000,000, for land acquisition and development, as may be necessary to carry out the purposes of this Act.

Approved August 31, 1964.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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

* * * * * * *

TITLE II—DEVELOPMENT CEILING INCREASES

SEC. 201. The limitations on appropriations for acquisition and development of units of the national park system contained in the following Acts are amended as follows:

* * * * * * *

(3) Johnstown Flood National Memorial, Pennsylvania: section 5 of the Act of August 31, 1964 (78 Stat. 752), is amended by changing "$2,000,000" to "$2,244,600"

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of the Interior is authorized to revise the boundaries of the following units of the national park sytem:

* * * * * * *

(7) Johnstown Flood National Memorial, Pennsylvania: to add approximately 53.6 acres;

* * * * * * *

SEC. 302. The boundary revisions authorized in section 301 shall become effective upon publication in the Federal Register of a map or other description of the lands added or excluded by the Secretary of the Interior.

SEC. 303. Within the boundaries of the areas as revised in accordance with section 301, the Secretary of the Interior is authorized to acquire lands and interest therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subject to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this Act, the Secretary (i) may tender, to the owner or owners of record on the date of enactment of this Act, a revocable

permit for the continued use and occupancy of such land or any portion thereof subject to such terms and conditions as he deems necessary or (ii) may acquire any land pursuant to this Act subject to the retention of a right of use and occupancy for a term not to exceed 25 years or for the life of the owner of owners. Lands and interests therein excluded from the areas pursuant to section 301 may be exchanged for non-Federal lands within the boundaries as revised, or they may be transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, as the Secretary of the Interior may deem appropriate. In exercising the authority in this section with respect to lands and interests therein excluded from the areas, the Secretary of the Interior may, on behalf of the United States, retrocede to the appropriate State exclusive or concurrent legislative jurisdiction subject to such terms and conditions as he may deem appropriate, over such lands, to be effective upon acceptance thereof by the State. Any such lands not so exchanged or transferred may be disposed of in accordance with the Federal Property and Administrative Services Act of 1949, as amended.

SEC. 304. For the acquisition of lands and interests in lands which are added to the areas referred to in section 301, there are authorized to be appropriated such sums as may be necessary, but not more than the following amounts:

* * * * * * *

(5) Johnstown Flood National Memorial, $10,000.

* * * * * * *

Approved April 11, 1972.

6. Lincoln Boyhood

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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 limitation 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:

* * * * * * *

(6) Lincoln Boyhood National Memorial, Indiana; section 4 of the Act of February 19, 1962 (76 Stat. 9) is amended by changing "$1,000,000" to "$1,320,000" and "$75,000" to "$395,000";

* * * * * * *

Approved April 11, 1972.

7. Perry's Victory

An Act to change the name of the Perry's Victory and International Peace Memorial National Monument, to provide for the acquisition of certain ltnds, and for other purposes. (86 Stat. 1181)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Perry's Victory and International Peace Memorial National Monument, established in accordance with the Act of June 2, 1936 (49 Stat. 1393; 16 U.S.C. 433a), is redesignated the Perry's Victory and International Peace Memorial.

SEC. 2. Section 3 of the Act of June 2, 1936 (49 Stat. 1393; 16 U.S.C. 433c), is amended by adding at the end thereof the following new sentence: "The Secretary of the Interior is authorized to purchase with appropriated funds not to exceed four acres of land, or interests in land, for addition to the Perry's Victory and International Peace Memorial."

SEC. 3. The following laws and parts of laws are repealed:

(1) Sections 1, 2, 4, 5, 6, and 7 of the Act of March 3, 1919 (ch. 116 (40 Stat. 1322)).

(2) Section 4 of the Act of June 2, 1936 (49 Stat. 1393; 16 U.S.C. 433d).

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than $370,000 shall be appropriated for the acquisition of lands and interests in lands and not more than $5,177,000 shall be appropriated for development. The sums authorized in this section shall be available for acquisition and development undertaken subsequent to the approval of this Act.

Approved October 26, 1972.

Legislative History

House Report No. 92-1468 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Oct. 10, considered and passed House.
Oct. 12, considered and passed Senate.

8. Roger Williams

An Act to provide for the establishment of the Roger Williams National Memorial in the city of Providence, Rhode Island, and for other purposes. (79 Stat. 1069)

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 may acquire by gift, purchase with appropriated or donated funds, transfer from any Federal agency, exchange, or otherwise, not to exceed five acres of land (together with any buildings or other improvements thereon) and interests in land at the site of the old town spring, traditionally called Roger Williams Spring, in Providence, Rhode Island, for the purpose of establishing thereon a national memorial to Roger Williams in commemoration of his outstanding contributions to the development of the principles of freedom in this country: *Provided*, That property owned by the city of Providence or the Providence Redevelopment Agency may be acquired only with the consent of such owner.

SEC. 2. The property acquired pursuant to the first section of this Act shall be established as the Roger Williams National Memorial and the Secretary of the Interior shall publish notice of such establishment in the Federal Register. Such national Memorial shall be administered by the Secretary subject 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, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes," approved August 21, 1935 (49 Stat. 666).

SEC. 3. (a) The Secretary is authorized to cooperate with the city of Providence, local historical and preservation societies, and interested persons in the maintenance and operation of the Roger Williams National Memorial, and he may seek the asistance of and consult with such city, societies, and persons from time to time with respect to matters concerning the development and operation of the memorial.

(b) The Secretary may accept on behalf of the people of the United States gifts of historic objects and records pertaining to Roger Williams for appropriate display or other use in keeping with the commemoration of the founding of the principles of freedom in the United States and of the historical events that took place in the city of Providence in connection therewith.

SEC. 4. There are hereby authorized to be appropriated not more than $700,000 for the acquisition of lands and

interests in land and for the development of the Roger Williams National Memorial, as provided in this Act.

Approved October 22, 1965.

Legislative History

House Report No. 985 (Committee on Interior and Insular Affairs).
Senate Report No. 764 accompanying S. 1855 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965):
Sept. 23: S. 1855 considered and passed Senate.
Oct. 5: Passed House.
Oct. 9: Considered and passed Senate, in lieu of S. 1855.

9. Thaddeus Kosciuszko

An Act to provide for the establishment of the Thaddeus Kosciuszko Home National Historic Site in the State of Pennsylvania, and for other purposes. (86 Stat. 1046)

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 the development of a suitable memorial to General Thaddeus Kosciuszko, great Polish patriot and hero of the American Revolution, the Secretary of the Interior is authorized to acquire by donation or purchase with donated funds the property at the northwest corner of Third and Pine Streets specifically designated as 301 Pine Street and/or 342 South Third Street, Philadelphia, Pennsylvania, including improvements thereon, together with such adjacent land and interests therein as the Secretary may deem necessary for the establishment and administration of the property as a national memorial.

SEC. 2. The property acquired pursuant to the first section of this Act shall be known as the Thaddeus Kosciuszko National Memorial and it shall be administered by the Secretary of the Interior in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1, 2–4), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467).

SEC. 3. There are hereby authorized to be appropriated not more than $592,000 for the development of the national memorial.

Approved October 21, 1972.

Legislative History

House Report No. 92–1538 accompanying H.R. 256 (Committee on Interior and Insular Affairs).
Senate Report No. 92–710 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Mar. 28, considered and passed Senate.
Oct. 10, considered and passed House, amended, in lieu of H.R. 256.
Oct. 12, Senate concurred in House amendment.
Weekly Compilation of Presidential Documents, Vol. 8, No. 44: Oct. 28, Presidential statement.

VIII. NATIONAL MONUMENTS

1. Agate Fossil Beds

An Act to provide for the establishment of the Agate Fossil Beds National Monument in the State of Nebraska, and for other purposes. (79 Stat. 123)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for the benefit and enjoyment of present and future generations the outstanding paleontological sites known as the Agate Springs Fossil Quarries, and nearby related geological phenomena, to provide a center for continuing paleontological research and for the display and interpretation of the scientific specimens uncovered at such sites, and to facilitate the protection and exhibition of a valuable collection of Indian artifacts and relics that are representative of an important phase of Indian history, the Secretary of the Interior is authorized to acquire by donation, or by purchase with donated or appropriated funds, or otherwise, title or a lesser interest in not more than three thousand one hundred and fifty acres of land in township 28 north, range 55 west, sixth principal meridian, Sioux County, Nebraska, for inclusion in the Agate Fossil Beds National Monument in accordance with the boundary designation made pursuant to section 2 hereof, which boundary may include such right-of-way as is needed for a road between the Stenomylus Quarry site and the monument lands lying in section 3 or 10 of the said township and range.

SEC. 2. Within the acreage limitation of section 1, the Secretary may designate and adjust the boundaries of Agate Fossil Beds National Monument. When the Secretary finds that lands constituting an initially administrable unit are in Federal ownership, he shall establish such national monument by publication of notice thereof in the Federal Register, and any subsequent adjustment of its boundaries shall be effectuated in the same manner.

SEC. 3. The Agate Fossil Beds National Monument 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 et seq.), as amended and supplemented.

SEC. 4. There are hereby authorized to be appropriated the sums of not more than $301,150 for acquisition of lands and interests in land and not more than $1,842,000

for development in connection with the Agate Fossil Beds National Monument under this Act.

Approved June 5, 1965.

Legislative History

House Report No. 232 accompanying H.R. 500 (Committee on Interior and Insular Affairs).
Senate Report No. 150 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965) :
Apr. 9 : Considered and passed Senate.
May 3 : Considered and passed House, amended, in lieu of H.R. 500.
May 24 : Senate concurred in House amendment.

2. Alibates Flint Quarries and Texas Panhandle Pueblo Culture

An Act to authorize the establishment of the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument. (79 Stat. 587)

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 may designate, acquire and administer as a national monument lands and interests in lands comprising the Alibates Flint Quarries and the Texas Panhandle Pueblo Culture sites, together with any structures and improvements thereon, located in and around Potter County, Texas.

SEC. 2. (a) The property acquired under the provisions of the first section of this Act shall be set aside as a national monument for the benefit and enjoyment of the people of the United States and shall be designated as the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument. The Secretary of the Interior shall administer, protect, and develop such monument, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935, as amended.

(b) In order to provide for the proper development and maintenance of such national monuments, the Secretary of the Interior is authorized to construct and maintain therein such markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

SEC. 3. There is hereby authorized to be appropriated not to exceed $5,000 for the acquisition of land and not to exceed $260,000 for the development of the area.

Approved August 31, 1965.

Legislative History

House Report No. 148 (Committee on Interior and Insular Affairs).
Senate Report No. 581 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965):
Apr. 5: Considered and passed House.
Aug. 16: Considered and passed Senate, amended.
Aug. 17: House concurred in Senate amendment.

3. Andrew Johnson

An Act to change the name of the Andrew Johnson National Monument, to add certain historic property thereto, and for other purposes. (77 Stat. 349)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Andrew Johnson National Monument established by Proclamation Numbered 2554 of April 27, 1942 (56 Stat. 1955), pursuant to the Act of August 29, 1935 (49 Stat. 958), is hereby redesignated the Andrew Johnson National Historic Site.

SEC. 2. The Secretary of the Interior may procure with donated or appropriated funds, by donation, or by exchange the following described lands, or interests therein, located in Greeneville, Tennessee, and when so acquired such lands shall become a part of the Andrew Johnson National Historic Site:

Beginning at a point which is the intersection of the east right-of-way line of College Street and the north right-of-way line of Depot Street;

thence continuing along the north right-of-way line of Depot Street south 62¼ degrees east 165 feet to its intersection with the west side of Academy Street;

thence leaving the north right-of-way line of Depot Street and continuing along the west right-of-way of Academy Street north 38 degrees east 93.4 feet to a point;

thence leaving the west right-of-way of Academy Street north 64¾ degrees west 184 feet to a point on the east right-of-way line of College Street;

thence with the east right-of-way line of College Street south 25¾ degrees west 83.7 feet to a point of beginning, containing 0.35 acre, more or less.

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

Approved December 11, 1963.

Legislative History

House Report No. 905 accompanying H.R. 5345 (Committee on Interior and Insular Affairs).
Senate Report No. 570 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 109 (1963):
Oct. 21: Considered and passed Senate.
Dec. 2: Passed House, amended, in lieu of H.R. 5345.
Dec. 3: Senate concurred in House amendment.

An Act for the relief of Mrs. Margaret Patterson Bartlett. (Private Law 88–136)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Margaret Patterson

Bartlett, of Greeneville, Tennessee, great-granddaughter of former President Andrew Johnson, the sum of $10,000, which shall not be subject to any Federal tax liability, in full settlement of her claims for compensation in lieu of the living quarters which she understands were to have been provided for the use of herself and her mother (deceased) during their lifetimes as part payment for the property acquired from them for inclusion within the boundaries of Andrew Johnson National Monument in Greeneville, Tennessee: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall fined in any sum not exceeding $1,000.

Approved December 21, 1963.

496-156—73——19

4. Badlands

An Act to revise the boundaries of the Badlands National Monument in the State of South Dakota, to authorize exchanges of land mutually beneficial to the Oglala Sioux Tribe and the United States, and for other purposes. (82 Stat. 663)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to include lands of outstanding scenic and scientific character in the Badlands National Monument, the boundaries of the monument are revised as generally depicted on the map entitled "Badlands National Monument", numbered NM–BL–7021B, dated August 1967, which is 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 make minor adjustments in the boundaries, but the total acreage in the monument may not exceed the acreage within the boundaries depicted on the map referred to herein. Lands within the boundaries of the monument that are acquired by the United States shall be subject to the laws and regulations applicable to the monument.

SEC. 2. (a) Subject to the provisions of subsection (b) hereof, the Secretary of the Interior may, within the boundaries of the monument, acquire lands and interests in lands by donation, purchase with donated or appropriated funds, or exchange, except that any lands or interests in lands owned by the State of South Dakota, a political subdivision thereof, or the Oglala Sioux Tribe of South Dakota may be acquired only with the consent of owner. Notwithstanding any other provision of law, lands and interests in lands located within the monument under the administrative jurisdiction of any other Federal agency may be transferred to the administrative jurisdiction of the Secretary without transfer of funds.

(b) As to lands located within the boundaries of the monument but outside the boundaries of the gunnery range referred to in section 3 hereof, the Secretary of the Interior may acquire only rights-of-way and scenic easements.

SEC. 3. Inasmuch as (A) most of the lands added to the Badlands National Monument by section 1 of this Act are inside the boundaries of the Pine Ridge Sioux Indian Reservation, (B) such lands are also within a tract of land forty-three miles long and twelve and one-half miles wide which is in the northwestern part of such Indian reservation and has been used by the United States Air Force as a gunnery range since the early part of World War II, (C) the tribal lands within such gunnery range were leased by the Federal Government and the other lands within such gunnery range were purchased

by the Federal Government from the individual owners (mostly Indians), (D) the Department of the Air Force has declared most of such gunnery range lands excess to its needs and such excess lands have been requested by the National Park Service under the Federal Property and Administrative Services Act of 1949, (E) the leased tribal lands and the excess lands within the enlarged Badlands National Monument are needed for the monument, (F) the other excess lands in such gunnery range should be restored to the former Indian owners of such lands, and (G) the tribe is unwilling to sell its tribal lands for inclusion in the national monument, but is willing to exchange them or interests therein for the excess gunnery range lands, which insofar as the lands within the gunnery rage formerly held by the tribe are concerned, should be returned to Indian ownership in any event, the Congress hereby finds that such exchange would be in the national interest and authorizes the following actions:

(a) All Federal lands and interests in lands within the Badlands Air Force gunnery range that are outside the boundaries of the monument and that heretofore or hereafter are declared excess to the needs of the Department of the Air Force shall be transferred to the administrative jurisdiction of the Secretary of the Interior without a transfer of funds.

(b) Any former Indian or non-Indian owner of a tract of such land, whether title was held in trust or fee, may purchase such tract from the Secretary of the Interior under the following terms and conditions:

(1) The purchase price to a former Indian owner shall be the total amount paid by the United States to acquire such tract and all interests therein, plus interest thereon from the date of acquisition at a rate determined by the Secretary of the Treasury taking into consideration the average market yield of all outstanding marketable obligations of the United States at the time the tract was acquired by the United States, adjusted to the nearest one-eighth of 1 per centum. The purchase price to a former non-Indian owner shall be the present fair market value of the tract as determined by the Secretary of the Interior.

(2) Not less than $100 or 20 per centum of the purchase price, whichever is less, shall be paid at the time of purchase, and the balance shall be payable in not to exceed 20 years with interest at a rate determined by the Secretary of the Treasury taking into account the current average market yield on outstanding marketable obligations of the United States with twenty years remaining to date of maturity, adjusted to the nearest one-eighth of 1 per centum.

(3) Title to the tract purchased shall be held in trust for the purchaser if it was held in trust status at the time the tract was acquired by the United States; otherwise, the title to the tract purchased shall be conveyed to the purchaser subject to a mortgage and such other security instruments as the Secretary deems appropriate. If a tract purchased under this subsection is offered for resale during the following ten-year period, the tribe must be given the first right to purchase it.

(4) The unpaid balance of the purchase price shall be a lien against the land if the title is held in trust and against all rents, bonuses, and royalties received therefrom. In the event of default in the payment of any installment of the purchase price the Secretary may take such action to enforce the lien as he deems appropriate, including foreclosure and conveyance of the land to the Oglala Sioux Tribe.

(5) An application to purchase the tract must be filed with the Secretary of the Interior within one year from the date a notice is published in the Federal Register that the tract has been transferred to the jurisdiction of the Secretary.

(6) No application may be filed by more than five of the former owners of an interest in the tract. If more than one such application is filed for a tract the applicants must agree on not more than five of the former owners who shall make the purchase, and failing such agreement all such applications for the tract shall be rejected by the Secretary.

(7) "Former owner" means, for the purposes of subsection (b) of this section, each person from whom the United States acquired an interest in the tract, or if such person is deceased, his spouse, or if such spouse is deceased, his children.

SEC. 4. (a) All Federal lands and interests in lands within the Badlands Air Force gunnery range that are outside the boundaries of the monument, and that have been declared excess to the needs of the Department of the Air Force, and that are not purchased by former owners under section 3(b), and all lands that have been acquired by the United States under authority of title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 200), and subsequent relief Acts, situated within the Pine Ridge Indian Reservation, administrative jurisdiction over which has heretofore been transferred by the President from the Secretary of Agriculture to the Secretary of the Interior by Executive Order Numbered 7868, dated April 15, 1938, shall be subject to the following provisions of this section.

(b) Any former Indian owner of land that is within the Badlands Air Force gunnery range and outside the

boundaries of the monument and that has not been declared excess to the needs of the Department of the Air Force on the date of the enactment of this Act may, within the period specified in section 3(b)(5), elect (i) to purchase an available tract of land described in section 4(a) of substantially the same value, or (ii) to purchase the tract formerly owned by him at such time as such tract is declared excess and transferred to the Secretary of the Interior as provided in section 3(a).

(c) Any former Indian owner of a tract of land within the boundaries of the monument that was acquired by the United States for the Badlands Air Force gunnery range, and that is transferred to the Secretary of the Interior pursuant to section 2 of this Act, may, within the period specified in section 3(b)(5), elect (i) to acquire from the Secretary of the Interior a life estate in such tract at no cost, subject to restrictions on use that may be prescribed in regulations applicable to the monument, or (ii) to purchase an available tract of land described in section 4(a) of substantially the same value.

(d) Purchases under subsection (b) and clause (ii) of subsection (c) of this section shall be made on the terms provided in section 3(b).

SEC. 5. (a) Title to all Federal lands and interests in lands within the boundaries of the Badlands Air Force gunnery range that are outside the boundaries of the monument, and that are transferred to the administrative jurisdiction of the Secretary of the Interior as provided in section 3(a), including lands hereafter declared to be excess, and that are not selected under sections 3(b) or 4, and title to all lands within the boundaries of the monument that were acquired by the United States for the Badlands Air Force gunnery range, subject to any life estate conveyed pursuant to section 4(c) and subject to restrictions on use that may be prescribed in regulations applicable to the monument, which regulations may include provisions for the protection of the black-footed ferret, may be conveyed to the Oglala Sioux Tribe in exchange (i) for the right of the United States to use all tribal land within the monument for monument purposes, including the right to manage fish and wildlife and other resources and to construct visitor use and administrative facilities thereon, and (ii) for title to three thousand one hundred fifteen and sixty-three one-hundredths acres of land owned by the Oglala Sioux Tribe and located in the area of the Badlands Air Force gunnery range which is not excess to the needs of the Department of the Air Force and which is encompassed in civil action numbered 859 W.D. in the United States District Court for the District of South Dakota, if such exchange is approved by the Oglala Sioux Tribal Council. The lands acquired under paragraph (ii) shall become a

part of the Badlands Air Force gunnery range retained by the Department of the Air Force. The United States and the Oglala Sioux Tribe shall reserve all mineral rights in the lands so conveyed. The right of the United States to use for monument purposes lands that were tribally owned prior to the date of this Act shall not impair the right of the Oglala Sioux Tribe to use such lands for grazing purposes and mineral development, including development for oil and gas.

(b) The Oglala Sioux Tribal Council may authorize the execution of the necessary instruments to effect the exchange on behalf of the tribe, and the Secretary may execute the necessary instruments on behalf of the United States.

(c) After the exchange is effected the title of the Oglala Sioux Tribe to the property acquired by the exchange shall be held in trust subject to the same restrictions and authorities that apply to other lands of the tribe that are held in trust.

SEC. 6. The Oglala Sioux Tribe may convey and the Secretary of the Interior may acquire not to exceed forty acres of tribally owned lands on the Pine Ridge Indian Reservation for the purpose of erecting thereon permanent facilities to be used to interpret the natural phenomena of the monument and the history of the Sioux Nation: *Provided*, That no such conveyance shall be made until sixty days after the terms thereof have been submitted to the Interior and Insular Affairs Committees of the House of Representatives and the Senate.

Approved August 8, 1968.

Legislative History

House Report No. 1328 (Committee on Interior and Insular Affairs).
Senate Report No. 1349 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 114 (1968):
May 6, July 16: Considered and passed House.
July 3, 17, 18, 27: Considered and passed Senate.

5. Big Hole Battlefield

An Act to redesignate the Big Hole Battlefield National Monument, to revise the boundaries thereof, and for other purposes. (77 Stat. 18)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Big Hole Battlefield National Monument, established by Executive Order Numbered 1216 of June 23, 1910, and enlarged by Proclamation Numbered 2339 of June 29, 1939, is hereby redesignated as the Big Hole National Battlefield.

SEC. 2. In order to preserve historic features and sites associated with the Battle of the Big Hole and to facilitate their administration and interpretation, the boundaries of the Big Hole National Battlefield are hereby revised to include the following described lands:

MONTANA PRINCIPAL MERIDIAN

Township 2 south, range 17, west: Section 13, southwest quarter southeast quarter, southeast quarter southwest quarter, east half southwest quarter southwest quarter; section 23, east half northeast quarter southeast quarter; section 24, west half east half, north half southwest quarter, southeast quarter southwest quarter, east half southwest quarter southwest quarter; section 25, those portions of the northeast quarter northwest quarter and the northwest quarter northeast quarter lying north of the north right-of-way line of relocated Montana State Route 43; consisting of approximately 466 acres.

SEC. 3. (a) The Secretary of the Interior may acquire by donation, purchase, exchange, or otherwise, lands and interests in lands within the area described in section 2 of this Act.

(b) Any lands described in section 2 of this Act that are a part of the Beaverhead National Forest when this Act takes effect are hereby excluded from the forest and added to the Big Hole National Battlefield.

(c) Lands included in the Big Hole National Battlefield pursuant to this Act shall be administered in accordance with 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; 16 U.S.C. 1–3), as amended and supplemented.

SEC. 4. There is hereby retroceded to the State of Montana, effective when accepted by said State in accordance with its laws, such jurisdiction as has been ceded by such State to the United States over any lands within the boundaries of the Big Hole National Battlefield re-

serving in the United States, however, concurrent legislative jurisdiction over such lands.

SEC. 5. There are authorized to be appropriated such sums not exceeding $20,000 as are necessary for the acquisition of lands and interests in land pursuant to this Act.

Approved May 17, 1963.

Legislative History

Reports: House No. 248 (accompanying H.R. 3200); Senate No. 116.
Committees: House and Senate Interior and Insular Affairs.
Congressional Record, Vol. 109, 1963:
Apr. 9, Considered and passed Senate; May 6, Considered and passed House amended (in lieu of H.R. 3200); May 8, Senate agrees to House amendments.

6. Biscayne

An Act to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes. (82 Stat. 1188)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve and protect for the education, inspiration, recreation, and enjoyment of present and future generations a rare combination of terrestrial, marine, and amphibious life in a tropical setting of great natural beauty, the Secretary of the Interior may establish the Biscayne National Monument within so much of the area in the State of Florida as generally depicted on the drawing entitled "Biscayne National Monument Boundary Map," numbered NM–BIS 7101, and dated May 1966, which drawing is superimposed on a photographic reproduction of a portion of Coast and Geodetic Survey Chart Numbered 1249 (eighth edition, December 20, 1965, correction numbered 22, dated May 28, 1966) as lies north of the north boundary of the channel easement shown thereon. The drawing shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary may revise the boundaries of the national monument from time to time, but the total acreage of the national monument shall not exceed ninety-six thousand three hundred acres and no boundary shall be revised outward or in such a manner as to obstruct any seaport channel which may be hereafter constructed outside the boundaries hereinbefore referred to.

SEC. 2. (a) Within the boundaries of the Biscayne National Monument, the Secretary of the Interior may acquire lands, waters, or interests therein by donation, purchase with donated or appropriated funds, or exchange. The Secretary may in addition acquire by any of the above methods not more than eighty acres of land or interests therein on the mainland for a headquarters site, and not more than forty acres of land or interest therein on Key Largo for a visitor contact site.

(b) When acquiring property by exchange the Secretary may accept title to any non-Federal property within the boundaries of the national monument, and outside of such boundaries within the limits prescribed in subsection (a) of this section, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction in the State of Florida which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment

of cash to the grantor or to the Secretary as the circumstances require.

SEC. 3. Notwithstanding any other provision of this Act, lands and interests in land owned by the State of Florida or Dade County may be acquired solely by donation, and the Secretary shall not declare the Biscayne National Monument established until the State has transferred or agreed to transfer to the United States its right, title and interest in and to its lands within the boundaries of said national monument. The Secretary shall not acquire any other lands or interests in land pursuant to this Act except by donation or with donated funds until the State has made or obligated itself to make the aforesaid transfer: *Provided*, That nothing contained in this sentence shall preclude the Secretary from acquiring options for the purchase of lands and interests in land, other than lands and interests in land held by the State of Florida or Dade County, which are to be acquired pursuant to this Act and, upon the State's transferring or obligating itself to transfer as aforesaid, he shall proceed as expeditiously as possible to acquire the other lands and interests in land which are necessary to carry out the purposes of this Act.

SEC. 4. The Secretary of the Interior shall preserve and administer the Biscayne National Monument in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented. The waters within the Biscayne National Monument shall continue to be open to fishing in conformity with the laws of the State of Florida except as the Secretary, after consultation with appropriate officials of said State, designates species for which, areas and times within which, and methods by which fishing is prohibited, limited or otherwise regulated in the interest of sound conservation or in order to achieve the purposes for which the national monument is established.

SEC. 5. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed $24,575,000 for land acquisition and $2,900,000 for development.

Approved October 18, 1968.

Legislative History

House Report No. 1789 (Committee on Interior and Insular Affairs).
Senate Report No. 1597 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 114 (1968):
Sept. 16: Considered and passed House.
Oct. 4: Considered and passed Senate.

7. Booker T. Washington

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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

* * * * * * *

TITLE II—DEVELOPMENT CEILING INCREASES

SEC. 201. The limitations on appropriations for acquisition and development of units of the national park system contained in the following Acts are amended as follows:

* * * * * * *

(2) Booker T. Washington National Monument, Virginia: section 4 of the Act of April 2, 1956 (70 Stat. 86), is amended by changing "$200,000" to "$600,000";

* * * * * * *

SEC. 202. The additional sums authorized to be appropriated for development in the Acts as amended in section 201 are based on March 1971 prices and may be increased or decreased in appropriation Acts by 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 for each area.

* * * * * * *

Approved April 11, 1972.

8. Castillo de San Marcos

An Act to authorize the Secretary of the Interior to condemn certain property in the city of Augustine, Florida, within the boundary of the Castillo de San Marcos National Monument, and for other purposes. (78 Stat. 611)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions in section 1(b) of the Act entitled "An Act to add certain lands to Castillo de San Marcos National Monument in the State of Florida", approved July 5, 1960 (74 Stat. 317; 319), that certain lands may be acquired only by negotiation, the Secretary of the Interior is authorized to acquire the following described land, interests therein, and improvements thereon, for the purposes of said Act by condemnation with funds that are hereby authorized to be appropriated for that purpose:

All of lots 1 and 5 of block 6 less and except that portion acquired by the Florida Highway Department in 1959 in connection with relocated State Route A–1–A, as shown on the subdivision plat of the city of Saint Augustine prepared June 12, 1923, and filed in the official plat book in the circuit clerk's office of Saint Johns County, Florida, lying northeast of a survey line which is the southerly boundary of the proposed Castillo Drive shown on that certain map in three sheets prepared by E. W. Pacetti and Associates, April 23, 1960, and revised June 2, 1960 (map numbered NM–CSM–3012), and more particularly described as follows:

Beginning at a point on the survey line which is south 53 degrees 05 minutes west a distance of 24.0 feet from survey station 31+81.00 of Florida State Highways A–1–A and 5, section 7801–114 being station 0+00 of the proposed relocated highway; thence, south 36 degrees 55 minutes east a distance of 7.46 feet to a point; thence, on a curve to the right with a radius of 612.0 feet for a distance of 160.22 feet to a point which is station 1+67.68; thence, south 21 degrees 55 minutes east for a distance of 185.22 feet to a point which is station 3+52.90; thence, on a curve to the left with a radius of 465.0 feet for a distance of 328.69 feet to a point which is station 6+81.59; thence, south 62 degrees 25 minutes east for a distance of 251.13 feet to a point which is station 9+32.72; thence, on a curve to the right with a radius of 158.0 feet for a distance of 158.98 feet to the end of this survey line description and being station 10+91.70 of the proposed relocated highway, containing 3,850 square feet more or less.

Approved August 27, 1964.

Legislative History

House Report No. 1779 (Committee on Interior and Insular Affairs).
Senate Report No. 1290 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 110 (1964) :
Aug. 3 : Considered and passed Senate.
Aug. 17 : Passed House.

9. Craters of the Moon

An Act to designate certain lands as wilderness. (84 Stat. 1104)

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

* * * * * * *

DESIGNATION OF WILDERNESS AREAS WITHIN NATIONAL PARKS AND MONUMENTS

SEC. 2. In accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness:

(a) certain lands in the Craters of the Moon National Monument, which comprise about forty-three thousand two hundred and forty-three acres and which are depicted on a map entitled "Wilderness Plan, Craters of the Moon National Monument, Idaho", numbered 131–91,000 and dated March 1970, which shall be known as the "Craters of the Moon National Wilderness Area";

SEC. 4. As soon as practicable after this Act takes effect, a map and a legal description of each wilderness area shall be filed with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such description shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in such legal description and map may be made.

SEC. 5. Wilderness areas designated by or pursuant to this Act shall be administered in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary who has administrative jurisdiction over the area.

Approved October 23, 1970.

10. Effigy Mounds

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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 limitation 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:

* * * * * * *

(4) Effigy Mounds National Monument, Iowa: section 5 of the Act of May 27, 1961 (75 Stat. 88), is amended by changing "$2,000" to "$14,000";

* * * * * * *

Approved April 11, 1972.

11. Fossil Butte

An Act to establish the Fossil Butte National Monument in the State of Wyoming, and for other purposes. (86 Stat. 1069)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve for the benefit and enjoyment of present and future generations outstanding paleontological sites and related geological phenomena, and to provide for the display and interpretation of scientific specimens, the Fossil Butte National Monument (hereinafter referred to as the "monument") is hereby established, to consist of lands, waters, and interests therein within the boundaries as generally depicted on the drawing entitled "A Proposed Fossil Butte National Monument, Wyoming," Numbered FBNM–7200, dated April 1963, revised July 1964, and totaling approximately eight thousand one hundred and eighty acres. The Secretary of the Interior (hereinafter referred to as the "Secretary") may revise the boundaries of the monument from time to time by publication of a notice to that effect in the Federal Register, except that at no time shall the boundaries encompass more than eight thousand two hundred acres.

SEC. 2. The Secretary shall administer the monument pursuant to the Act approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), as amended and supplemented.

SEC. 3. Within the boundaries of the monument the Secretary may acquire lands and interests in lands by donation, purchase, or exchange, except that lands or interests therein owned by the State of Wyoming or a political subdivision thereof may be acquired only by donation or exchange.

SEC. 4. (a) For a period of ten years, and for not more than ten years thereafter if extended by the Secretary, the continuation of existing uses of Federal lands and waters within the monument for grazing and stock watering may be permitted if the Secretary finds that such uses will not conflict with public use, interpretation, or administration of the monument: *Provided*, That the use of lands within the monument for stock driveways shall continue in perpetuity at such places where this use will not conflict with administration of the monument.

(b) Upon termination of the uses set forth in subsection (a) of this section, the Secretary of the Interior is authorized to provide for the disposition and use of water surplus to the needs of the monument, to a point or points outside the boundaries of the monument.

SEC. 5. There are hereby authorized to be appropriated $378,000 for land acquisition and not ot exceed $4,469,000 (June 1971 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 type of construction involved herein.

Approved October 23, 1972.

Legislative History

House Reports: No. 92–1219 accompanying H.R. 1553 (Committee on Interior and Insular Affairs) and No. 92–1588 (Comm. of Conference).
Senate Report No. 92–711 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Mar. 24, considered and passed Senate.
Aug. 14, considered and passed House, amended, in lieu of H.R. 1533.
Oct. 13, House agreed to conference report.
Oct. 14, Senate agreed to conference report.
Weekly Compilation of Presidential Documents, Vol. 8, No. 44: Oct. 28, Presidential statement.

496-156—73——20

12. Florissant Fossil Beds

An Act to provide for the establishment of the Florissant Fossil Beds National Monument in the State of Colorado (83 Stat. 101)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve and interpret for the benefit and enjoyment of present and future generations the excellently preserved insect and leaf fossils and related geologic sites and objects at the Florissant lakebeds, the Secretary of the Interior may acquire by donation, purchase with donated or appropriated funds, or exchange such land and interests in land in Teller County, Colorado, as he may designate from the lands shown on the map entitled "Proposed Florissant Fossil Beds National Monument", numbered NM–FFB–7100, and dated March 1967, and more particularly described by metes and bounds in an attachment to that map, not exceeding, however, six thousand acres thereof, for the purpose of establishing the Florissant Fossil Beds National Monument.

SEC. 2. The Secretary of the Interior shall administer the property acquired pursuant to section 1 of this Act as the Florissant Fossil Beds National Monument 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; 16 U.S.C. 1 et seq.), as amended and supplemented.

SEC. 3. There are authorized to be appropriated such sums, but not more than $3,727,000, as may be necessary for the acquisition of lands and interests in land for the Florissant Fossil Beds National Monument and for necessary development expenses in connection therewith.

Approved August 20, 1969.

Legislative History

House Report No. 91–411 (Committee on Interior and Insular Affairs).
Senate Report No. 91–263 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 115 (1969):
June 20: Considered and passed Senate.
Aug. 4: Considered and passed House, amended.
Aug. 7: Senate concurred in House amendments.

13. George Washington Birthplace

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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

* * * * * * *

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of the Interior is authorized to revise the boundaries of the following units of the national park system:

* * * * * * *

(4) George Washington Birthplace National Monument, Virginia: to add approximately 62.3 acres;

* * * * * * *

SEC. 302.The boundary revisions authorized in section 301 shall become effective upon publication in the Federal Register of a map or other description of the lands added or excluded by the Secretary of the Interior.

SEC. 303. Within the boundaries of the areas as revised in accordance with section 301, the Secretary of the Interior is authorized to acquire lands and interest therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subject to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this Act, the Secretary (i) may tender, to the owner or owners of record on the date of enactment of this Act, a revocable permit for the continued use and occupancy of such land or any portion thereof subject to such terms and conditions as he deems necessary or (ii) may acquire any land pursuant to this Act subject to the retention of a right of use and occupancy for a term not to exceed 25 years or for the life of the owner or owners. Lands and interests therein excluded from the areas pursuant to section 301 may be exchanged for non-Federal lands within the boundaries as revised, or they may be transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, as the Secretary of the Interior may deem appropriate. In exercising the authority in this section with respect to lands and interests therein excluded from the areas, the Secretary of the Interior may, on behalf of the United States, retrocede to the appropriate State exclu-

sive or concurrent legislative jurisdiction subject to such terms and conditions as he may deem appropriate, over such lands, to be effective upon acceptance thereof by the State. Any such lands not so exchanged or transferred may be disposed of in accordance with the Federal Property and Administrative Services Act of 1949, as amended.

SEC. 304. For the acquisition of lands and interests in lands which are added to the areas referred to in section 301, there are authorized to be appropriated such sums as may be necessary, but not more than the following amounts:

* * * * * * *

George Washington Birthplace National Monument, $57,000.

* * * * * * *

Approved April 11, 1972.

14. Hohokam Pima

An Act to provide for the establishment of the Hohokam Pima National Monument in the vicinity of the Snaketown archeological site, Arizona, and for other purposes. (86 Stat. 1047)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve and interpret for the benefit and inspiration of the people a site containing significant archeological values, including the irrigation systems in the valleys of central Arizona developed by the Hohokam and Pima Indians, and their descendants, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to establish the Hohokam Pima National Monument (hereinafter referred to as the "monument"). Such monument, which shall not exceed two thousand acres in size, shall comprise lands in the vicinity of and including the Snaketown archeological site on the Gila River Indian Reservation, Arizona, as generally depicted on the drawing entitled "Boundary Map Snaketown National Monument", numbered NM–SNA–20,003–A, and dated October 1971. The monument may be established by the Secretary when he determines that the beneficial interest in a sufficient amount of land has been transferred to constitute an efficiently administrable unit.

SEC. 2. (a) The Gila River Indian Community Council (hereinafter referred to as the "council") for the Gila River Indian Community (hereinafter referred to as the "community") may acquire the beneficial interest in any allotted lands located within the boundaries of the monument and may, in exchange therefor, convey to such allottees, or their successors in interest, the beneficial interest in any lands of at least equal value outside the boundaries of the monument which are held in trust for the benefit of the community. In arranging such equal exchanges with allottees the council may acquire beneficial whole or fractionated interests in tracts outside the boundaries of the monument. When the council is unable to acquire such interests, it may request that the Secretary, on its behalf and with funds which it provides, acquire such beneficial interest in any lands within the boundaries of the monument, and the Secretary may acquire such interest by condemnation.

(b) The council is authorized to transfer to the Secretary the beneficial interest in any lands held in trust for the benefit of the community, including such interests as are acquired pursuant to subsection (a) of this section, located within the boundaries of the monument. In exchange for such transfer, the Secretary shall declare that title to public lands of at least equal value which are

under his jurisdiction are held in trust for the community.

SEC. 3. (a) The administration and protection of the Hohokam Pima National Monument shall be exercised by the Secretary in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended (16 U.S.C. 1 et seq.); except that the council shall be permitted to develop and operate revenue-producing visitor services and facilities within such monument in accordance with plans and regulations of the Secretary. Any revenues resulting from the operation of such services and facilities may be retained by the council.

(b) An appropriate portion of any admission fees attributable to such services and facilities may, in accordance with an agreement between the Secretary and the Council, be transferred to the council.

SEC. 4. There are hereby authorized to be appropriated not more than $135,000 for the acquisition of lands and not more than $1,781,000 for the development of the monument.

Approved October 21, 1972.

Legislative History

House Report No. 92–1425 (Committee on Interior and Insular Affairs).
Senate Report No. 92–1282 accompanying S. 1927 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Oct. 10, considered and passed House.
Oct. 12, considered and passed Senate, in lieu of S. 1927.
Weekly Compilation of Presidential Documents, Vol. 8, No. 44: Oct. 28. Presidential statement.

15. Homestead

An Act providing for the addition of the Freeman School to the Homestead National Monument of America in the State of Nebraska, and for other purposes. (84 Stat. 863)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to further the interpretation and commemoration of the pioneer life of early settlers of the West, the Secretary of the Interior is authorized to acquire by donation or purchase with donated or appropriated funds the following described lands and interests therein, on which is situated the old school building known as Freeman School:

Beginning at the southeast corner of the southeast quarter of section 22, township 4 north, range 5 east, sixth principal meridian, Gage County, Nebraska, thence running north on the east line of the said quarter section 297 feet, thence west 214.5 feet, thence south 297 feet, thence east 214.5 feet to the point of beginning.

The Secretary is further authorized, in order to protect the setting of the Freeman School, preserve an adequate visual relationship with the existing Homestead National Monument of America, and provide access to the school from the national monument, to acquire by any of the above methods such lands and interests therein, as he deems necessary within the areas in certain sections of township 4 north, range 5 east, sixth principal meridian, Gage County, Nebraska, which are described as follows:

Section 22, beginning at a point 297 feet north of the southeast corner of the southeast quarter on the east line of the said quarter section, thence north along the east line of the said quarter section 103 feet, thence west 300 feet, thence south 400 feet to the south line of said quarter section, thence east along the south line of said quarter section 85.5 feet to the boundary of the Freeman School property, thence north along the boundary of the school property 297 feet, thence east along the boundary of the school property 214.5 feet to the point of beginning;

Section 23, the south 300 feet of the southwest quarter thereof;

Section 26, the north 300 feet of the northwest quarter northwest quarter thereof;

Section 27, beginning at the northeast corner of the northeast quarter, thence south along the east line of the said quarter section 300 feet, thence west 300 feet, thence north 300 feet to the north line of said quarter section, thence east along the north line of

said quarter section 300 feet to the point of beginning; all containing about 31 acres.

SEC. 2. The property acquired pursuant to this Act shall be administered by the Secretary of the Interior as part of the Homestead National Monument of America, in accordance with the Act of March 19, 1936 (49 Stat. 1184), and the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.).

SEC. 3. For the purposes of this Act, there are authorized to be appropriated not more than $50,000 of which not more than $45,000 (April 1970 prices), plus or minus such amounts, if any, as may be justified by reasons of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved herein shall be appropriated for the rehabilitation and development of the Freeman School.

Approved September 25, 1970.

Legislative History

House Report No. 91–1396 accompanying H.R. 3259 (Committee on Interior and Insular Affairs).
Senate Report No. 91–777 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970):
Apr. 27, considered and passed Senate.
Sept. 14, considered and passed House, amended, in lieu of H.R. 3259.
Sept. 16, Senate concurred in House amendment.

16. Jewel Cave

An Act to revise the boundary of Jewel Cave National Monument in the State of South Dakota, and for other purposes. (79 Stat. 971)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of including within the Jewel Cave National Monument significant caverns and other geological features beneath lands within the Black Hills National Forest adjacent to the national monument, the boundary of said monument is hereby revised in accordance with drawing numbered N.M.–J.C.–7100, dated June 10, 1964, prepared by the National Park Service of the Department of the Interior. Lands within the revised monument shall hereafter be administered in accordance with the Act of Congress entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535), as amended and supplemented. Lands excluded from the monument pursuant to this Act shall remain and be administered as a part of the Black Hills National Forest.

Approved October 9, 1965, 6:35 a.m.

Legislative History

House Report No. 981 (Committee on Interior and Insular Affairs).
Senate Report No. 766 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965):
Sept. 20: Passed House.
Sept. 23: Considered and passed Senate.

17. Lava Beds

An Act to designate certain lands in the Lava Beds National Monument in California, as wilderness. (86 Stat. 811)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act (78 Stat. 892; 16 U.S.C. 1132(c)), those lands within the area generally known as the Black Lava Flow in the Lava Beds National Monument comprising about ten thousand acres, as depicted on the map entitled "Wilderness Plan, Lava Beds National Monument, California", numbered NM–LB–3227H and dated August 1972, and those lands within the area generally known as the Schonchin Lava Flow comprising about eighteen thousand four hundred and sixty acres, as depicted on such map, are hereby designated as wilderness. The map and a description of the boundary of such lands shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

SEC. 2. As soon as practicable after this Act takes effect, a map of the wilderness area and a description of its boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such map and description shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in such map and description may be made.

SEC. 3. The area designated by this Act as wilderness shall be known as the "Lava Beds Wilderness" and shall be administered by the Secretary of the Interior in accordance with provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

Approved October 13, 1972.

Legislative History

House Report No. 92–1421 (Committee on Interior and Insular Affairs).
Senate Report No. 92–1252 accompanying S. 666 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Oct. 2, considered and passed House.
Oct. 4, considered and passed Senate, in lieu of S. 666.

18. Muir Woods

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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

* * * * * * *

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of the Interior is authorized to revise the boundaries of the following units of the national park system:

* * * * * * *

(9) Muir Woods National Monument, California: to add approximately 49.7 acres:

* * * * * * *

SEC. 302. The boundary revisions authorized in section 301 shall become effective upon publication in the Federal Register of a map or other description of the lands added or excluded by the Secretary of the Interior.

SEC. 303. Within the boundaries of the areas as revised in accordance with section 301, the Secretary of the Interior is authorized to acquire lands and interest therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subject to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this Act, the Secretary (i) may tender, to the owner or owners of record on the date of enactment of this Act, a revocable permit for the continued use and occupancy of such land or any portion thereof subject to such terms and conditions as he deems necessary or (ii) may acquire any land pursuant to this Act subject to the retention of a right of use and occupancy for a term not to exceed 25 years or for the life of the owner or owners. Lands and interests therein excluded from the areas pursuant to section 301 may be exchanged for non-Federal lands within the boundaries as revised, or they may be transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, as the Secretary of the Interior may deem appropriate. In exercising the authority in this section with respect to lands and interests therein excluded from the areas, the Secretary of the Interior may, on behalf of the United States, retrocede to the appropriate

State exclusive or concurrent legislative jurisdiction subject to such terms and conditions as he may deem appropriate, over such lands, to be effective upon acceptance thereof by the State. Any such lands not so exchanged or transferred may be disposed of in accordance with the Federal Property and Administrative Services Act of 1949, as amended.

SEC. 304. For the acquisition of lands and interests in lands which are added to the areas referred to in section 301, there are authorized to be appropriated such sums as may be necessary, but not more than the following amounts:

* * * * * * *

(6) Muir Woods National Monument, $950,000.

SEC. 305. The authorities in this title are supplementary to any other authorities available to the Secretary of the Interior with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved April 11, 1972.

19. Pecos

An Act to authorize the establishment of the Pecos National Monument in the State of New Mexico, and for other purposes. (79 Stat. 195)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to set apart and preserve for the benefit and enjoyment of the American people a site of exceptional historic and archeological importance, the Secretary of the Interior may accept on behalf of the United States the donation of approximately three hundred and forty-two acres of land, or interests therein, including the remains and artifacts of the seventeenth century Spanish mission and ancient Indian pueblo near Pecos, New Mexico, for administration as the Pecos National Monument.

SEC. 2. The Secretary shall administer, protect, and develop the national monument in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented.

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $500,000, as are required for construction of facilities and excavation and stabilization of the ruins in the Pecos National Monument under this Act.

Approved June 28, 1965.

Legislative History

House Report No. 234 (Committee on Interior and Insular Affairs).
Senate Report No. 321 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965):
Apr. 26: Considered and passed House.
June 16: Considered and passed Senate.

20. Sitka

An Act to authorize certain additions to the Sitka National Monument in the State of Alaska, and for other purposes (86 Stat. 904)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership for the benefit and inspiration of present and future generations of Americans an area which illustrates a part of the early history of the United States by commemorating czarist Russia's exploration and colonization of Alaska, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by donation, purchase, or exchange, for addition to the Sitka National Monument, the lands and interests therein, and improvements thereon, including the Russian mission, as generally depicted on the map entitled "Proposed Additions, Sitka National Monument, Sitka, Alaska" numbered 314–20,010–A, in two sheets, and dated September 1971, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. Lands and interests in lands within such area owned by the State of Alaska or any political subdivision thereof may be acquired only by donation. Notwithstanding any other provision of law, the Secretary may erect permanent improvements on lands acquired by him from the State of Alaska for the purposes of this Act.

SEC. 2. The Sitka National Monument is hereby redesignated as the Sitka National Historical Park, and it shall be administered, protected, and maintained by the Secretary 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, and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.).

SEC. 3. There are hereby authorized to be appropriated not to exceed $140,000 for land acquisition and $691,000 (June 1971 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.

Approved October 18, 1972.

Legislative History

House Report No. 92–1427 (Committee on Interior and Insular Affairs).
Senate Report No. 92–943 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972) :
June 30, considered and passed Senate.
Oct. 2, considered and passed House, amended.
Oct. 5, Senate concurred in House amendments.

21. Statue of Liberty

Joint Resolution to provide for the development of Ellis Island as a part of the Statue of Liberty National Monument, and for other purposes. (79 Stat. 543)

Whereas the President of the United States has by proclamation added Ellis Island to the Statue of Liberty National Monument, and

Whereas the Presidential proclamation prohibits the use of funds appropriated to the Department of the Interior for the development of Ellis Island unless otherwise authorized by Act of Congress: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby authorized to be appropriated such funds but not more than $6,000,000, as may be required to develop Ellis Island as a part of the Statue of Liberty National Monument, but not more than $3,000,000 shall be appropriated during the first five years following enactment of this Act.

Approved August 17, 1965.

Legislative History

House Report No. 585 (Committee on Interior and Insular Affairs).
Senate Report No. 508 accompanying S.J. Res. 79 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965):
July 12: Considered and passed House.
Aug. 3: Considered and passed Senate, in lieu of S.J. Res. 79.

IX. NATIONAL PARKWAYS

1. Blue Ridge Parkway

An Act to authorize the Secretary of the Interior to accept donations of land for, and to construct, administer, and maintain an extension of the Blue Ridge Parkway in the States of North Carolina and Georgia, and for other purposes. (82 Stat. 967)

Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to accept, on behalf of the United States, donations of land and interests in land in the States of North Carolina and Georgia, to construct thereon an extension of the Blue Ridge Parkway from the vicinity of Beech Gap, North Carolina, to the vicinity of Kennesaw Mountain National Battlefield Park north of Atlanta and Marietta, Georgia, and to provide public use, administration, and maintenance areas in connection therewith. The lands accepted for the parkway extension may vary in width but shall average not more than one hundred and twenty-five acres per mile in fee simple plus not more than twenty-five acres per mile in scenic easements. The survey location and width of any portion of the parkway extension that crosses national forest land shall be jointly determined by the Secretary of the Interior and the Secretary of Agriculture. Where the parkway extension designated by the Secretary of the Interior traverses Federal lands, the head of the department or agency having jurisdiction over such lands is authorized to transfer to the Secretary of the Interior the part of the Federal lands mutually agreed upon as necessary for the construction, maintenance, and administration of the parkway extension and public use thereof, without transfer of funds. Any such transfer within a national forest shall not preclude any national forest use that is compatible with parkway use and that is agreed upon by the Secretary of the Interior and the Secretary of Agriculture.

SEC. 2. To effectuate the recommendations in the report to the Congress on the North Carolina-Georgia extension of the Blue Ridge Parkway, made pursuant to the Act of August 10, 1961 (75 Stat. 337)—

(1) The Secretary of the Interior and the Secretary of Agriculture shall, insofar as practicable, coordinate and correlate recreational development on lands within the parkway and adjacent or related national forest lands: *Provided*, That within national forest boundaries recreational developments

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and facilities on Federal lands other than those actually within the national parkway shall be administered by the Secretary of Agriculture;

(2) Upon the request of the Secretary of Agriculture, the Secretary of the Interior shall relocate and reconstruct any national forest roads that may be disturbed by the parkway extension, or provide alternative roads that are necessary to the protection, administration, or utilization of the national forests, and shall allow access to areas to be developed by the Secretary of Agriculture on adjacent national forest lands unless to do so will materially impair the primary purposes of the parkway;

(3) The Secretary of the Interior may relocate and reconstruct portions of the Appalachian Trail, including trail shelters, that may be disturbed by the parkway extension and such relocation and reconstruction may be performed (A) on non-Federal lands when the Appalachian Trail Conference obtains the consent of the owner to the use of the lands for the purpose and agrees to assume maintenance thereof, and (B) upon national forest lands with the approval of the Secretary of Agriculture.

SEC. 3. The Secretary of the Interior may issue revocable licenses or permits for rights-of-way over, across, and upon parkway lands, or for the use of parkway lands by the owners or lessees of adjacent lands, or for such purposes and under such terms and conditions as he may determine to be consistent with the use of such lands for parkway purposes.

SEC. 4. The parkway extension herein authorized shall be a part of the Blue Ridge Parkway and shall be administered and maintained by the Secretary of the Interior in accordance with the laws and regulations applicable thereto, including the Act of May 13, 1952 (66 Stat. 69; 16 U.S.C. 460a–4).

SEC. 5. With the concurrence of the Secretary of Agriculture the Secretary of the Interior may transfer to the Secretary of Agriculture for national forest purposes lands or interests in lands within national forests acquired for, or in connection with, the parkway extension.

SEC. 6. There is hereby authorized to be appropriated, for construction of the Blue Ridge Parkway extension, not more than $87,536,000, plus or minus such amounts, if any, as may be justified by reason of fluctuations in construction costs as indicated by engineering cost indices applicable to the type of construction involved herein.

Approved October 9, 1968.

Legislative History

House Report No. 639 (Committee on Interior and Insular Affairs).
Senate Report No. 1537 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 114 (1968):
Jan. 24: Considered and passed House.
Sept. 24: Considered and passed Senate.

2. George Washington Memorial Parkway

An Act to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes. (79 Stat. 981)

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 (hereinafter called the "Secretary") may accept title to, and administer in connection with the George Washington Memorial Parkway, pursuant to the Act of May 29, 1930 (ch. 354, 46 Stat. 482), as amended, the lands, and interests in lands, commonly known as the Great Falls property, more particularly described as follows, to wit:

All of that land in Fairfax County, Virginia, depicted on the drawing designated "NCP 117.1–471B," filed among the land records of National Capital Parks, said drawing being Potomac Electric Power Company's drawing numbered 77345–E of June 20, 1949, as revised by the National Capital Parks on October 14, 1960, which land is comprised of 521.292 acres shown on the drawing as area 1, 53.446 acres shown as area 3, and 208.899 acres shown as area 4 on said drawing, the aggregate of which is 783.637 acres.

SEC. 2. In exchange for the conveyance to the United States of the lands and interests in lands described in section 1 of this Act, the Secretary may convey to the Potomac Electric Power Company all the right, title, and interests of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land situated in the county of Prince Georges, State of Maryland, depicted on the drawing designated NCP 123–375, dated October 17, 1960, filed among the land records of National Capital Parks, containing approximately 391 acres, less that land occupied by the reconstructed section of Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

SEC. 3. The Secretary may convey to the county of Prince Georges, State of Maryland, all the right, title, and interests of the United States in and to the following described portion of the lands commonly known as the Blue Ponds area:

All that land occupied by the reconstructed section of the Muirkirk Road under permit of the Department of the Interior, dated September 3, 1954, issued to Prince Georges County, Maryland.

SEC. 4. The Secretary shall consummate the exchange authorized by this Act on the basis of the fair market

value of the properties. If the value of Federal properties does not approximately equal the value of privately owned properties, the Secretary may make up the difference by payment from donated funds or appropriated funds if donated funds are deficient: *Provided*, That not more than $1,000,000 may be appropriated for the acquisition of land under this Act.

SEC. 5. The Secretary of the Interior may accept title to, and administer in connection with the George Washington Memorial Parkway pursuant to the Act of May 29, 1930 (46 Stat. 482), as amended, approximately sixteen acres of land or interests therein that are partially surrounded by the property described in section 1 of this Act and that are now owned by the Fairfax County Park Authority, Commonwealth of Virginia. As consideration for such conveyance, the Secretary may enter into an agreement with the authority which permits the authority to operate, subject to such terms and conditions as the Secretary deems desirable, public parking facilities on such lands or on the lands acquired pursuant to section 1 of this Act, including the privilege of collecting reasonable parking fees, until the authority has recovered the fair market value, as determined by the Secretary, of the approximately sixteen acres of land. The agreement shall provide that any parking fees collected by the authority shall be approved by the Secretary.

Approved October 10, 1965.

Legislative History

House Report No. 986 accompanying H.R. 9515 (Committee on Interior and Insular Affairs).
Senate Report No. 327 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965):
June 16: Considered and passed Senate.
Sept. 20: Considered and passed House, amended, in lieu of H.R. 9515.
Sept. 28: Senate concurred in House amendments.

3. John D. Rockefeller, Jr., Memorial Parkway

An Act to authorize the Secretary of the Interior to establish the John D. Rockefeller, Junior, Memorial Parkway, and for other purposes. (86 Stat. 619)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, (a) That for the purpose of commemorating the many significant contributions to the cause of conservation in the United States, which have been made by John D. Rockefeller, Junior, and to provide both a symbolic and desirable physical connection between the world's first national park, Yellowstone, and the Grand Teton National Park, which was made possible through the efforts and generosity of this distinguished citizen, the Secretary of the Interior (hereinafter referred to as the Secretary) is authorized to establish the John D. Rockefeller, Junior, Memorial Parkway, (hereinafter referred to as the "parkway") to consist of those lands and interests in lands, in Teton County, Wyoming, as generally depicted on a drawing entitled "Boundary Map, John D. Rockefeller, Junior, Memorial Parkway, Wyoming", numbered PKY–JDRM–20,000, and dated August 1971, a copy of which shall be on file and available for inspection in the Offices of the National Park Service, Department of the Interior. The Secretary shall establish the parkway by publication of a notice to that effect in the Federal Register, at such times as he deems advisable. The Secretary may make minor revisions in the boundary of the parkway from time to time, with the concurrence of the Secretary of Agriculture where national forest lands are involved, by publication of a revised drawing or other boundary description in the Federal Register.

(b) The Secretary shall also take such action as he may deem necessary and appropriate to designate and identify as "Rockefeller Parkway" the existing and future connecting roadways within the parkway, and between West Thumb in Yellowstone National Park, and the south entrance of Grand Teton National Park: *Provided*, That any sections of the parkway located within Yellowstone National Park or Grand Teton National Park shall be administered and managed in the same manner and in accordance with the same regulations and policies as the other portions of such parks.

SEC. 2. Within the boundaries of the parkway, the Secretary may acquire lands and interests in lands by donation, purchase, exchange, or transfer from another Federal agency. Lands and interests in lands owned by the State of Wyoming or a political subdivision thereof may be acquired only by donation. Lands under the juris-

diction of another Federal agency shall, upon request of the Secretary, be transferred without consideration to the jurisdiction of the Secretary for the purposes of the parkway.

SEC. 3. (a) The Secretary shall administer the parkway as a unit of the national park system in accordance with the authority contained in the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), as amended and supplemented.

(b) The Secretary shall permit hunting and fishing within the area described by section 1(a) of this Act in accordance with applicable laws of the United States and the State of Wyoming, except that the Secretary may designate zones where, and periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, or public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State fish and game department.

(c) The lands within the parkway, subject to valid existing rights, are hereby withdrawn from location, entry and patent under the United States mining laws.

SEC. 4. For the purposes of this Act, there are authorized to be appropriated not more than $25,000 for the acquisition of lands and interests in lands and not more than $3,092,000 for development.

Approved August 25, 1972.

Legislative History

House Report No. 92–1237 accompanying H.R. 13201 (Committee on Interior and Insular Affairs).
Senate Report No. 92–707 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Mar. 24, considered and passed Senate.
Aug. 14, considered and passed House, amended, in lieu of H.R. 13201.
Aug. 17, Senate concurred in House amendment.

X. NATIONAL SEASHORES, LAKESHORES, RIVERS, SCENIC RIVERWAYS, AND RECREATIONAL AREAS

1. Apostle Islands

An Act to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes. (84 Stat. 880)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to conserve and develop for the benefit, inspiration, education, recreational use, and enjoyment of the public certain significant islands and shoreline of the United States and their related geographic, scenic, and scientific values, there is hereby established the Apostle Islands National Lakeshore (hereinafter referred to as the "lakeshore") in Ashland and Bayfield Counties, Wisconsin, consisting of the area generally depicted on the map entitled "Apostle Islands National Lakeshore", numbered NL–AI–91,000, sheets 1 and 2, and dated June 1970. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior.

SEC. 2. No lands held in trust by the United States for either the Red Cliff Band or Bad River Band of the Lake Superior Chippewa Indians, or for allottees thereof, shall be acquired or included within the boundaries of the lakeshore established by this Act, with the following exception:

> If the Indians who own more than 50 per centum of the interest in allotment number 74 GL or allotment number 135 in the Red Cliff Reservation agree to sell the allotment to the Secretary of the Interior (hereinafter referred to as the "Secretary"), the Secretary may consent to the sale on behalf of the other owners, purchase the allotment for the negotiated price and revise the boundaries of the lakeshore to include the allotment.

SEC. 3. The Secretary may acquire within the boundaries of the lakeshore lands and interests therein by donation, purchase with donated or appropriated funds, or exchange, but lands and interests in lands owned by the State of Wisconsin may be acquired only by donation. Notwithstanding any other provision of law, any Federal property located within the boundaries of the lakeshore may, with the concurrence of the agency having

custody thereof, be transferred without transfer of funds to the administrative jurisdiction of the Secretary for the purposes of the lakeshore.

SEC. 4. (a) With the exception of not more than eighty acres of land to be designated within the lakeshore boundaries by the Secretary as an administrative site, visitor center, and related facilities, as soon as practicable, any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed 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 the later. The owner shall elect the term to be reserved. 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.

(b) A right of use and occupancy retained pursuant to this section may be terminated with respect to the entire property by the Secretary upon his determination that the property or any portion thereof has ceased to be used for noncommercial residential or for agricultural purposes, and upon tender to the holder of a right an amount equal to the fair market value, as of the date of the tender, of that portion of the right which remains unexpired on the date of termination.

(c) The term "improved property", as used in this section, shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1967 (hereinafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

SEC. 5. The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the lakeshore in accordance with the appropriate laws of Wisconsin and the United States to the extent applicable, except that he may designate zones where, and establish periods when, no hunting, trapping, or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the appropriate State agency responsible for hunting, trapping, and fishing activities.

SEC. 6. The lakeshore shall be administered, protected, and developed 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; and the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–1), as April 9, 1924 (43 Stat. 90; 16 U.S.C. 8a et seq.), as amended, except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of the Act.

SEC. 7. In the administration, protection, and development of the lakeshore, the Secretary shall adopt and implement, and may from time to time revise, a land and water use management plan which shall include a specific provision for—

(a) protection of scenic, scientific, historic, geological, and archeological features contributing to public education, inspiration, and enjoyment;

(b) development of facilities to provide the benefits of public recreation together with such access roads as he deems appropriate; and

(c) preservation of the unique flora and fauna and the physiographic and geologic conditions now prevailing on the Apostle Islands within the lakeshore: *Provided*, That the Secretary may provide for the public enjoyment and understanding of the unique natural, historical, scientific, and archeological features of the Apostle Islands through the establishment of such trails, observation points, exhibits, and services as he may deem desirable.

SEC. 8. There are authorized to be appropriated not more than $4,250,000 for the acquisition of lands and interests in lands and not more than $5,000,000 for the development of the Apostle Islands National Lakeshore.

Approved September 26, 1970.

Legislative History

House Report No. 91–1280 accompanying H.R. 9306 (Committee on Interior and Insular Affairs).
Senate Report No. 91–276 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 115 (1969): June 26, considered and passed Senate.
Vol. 116 (1970):
Sept. 10, considered and passed House, amended, in lieu of H.R. 9306.
Sept. 16, Senate concurred in House amendment.

2. Appalachian Trail

An Act to establish a national trails system, and for other purposes. (82 Stat. 919)

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

SHORT TITLE

SECTION 1. This Act may be cited as the "National Trails System Act".

STATEMENT OF POLICY

SEC. 2. (a) In order to provide for the ever-increasing outdoor recreation needs of an expanding population and in order to promote public access to, travel within, and enjoyment and appreciation of the open-air, outdoor areas of the Nation, trails should be established (i) primarily, near the urban areas of the Nation, and (ii) secondarily, within established scenic areas more remotely located.

(b) the purpose of this Act is to provide the means for attaining these objectives by instituting a national system of recreation and scenic trails, by designating the Appalachian Trail and the Pacific Crest Trail as the initial components of that system, and by prescribing the methods by which, and standards according to which additional components may be added to the system.

NATIONAL TRAILS SYSTEM

SEC. 3. The national system of trails shall be composed of—

(a) National recreation trails, established as provided in section 4 of this Act, which will provide a variety of outdoor recreation uses in or reasonably accessible to urban areas.

(b) National scenic trails, established as provided in section 5 of this Act, which will be extended trails so located as to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which such trails may pass.

(c) Connecting or side trails, established as provided in section 6 of this Act, which will provide additional points of public access to national recreation or national scenic trails or which will provide connections between such trails.

The Secretary of the Interior and the Secretary of Agriculture, in consultation with appropriate govern-

mental agencies and public and private organizations, shall establish a uniform marker for the national trails system.

NATIONAL RECREATION TRAILS

SEC. 4. (a) The Secretary of the Interior, or the Secretary of Agriculture where lands administered by him are involved, may establish and designate national recreation trails, with the consent of the Federal agency, State, or political subdivision having jurisdiction over the lands involved, upon finding that—

(i) such trails are reasonably accessible to urban areas, and, or

(ii) such trails meet the criteria established in this Act and such supplementary criteria as he may prescribe.

(b) As provided in this section, trails within park, forest, and other recreation areas administered by the Secretary of the Interior or the Secretary of Agriculture or in other federally administered areas may be established and designated as "National Recreation Trails" by the appropriate Secretary and, when no Federal land acquisition is involved—

(i) trails in or reasonably accessible to urban areas may be designated as "National Recreation Trails" by the Secretary of the Interior with the consent of the States, their political subdivisions, or other appropriate administering agencies, and

(ii) trails within park, forest, and other recreation areas owned or administered by States may be designated as "National Recreation Trails" by the Secretary of the Interior with the consent of the State.

NATIONAL SCENIC TRAILS

SEC. 5. (a) National scenic trails shall be authorized and designated only by Act of Congress. There are hereby established as the initial National Scenic Trails:

(1) The Appalachian Trail, a trail of approximately two thousand miles extending generally along the Appalachian Mountains from Mount Katahdin, Maine, to Springer Mountain, Georgia. Insofar as practicable, the right-of-way for such trail shall comprise the trail depicted on the maps identified as "Nationwide System of Trails, Proposed Appalachian Trail, NST–AT–101–May 1967", which shall be on file and available for public inspection in the office of the Director of the National Park Service. Where practicable, such rights-of-way shall include lands protected for it under agreements in effect as of the date of enactment of this Act, to which Federal agencies and States were parties. The Appalachian Trail

shall be administered primarily as a footpath by the Secretary of the Interior, in consultation with the Secretary of Agriculture.

(2) The Pacific Crest Trail, a trail of approximately two thousand three hundred fifty miles, extending from the Mexican-California border northward generally along the mountain ranges of the west coast States to the Canadian-Washington border near Lake Ross, following the route as generally depicted on the map, identified as "Nationwide System of Trails, Proposed Pacific Crest Trail, NST–PC–103–May 1967", which shall be on file and available for public inspection in the office of the Chief of the Forest Service. The Pacific Crest Trail shall be administered by the Secretary of Agriculture, in consultation with the Secretary of the Interior.

(3) The Secretary of the Interior shall establish an advisory council for the Appalachian National Scenic Trail, and the Secretary of Agriculture shall establish an advisory council for the Pacific Crest National Scenic Trail. The appropriate Secretary shall consult with such council from time to time with respect to matters relating to the trail, including the selection of rights-of-way, standards of the erection and maintenance of markers along the trail, and the administration of the trail. The members of each advisory council, which shall not exceed thirty-five in number, shall serve without compensation or expense to the Federal Government for a term of five years and shall be appointed by the appropriate Secretary as follows:

(i) A member appointed to represent each Federal department or independent agency administering lands through which the trail route passes and each appointee shall be the person designated by the head of such department or agency;

(ii) A member appointed to represent each State through which the trail passes and such appointments shall be made from recommendations of the Governors of such States;

(iii) One or more members appointed to represent private organizations, including landowners and land users, that, in the opinion of the Secretary, have an established and recognized interest in the trail and such appointments shall be made from recommendations of the heads of such organizations: *Provided*, That the Appalachian Trail Conference shall be represented by a sufficient number of persons to represent the various sections of the country through which the Appalachian Trail passes; and

(iv) The Secretary shall designate one member to be chairman and shall fill vacancies in the same manner as the original appointment.

(b) The Secretary of the Interior, and the Secretary of Agriculture where lands administered by him are involved, shall make such additional studies as are herein or may hereafter be authorized by the Congress for the purpose of determining the feasibility and desirability of designating other trails as national scenic trails. Such studies shall be made in consultation with the heads of other Federal agencies administering lands through which such additional proposed trails would pass and in cooperation with interested interstate, State, and local governmental agencies, public and private organizations, and landowners and land users concerned. When completed, such studies shall be the basis of appropriate proposals for additional national scenic trails which shall be submitted from time to time to the President and to the Congress. Such proposals shall be accompanied by a report, which shall be printed as a House or Senate document, showing among other things—

(1) the proposed route of such trail (including maps and illustrations);

(2) the areas adjacent to such trails, to be utilized for scenic, historic, natural, cultural, or developmental, purposes;

(3) the characteristics which, in the judgment of the appropriate Secretary, make the proposed trail worthy of designation as a national scenic trail;

(4) the current status of land ownership and current and potential use along the designated route;

(5) the estimated cost of acquisition of lands or interest in lands, if any;

(6) the plans for developing and maintaining the trail and the cost thereof;

(7) the proposed Federal administering agency (which, in the case of a national scenic trail wholly or substantially within a national forest, shall be the Department of Agriculture);

(8) the extent to which a State or its political subdivisions and public and private organizations might reasonably be expected to participate in acquiring the necessary lands and in the administration thereof; and

(9) the relative uses of the lands involved, including: the number of anticipated visitor-days for the entire length of, as well as for segments of, such trail; the number of months which such trail, or segments thereof, will be open for recreation purposes; the economic and social benefits which might accrue from alternate land uses; and the estimated man-years of civilian employment and expenditures expected for the purposes of maintenance, supervision, and regulation of such trail.

(c) The following routes shall be studied in accordance with the objectives outlined in subsection (b) of this section:

(1) Continental Divide Trail, a three-thousand-one-hundred-mile trail extending from near the Mexican border in southwestern New Mexico northward generally along the Continental Divide to the Canadian border in Glacier National Park.

(2) Potomac Heritage Trail, an eight-hundred-and-twenty-five-mile trail extending generally from the mouth of the Potomac River to its sources in Pennsylvania and West Virginia, including the one-hundred-and-seventy-mile Chesapeake and Ohio Canal towpath.

(3) Old Cattle Trails of the Southwest from the vicinity of San Antonio, Texas, approximately eight hundred miles through Oklahoma via Baxter Springs and Chetopa, Kansas, to Fort Scott, Kansas, including the Chisholm Trail, from the vicinity of San Antonio or Cuero, Texas, approximately eight hundred miles north through Oklahoma to Abilene, Kansas.

(4) Lewis and Clark Trail, from Wood River, Illinois, to the Pacific Ocean in Oregon, following both the outbound and inbound routes of the Lewis and Clark Expedition.

(5) Natchez Trace, from Nashville, Tennessee, approximately six hundred miles to Natchez, Mississippi.

(6) North Country Trail, from the Appalachian Trail in Vermont, approximately three thousand two hundred miles through the States of New York, Pennsylvania, Ohio, Michigan, Wisconsin, and Minnesota, to the Lewis and Clark Trail in North Dakota.

(7) Kittanning Trail from Shirleysburg in Huntingdon County to Kittanning, Armstrong County, Pennsylvania.

(8) Oregon Trail, from Independence, Missouri, approximately two thousand miles to near Fort Vancover, Washington.

(9) Santa Fe Trail, from Independence, Missouri, approximately eight hundred miles to Santa Fe, New Mexico.

(10 Long Trail, extending two hundred and fifty-five miles from the Massachusetts border northward through Vermont to the Canadian border.

(11) Mormon Trail, extending from Nauvoo, Illinois, to Salt Lake City, Utah, through the States of Iowa, Nebraska, and Wyoming.

(12) Gold Rush Trails in Alaska.

(13) Mormon Battalion Trail, extending two thousand miles from Mount Pisgah, Iowa, through Kansas, Colorado, New Mexico, and Arizona to Los Angeles, California.

(14) El Camino Real from St. Augustine to San Mateo, Florida, approximately 20 miles along the southern boundary of the St. Johns River from Fort Caroline National Memorial to the St. Augustine National Park Monument.

CONNECTING AND SIDE TRAILS

SEC. 6. Connecting or side trails within park, forest, and other recreation areas administered by the Secretary of the Interior or Secretary of Agriculture may be established, designated, and marked as components of a national recreation or national scenic trail. When no Federal land acquisition is involved, connecting or side trails may be located across lands administered by interstate, State, or local governmental agencies with their consent: *Provided*, That such trails provide additional points of public access to national recreation or scenic trails.

ADMINISTRATION AND DEVELOPMENT

SEC. 7. (a) Pursuant to section 5(a), the appropriate Secretary shall select the rights-of-way for National Scenic Trails and shall publish notice thereof in the Federal Register, together with appropriate maps and descriptions: *Provided*, That in selecting the rights-of-way full consideration shall be given to minimizing the adverse effects upon the adjacent landowner or user and his operation. Development and management of each segment of the National Trails System shall be designed to harmonize with and complement any established multiple-use plans for that specific area in order to insure continued maximum benefits from the land. The location and width of such rights-of-way across Federal lands under the jurisdiction of another Federal agency shall be by agreement between the head of that agency and the appropriate Secretary. In selecting rights-of-way for trail purposes, the Secretary shall obtain the advice and assistance of the States, local governments, private organizations, and landowners and land users concerned.

(b) After publication of notice in the Federal Register, together with appropriate maps and descriptions, the Secretary charged with the administration of a national scenic trail may relocate segments of a national scenic trail right-of-way, with the concurrence of the head of the Federal agency having jurisdiction over the lands involved, upon a determination that: (i) such a relocation is necessary to preserve the purposes for which the trail was established, or (ii) the relocation is necessary to promote a sound land management program in accordance with established multiple-use principles: *Provided*, That a substantial relocation of the rights-of-way for such trail shall be by Act of Congress.

(c) National scenic trails may contain campsites, shelters, and related-public-use facilities. Other uses along the trail, which will not substantially interfere with the nature and purposes of the trail, may be permitted by the Secretary charged with the administration of the trail. Reasonable efforts shall be made to provide sufficient access opportunities to such trails and, to the extent practicable, efforts shall be made to avoid activities incompatible with the purposes for which such trails were established. The use of motorized vehicles by the general public along any national scenic trail shall be prohibited and nothing in this Act shall be construed as authorizing the use of motorized vehicles within the natural and historical areas of the national park system, the national wildlife refuge system, the national wilderness preservation system where they are presently prohibited or on other Federal lands where trails are designated as being closed to such use by the appropriate Secretary: *Provided*, That the Secretary charged with the administration of such trail shall establish regulations which shall authorize the use of motorized vehicles when, in his judgment, such vehicles are necessary to meet emergencies or to enable adjacent landowners or land users to have reasonable access to their lands or timber rights: *Provided further*, That private lands included in the national recreation or scenic trails by cooperative agreement of a landowner shall not preclude such owner from using motorized vehicles on or across such trails or adjacent lands from time to time in accordance with regulations to be established by the appropriate Secretary. The Secretary of the Interior and the Secretary of Agriculture, in consultation with appropriate governmental agencies and public and private organizations, shall establish a uniform marker, including thereon an appropriate and distinctive symbol for each national recreation and scenic trail. Where the trails cross lands administered by Federal agencies such markers shall be erected at appropriate points along the trails and maintained by the Federal agency administering the trail in accordance with standards established by the appropriate Secretary and where the trails cross non-Federal lands, in accordance with written cooperative agreements, the appropriate Secretary shall provide such uniform markers to cooperating agencies and shall require such agencies to erect and maintain them in accordance with the standards established.

(d) Within the exterior boundaries of areas under their administration that are included in the right-of-way selected for a national recreation or scenic trail, the heads of Federal agencies may use lands for trail purposes and may acquire lands or interests in lands by written cooperative agreement, donation, purchase with do-

nated or appropriated funds or exchange: *Provided*, That not more than twenty-five acres in any one mile may be acquired without the consent of the owner.

(e) Where the lands included in a national scenic trail right-of-way are outside of the exterior boundaries of federally administered areas, the Secretary charged with the administration of such trail shall encourage the States or local governments involved (1) to enter into written cooperative agreements with landowners, private organizations, and individuals to provide the necessary trail right-of-way, or (2) to acquire such lands or interests therein to be utilized as segments of the national scenic trail: *Provided*, That if the State or local governments fail to enter into such written cooperative agreements or to acquire such lands or interests therein within which two years after notice of the selection of the right-of-way is published, the appropriate Secretary may (i) enter into such agreements with landowners, States, local governments, private organizations, and individuals for the use of lands for trail purposes, or (ii) acquire private lands or interests therein by donation, purchase with donated or appropriated funds or exchange in accordance with the provisions of subsection (g) of this section. The lands involved in such rights-of-way should be acquired in fee, if other methods of public control are not sufficient to assure their use for the purpose for which they are acquired: *Provided*, That if the Secretary charged with the administration of such trail permanently relocates the right-of-way and disposes of all title or interest in the land, the original owner, or his heirs or assigns, shall be offered, by notice given at the former owner's last known address, the right of first refusal at the fair market price.

(f) The Secretary of the Interior, in the exercise of his exchange authority, may accept title to any non-Federal property within the right-of-way and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which is located in the State wherein such property is located and which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. The Secretary of Agriculture, in the exercise of his exchange authority, may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(g) The appropriate Secretary may utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this

section only in cases where, in his judgment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire only such title as, in his judgment, is reasonably necessary to provide passage across such lands; *Provided*, That condemnation proceedings may not be utilized to acquire fee title or lesser interests to more than twenty-five acres in any one mile and when used such authority shall be limited to the most direct or practicable connecting trail right-of-way: *Provided further*, That condemnation is prohibited with respect to all acquisition of lands or interest in lands for the purposes of the Pacific Crest Trail. Money appropriated for Federal purposes from the land and water conservation fund shall, without prejudice to appropriations from other sources, be available to Federal departments for the acquisition of lands or interests in lands for the purposes of this Act.

(h) The Secretary charged with the administration of a national recreation or scenic trial shall provide for the development and maintenance of such trails within federally administered areas and shall cooperate with and encourage the States to operate, develop, and maintain portions of such trails which are located outside the boundaries of federally administered areas. When deemed to be in the public interest, such Secretary may enter written cooperative agreements with the States or their political subdivisions, landowners, private organizations, or individuals to operate, develop, and maintain any portion of a national scenic trail either within or outside a federally administered area.

Whenever the Secretary of the Interior makes any conveyance of land under any of the public land laws, he may reserve a right-of-way for trails to the extent he deems necessary to carry out the purposes of this Act.

(i) The appropriate Secretary, with the concurrence of the heads of any other Federal agencies administering lands through which a national recreation or scenic trail passes, and after consultation with the States, local governments, and organizations concerned, may issue regulations, which may be revised from time to time, governing the use, protection, management, development, and administration of trails of the national trails system. In order to maintain good conduct on and along the trails located within federally administered areas and to provide for the proper government and protection of such trails, the Secretary of the Interior and the Secretary of Agriculture shall prescribe and publish such uniform regulations as they deem necessary and any person who violates such regulations shall be guilty of a misdemeanor, and may be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

STATE AND METROPOLITAN AREA TRAILS

SEC. 8. (a) The Secretary of the Interior is directed to encourage States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act, needs and opportunities for establishing park, forest, and other recreation trails on lands owned or administered by States, and recreation trails on lands in or near urban areas. He is further directed, in accordance with the authority contained in the Act of May 8, 1963 (77 Stat. 49), to encourage States, political subdivisions, and private interests, including nonprofit organizations, to establish such trails.

(b) The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance under section 701 of the Housing Act of 1954, to encourage the planning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is further directed, in administering the urban open-space program under title VII of the Housing Act of 1961, to encourage such recreation trails.

(c) The Secretary of Agriculture is directed, in accordance with authority vested in him, to encourage States and local agencies and private interests to establish such trails.

(d) Such trails may be designated and suitably marked as parts of the nationwide system of trails by the States, their political subdivisions, or other appropriate administering agencies with the approval of the Secretary of the Interior.

RIGHTS-OF-WAY AND OTHER PROPERTIES

SEC. 9. (a) The Secretary of the Interior or the Secretary of Agriculture as the case may be, may grant easements and rights-of-way upon, over, under, across, or along any component of the national trails system in accordance with the laws applicable to the national park system and the national forest system, respectively: *Provided*, That any conditions contained in such easements and rights-of-way shall be related to the policy and purposes of this Act.

(b) The Department of Defense, the Department of Transportation, the Interstate Commerce Commission, the Federal Communications Commission, the Federal Power Commission, and other Federal agencies having jurisdiction or control over or information concerning the use, abandonment, or disposition of roadways, utility rights-of-way, or other properties which may be suitable for the purpose of improving or expanding the national

trails system shall cooperate with the Secretary of the Interior and the Secretary of Agriculture in order to assure, to the extent practicable, that any such properties having values suitable for trail purposes may be available for such use.

AUTHORIZATION OF APPROPRIATIONS

SEC. 10. There are hereby authorized to be appropriated for the acquisition of lands or interests in lands not more than $5,000,000 for the Appalachian National Scenic Trail and not more than $500,000 for the Pacific Crest National Scenic Trail.

Approved October 2, 1968.

3. Assateague Island

An Act to provide for the establishment of the Assateague Island National Seashore in the States of Maryland and Virginia, and for other purposes. (79 Stat. 824)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of protecting and developing Assateague Island in the States of Maryland and Virginia and certain adjacent waters and small marsh islands for public outdoor recreation use and enjoyment, the Assateague Island National Seashore (hereinafter referred to as the "seashore") shall be established and administered in accordance with the provisions of this Act. The seashore shall comprise the area within Assateague Island and the small marsh islands adjacent thereto, together with the adjacent water areas not more than one-half mile beyond the mean high waterline of the land portions as generally depicted on a map identified as "Proposed Assateague Island National Seashore, Boundary Map, NS–AI–7100A, November, 1964", which map shall be on file and available for public inspection in the offices of the Department of the Interior.

SEC. 2. (a) Within the boundaries of the seashore, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or in such other method as he may find to be in the public interest. The Secretary is authorized to acquire, by any of the above methods, not to exceed ten acres of land or interests therein on the mainland in Worcester County, Maryland, for an administrative site. In the case of acquisition by negotiated purchase, the property owners shall be paid the fair market value by the Secretary. Any property or interests therein owned by the States of Maryland or Virginia shall be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within the boundaries of the seashore and not more than ten acres of Federal property on the mainland in Worcester County, Maryland, may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for purposes of the seashore.

(b) When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the seashore and to not more than ten acres of non-Federal property on the mainland in Worcester County, Maryland, and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary which he classifies as suitable

for exchange or other disposal, and which is located in Maryland or Virginia. The properties so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from or pay cash to the grantor in order to equalize the value of the properties exchanged.

(c) The Secretary is authorized to acquire all of the right, title, or interest of the Chincoteague-Assateague Bridge and Beach Authority, a political subdivision of the State of Virginia, in the bridge constructed by such authority across the Assateague Channel, together with all lands or interests therein, roads, parking lots, buildings, or other real or personal property of such authority, and to compensate the authority in such amount as will permit it to meet its valid outstanding obligations at the time of such acquisition. Payments by the Secretary shall be on such terms and conditions as he shall consider to be in the public interest. Any of the aforesaid property outside the boundaries of the national seashore, upon acquisition by the Secretary, shall be subject to his administration for purposes of the seashore.

(d) Owners of improved property acquired by the Secretary may reserve for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes or for hunting purposes, as hereinafter provided, for a term that is not more than twenty-five years. In such cases, the Secretary shall pay to the owner of the property the fair market value thereof less the fair market value of the right retained by such owner: *Provided*, That such use and occupancy shall be subject to general rules and regulations established by the Secretary with respect to the outward appearance of any buildings on the lands involved. The term "improved property" as used in this Act shall mean (1) any single-family residence the construction of which was begun before January 1, 1964, and such amount of land, not in excess of three acres, on which the building is situated as the Secretary considers reasonably necessary to the noncommercial residential use of the building, and (2) any property fronting on the Chincoteague Bay or Sinepuxent Bay, including the offshore bay islands adjacent thereto, that is used chiefly for hunting and continues in such use: *Provided*, That the Secretary may exclude from improved properties any marsh, beach, or waters together with so much of the land adjoining such marsh, beach, or waters as he deems necessary for public use or public access thereto.

SEC. 3. (a) If the bridge from Sandy Point to Assateague Island is operated by the State of Maryland as a toll-free facility, the Secretary is authorized and directed to compensate said State in the amount of two-thirds of the cost of constructing the bridge, including the cost of bridge approaches, engineering, and all other related

costs, but the total amount of such compensation shall be not more than $1,000,000; and he is authorized to enter into agreements with the State of Maryland relating to the use and management of the bridge.

(b) The State of Maryland shall have the right to acquire or lease from the United States such lands, or interests therein, on the island north of the area now used as a State park as the State may from time to time determine to be needed for State park purposes, and the Secretary is authorized and directed to convey or lease such lands, or interests therein, to the State for such purposes upon terms and conditions which he deems will assure its public use in harmony with the purposes of this Act. In the event any of such terms and conditions are not complied with, all the property, or any portion thereof, shall, at the option of the Secretary, revert to the United States in its then existing condition. Any lease hereunder shall be for such consideration as the Secretary deems equitable; and any conveyance of title to land hereunder may be made only upon payment by the State of such amounts of money as were expended by the United States to acquire such land, or interests therein, and upon payments of such amounts as will reimburse the United States for the cost of any improvements placed thereon by the United States, including the cost to it of beach protection: *Provided*, That reimbursement for beach protection shall not exceed 30 per centum, as determined by the Secretary, of the total cost of the United States of such protection work.

SEC. 4. When the Secretary determines that land, water areas, or interests therein within the area generally depicted on the map referred to in section 1 are owned or have been acquired by the United States in sufficient quantities to provide an administrable unit, he shall declare the establishment of the Assateague Island National Seashore by publication of notice thereof in the Federal Register. Such notice shall contain a refined description or map of the boundaries of the seashore as the Secretary may find desirable, and the exterior boundaries shall encompass an area as nearly as practicable identical to the area described in section 1 of this Act.

SEC. 5. The Secretary shall permit hunting and fishing on land and waters under his control within the seashore in accordance with the appropriate State laws, to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management or public use and enjoyment: *Provided*, That nothing in this Act shall limit or interfere with the authority of the States to permit or to regulate shellfishing in any waters included in the national seashore: *Provided further*, That nothing in this Act shall add to or limit the authority of the Fed-

eral Government in its administration of Federal laws regulating migratory waterfowl. Except in emergencies, any regulations of 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. The provisions of this section shall not apply to the Chincoteague National Wildlife Refuge.

SEC. 6. (a) Except as provided in subsection (b) of this section, the Secretary shall administer the Assateague Island National Seashore for general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment. In the administration of the seashore and the administrative site the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(b) Notwithstanding any other provision of this Act, land and waters in the Chincoteague National Wildlife Refuge, which are a part of the seashore, shall be administered for refuge purposes under laws and regulations applicable to national wildlife refuges, including administration for public recreation uses in accordance with the provisions of the Act of September 28, 1962 (Public Law 87–714; 76 Stat. 653).

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 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. 8. The Secretary of the Interior and the Secretary of the Army shall cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore; and any such protective works that are undertaken by the Chief of Engineers, Department of the Army, shall be carried out in accordance with a plan that is acceptable to the Secretary of the Interior and is consistent with the purposes of this Act.

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. 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. There are hereby authorized to be appropriated the sum of not more than $16,250,000 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.

Approved September 21, 1965.

Legislative History

House Report No. 893 accompanying H.R. 2071 (Committee on Interior and Insular Affairs).
Senate Report No. 331 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965):
June 17: Considered and passed Senate.
Sept. 7: Considered and passed House, amended, in lieu of H.R. 2071.
Sept. 15: Senate concurred in House amendment.

4. Bighorn Canyon

An Act to provide for the establishment of the Bighorn Canyon National Recreation Area, and for other purposes. (80 Stat. 913)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to provide for public outdoor recreation use and enjoyment of the proposed Yellowtail Reservoir and lands adjacent thereto in the States of Wyoming and Montana by the people of the United States and for preservation of the scenic, scientific, and historic features contributing to public enjoyment of such lands and waters, there is hereby established the Bighorn Canyon National Recreation Area to comprise the area generally depicted on the drawing entitled "Proposed Bighorn Canyon National Recreation Area", LNPMW-010A-BC, November 1964, which is on file in the Office of the National Park Service, Department of the Interior.

(b) As soon as practicable after approval of this Act, the Secretary of the Interior shall publish in the Federal Register a detailed description of the boundaries of the area which shall encompass, to the extent practicable, the lands and waters shown on the drawing referred to in subsection (a) of this section. The Secretary may subsequently make adjustments in the boundary of the area, subject to the provisions of subsection 2(b) of this Act, by publication of an amended description in the Federal Register.

SEC. 2. (a) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, exchange, or otherwise, lands and interests in lands within the boundaries of the area. The Secretary is further authorized to acquire, by any of the above methods, not to exceed ten acres of land or interests therein outside of the boundaries of the area in the vicinity of Lovell, Wyoming, for development and use, pursuant to such special regulations as he may promulgate, as a visitor contact station and administrative site. In the exercise of his exchange authority the Secretary may accept title to any non-Federal property within the area and convey in exchange therefor any federally owned property under his jurisdiction in the States of Montana and Wyoming which he classifies as suitable for exchange or other disposal, notwithstanding any other provision of law. Property so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary may accept cash from, or pay cash to, the grantor in such an exchange in order to equalize the values of the properties exchanged. Any property or interest therein owned by the State of Montana or the State of Wyoming or

any political subdivision thereof within the recreation area may be acquired only by donation or exchange.

(b) No part of the tribal mountain lands or any other lands of the Crow Indian Tribe of Montana shall be included within the recreation area unless requested by the council of the tribe. The Indian lands so included may be developed and administered in accordance with the laws and rules applicable to the recreation area, subject to any limitation specified by the tribal council and approved by the Secretary.

(c) (1) Notwithstanding any other provisions of this Act or of any other law, the Crow Indian Tribe shall be permitted to develop and operate water-based recreational facilities, including landing ramps, boathouses, and fishing facilities, along that part of the shoreline of Yellowtail Reservoir which is adjacent to lands comprising the Crow Indian Reservation. Any such part so developed shall be administered in accordance with the laws and rules applicable to the recreation area, subject to any limitations specified by the tribal council and approved by the Secretary. Any revenues resulting from the operation of such facilities may be retained by the Crow Indian Tribe.

(2) As used in this subsection, the term "shoreline" means that land which borders both Yellowtail Reservoir and the exterior boundary of the Crow Indian Reservation, together with that part of the reservoir necessary to the development of the facilities referred to in this subsection.

SEC. 3. (a) The Secretary shall coordinate administration of the recreation area with the other purposes of the Yellowtail Reservoir project so that it will in his judgment best provide (1) for public outdoor recreation benefits, (2) for conservation of scenic, scientific, historic, and other values contributing to public enjoyment and (3) for management, utilization, and disposal of renewable natural resources in a manner that promotes, or is compatible with, and does not significantly impair, public recreation and conservation of scenic, scientific, historic, or other values contributing to public enjoyment.

(b) In the administration of the area for the purposes of this Act, the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

SEC. 4. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the recreation area in accordance with the appropriate laws of the United States and of the States of Montana or

Wyoming to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment, and except that nothing in this section shall impair the rights under other law of the Crow Tribe and its members to hunt and fish on lands of the Crow Tribe that are included in the recreation area, or the rights of the members of the Crow Tribe to hunt and fish under section 2(d) of the Act of July 15, 1958. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the Montana Fish and Game Department or the Wyoming Game and Fish Commission.

SEC. 5. There is hereby authorized to be appropriated not more than $355,000 for the acquisition of land and interests in land pursuant to this Act.

Approved October 15, 1966.

Legislative History

House Report No. 1819 accompanying H.R. 2778 (Committee on Interior and Insular Affairs).
Senate Report No. 64 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 111 (1965): Feb. 10, considered and passed Senate.
Vol. 112 (1966):
Sept. 19, considered and passed House, amended, in lieu of H.R. 2778.
Oct. 3, Senate concurred in House amendment with an amendment; House concurred in Senate amendment.

5. Buffalo River

An Act to provide for the establishment of the Buffalo National River in the State of Arkansas, and for other purposes. (86 Stat. 44)

Be it enacted by the State and House of Representatives of the United States of America in Congress assembled, That for the purposes of conserving and interpreting an area containing unique scenic and scientific features, and preserving as a free-flowing stream an important segment of the Buffalo River in Arkansas for the benefit and enjoyment of present and future generations, the Secretary of the Interior (hereinafter referred to as the "Secretary") may establish and administer the Buffalo National River. The boundaries of the national river shall be as generally depicted on the drawing entitled "Proposed Buffalo National River" numbered NR–BUF–7103 and dated December 1967, which shall be on filed and available for public inspection in the offices of the National Park Service, Department of the Interior. The Secretary is authoribed to make minor revisions of the boundaries of the national river when necessary, after advising the Committees on Interior and Insular Affairs of the United States House of Representatives and the United States Senate in writing, but the total acreage within such boundaries shall not exceed ninety-five thousand seven hundred and thirty acres.

SEC. 2. (a) Within the boundaries of the Buffalo National River, the Secretary may acquire lands and waters or interests therein by donation, purchase or exchange, except that lands owned by the State of Arkansas or a political subdivision thereof may be acquired only by donation: *Provided*, That the Secretary may, with funds appropriated for development of the area, reimburse such State for its share of the cost of facilities developed on State park lands if such facilities were developed in a manner approved by the Secretary and if the development of such facilities commenced subsequent to the enactment of this Act: *Provided further*, That such reimbursement shall not exceed a total of $375,000. When an individual tract of land is only partly within the boundaries of the national river, the Secretary may acquire all of the tract by any of the above methods in order to avoid the payment of severance costs. Land so acquired outside of the boundaries of the national river may be exchanged by the Secretary for non-Federal lands within the national river boundaries, and any portion of the land not utilized for such exchanges may be disposed of in accordance with the provisions of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377; 40 U.S.C. 471 et seq.), as amended. With the concurrence of the

agency having custody thereof, any Federal property within the boundaries of the national river may be transferred without consideration to the administrative jurisdiction of the Secretary for administration as part of the national river.

(b) Except for property which the Secretary determines to be necessary for the purposes of administration, development, access or public use, an owner or owners (hereafter referred to as "owner") of any improved property which is used solely for noncommercial residential purposes on the date of its acquisition by the Secretary or any owner of lands used solely for agricultural purposes (including, but not limited to, grazing) may retain, as a condition of the acquisition of such property or lands, a right of use and occupancy of such property for such residential or agricultural purposes. The term of the right retained shall expire upon the death of the owner or the death of his spouse, whichever occurs later, or in lieu thereof, after a definite term which shall not exceed twenty-five years after the date of acquisition. The owner shall elect, at the time of conveyance, the term of the right reserved. The Secretary shall pay the owner the fair market value of the property on the date of such acquisition, less the fair market value of the term retained by the owner. Such right may, during its existence, be conveyed or transferred, but all rights of use and occupancy shall be subject to such terms and conditions as the Secretary deems appropriate to assure the use of such property in accordance with the purposes of this Act. Upon a determination that the property, or any portion thereof, has ceased to be used in accordance with such terms and conditions, the Secretary may terminate the right of use and occupancy by tendering to the holder of such right an amount equal to the fair market value, as of the date of the tender, of that portion of the right which remains unexpired on the date of termination.

(c) As used in this section the term "improved property" means a detached year-round one-family dwelling which serves as the owner's permanent place of abode at the time of acquisition, and construction of which was begun before September 3, 1969, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use.

SEC. 3. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the Buffalo National River in accordance with applicable Federal and State laws, except that he may designate zones where and establish periods when, no hunting or fishing shall be permitted for reasons of

public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any rules and regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the Arkansas Fish and Game Commission.

SEC. 4. The Federal Power Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), on or directly affecting the Buffalo National River and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river is established, as determined by the Secretary. Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above the Buffalo National River or on any stream tributary thereto which will not invade the area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area on the date of approval of this Act. No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which such river is established, as determined by the Secretary, nor shall such department or agency request appropriations to begin construction on any such project, whether heretofore or hereafter authorized, without, at least sixty days in advance, (i) advising the Secretary, in writing, of its intention so to do and (ii) reporting to the Committees on Interior and Insular Affairs of the United States House of Representatives and the United States Senate, respectively, the nature of the project involved and the manner in which such project would conflict with the purposes of this Act or would affect the national river and the values to be protected by it under this Act.

SEC. 5. The Secretary shall administer, protect, and develop the Buffalo National River in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

SEC. 6. Within three years from the date of enactment of this Act, the Secretary shall review the area within the boundaries of the national river and shall report to the President, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d), his recommendation as to the suitability or nonsuitability of any area within the national river

for preservation as a wilderness, and any designation of any such area as a wilderness, shall be accomplished in accordance with said subsections of the Wilderness Act.

SEC. 7. For the acquisition of lands and interests in lands, there are authorized to be appropriated not more than $16,115,000. 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.

Approved March 1, 1972.

Legislative History

House Report No. 92-807 accompanying H.R. 8382 (Committee on Interior and Insular Affairs).
Senate Report No. 92-130 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 117 (1971): May 21, considered and passed Senate.
Vol. 118 (1972):
Feb. 7, considered and passed House, amended, in lieu of H.R. 8382.
Feb. 9, Senate concurred in House amendment.

6. Cape Cod

An Act to amend the Act of August 7, 1961, providing for the establishment of Cape Cod National Seashore. (84 Stat. 216)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Act entitled "An Act to provide for the establishment of Cape Cod National Seashore," approved August 7, 1961 (75 Stat. 284, 293), is amended by striking out the figure "$16,000,000" and inserting in lieu thereof the figure "$33,500,000".

Approved May 14, 1970.

Legislative History

House Report No. 91–902 (Committee on Interior and Insular Affairs).
Senate Report No. 91–779 accompanying S. 2253 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970):
Mar. 16, considered and passed Senate, in lieu of S. 2253.
Apr. 30, considered and passed Senate, in lieu of S. 2253.

496–156—73——23

7. Cape Hatteras

An Act to authorize the Secretary of the Interior to convey certain property to the county of Dare, State of North Carolina, and for other purposes. (79 Stat. 583)

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 convey the tract of land and improvements thereon situated in the village of Hatteras, Dare County, North Carolina, and administered as a part of the Cape Hatteras National Seashore, formerly bearing General Services Administration excess property control number C–NC–444, comprising one and five-tenths acres, the exact description for which shall be determined by the Secretary, to the Board of Commissioners of Dare County, for purposes of providing thereon a public health facility: *Provided*, That title to the land and any improvements shall revert to the United States upon a finding and notification to the grantee by the Secretary that the property is used for purposes other than a public health facility. The conveyance herein authorized shall be without monetary consideration.

SEC. 2. Upon the transfer of title to the grantee, the property herein conveyed shall cease to be a part of the Cape Hatteras National Seashore.

Approved August 28, 1965.

Legislative History

House Report No. 191 (Committee on Interior and Insular Affairs).
Senate Report No. 322 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965) :
Apr. 5 : Considered and passed House.
Aug. 11 : Considered and passed Senate.

An Act to authorize the appropriation of funds for Cape Hatteras National Seashore. (82 Stat. 168)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, there are hereby authorized to be appropriated such sums as may be necessary to satisfy any final judgments rendered against the United States in civil actions numbered 263 and 401 in the United States District Court for the Eastern District of North Carolina, Elizabeth City Division, for the acquisition of land and interests in land for the Cape Hatteras National Seashore. The sums herein authorized to be appropriated shall be sufficient to pay the amount of said judgments, together with such interest and other costs as may be specified by the court.

Approved June 4, 1968.

Legislative History

House Report No. 1294 (Committee on Interior and Insular Affairs).
Senate Report No. 694 (Committee on Interior and Insular Affairs).
Congressional Record :
Vol. 113 (1967) : Nov. 2, considered and passed Senate.
Vol. 114 (1968) : May 20, considered and passed House.

8. Cape Lookout

An Act to provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes. (80 Stat. 33)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for public use and enjoyment an area in the State of North Carolina possessing outstanding natural and recreational values, there is hereby authorized to be established the Cape Lookout National Seashore (hereinafter referred to as "seashore"), which shall comprise the lands and adjoining marshlands and waters on the outer banks of Carteret County, North Carolina, between Ocracoke Inlet and Beaufort Inlet, as generally depicted on the map entitled "Proposed Boundaries—Proposed Cape Lookout National Seashore", dated April 1964, and numbered NS–CL–7101–B, which is on file in the Office of the National Park Service, Department of the Interior: *Provided, however*, That such seashore shall not include those lands and interests in lands which are bounded on the north by the southerly boundary of the Cape Lookout lighthouse property, on the east by a line located seven hundred and fifty feet inland from the mean high water line of the Atlantic Ocean, on the south by the northerly boundary of property now owned or leased by the United States Coast Guard and other Federal agencies, and on the west by the easterly boundary of property of the Thomas Gold heirs (as shown on a map prepared by J. G. Hassel in October 1961 and recorded at page 4 of Map Book Numbered 6 in the office of the Register of Deeds, Carteret County, North Carolina) and the waters of Lookout Bight.

SEC. 2. (a) Notwithstanding any other provision of law, Federal property located within the boundaries of the Cape Lookout National Seashore may, with the concurrence of the agency having custody thereof, be transferred to the administrative jurisdiction of the Secretary of the Interior for the purposes of the seashore. Such transfer shall be made without transfer of funds. Non-Federal lands, marshlands, waters, or interests therein located within the authorized seashore may be acquired by the Secretary of the Interior only through donation, except that he may purchase with donated or appropriated funds, or may acquire by exchange, the lands, marshlands, and waters or interests therein comprising the Shackleford Banks. Land donated by the State of North Carolina pursuant to this subsection shall constitute consideration for the transfer by the United States of 1.5 acres of land that is to be used as a site for a public

health facility in the village of Hatteras, Dare County, North Carolina.

(b) When acquiring lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the seashore and convey to the grantor of such property any federally owned property in the State of North Carolina under his jurisdiction which he classifies as proper for exchange or other disposition. Failing to effectuate an exchange of properties of approximately equal fair market value, the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

(c) Any person who on January 1, 1966, owned property which on July 1, 1963, was developed and used for noncommercial residential purposes may reserve for himself and his assigns, as a condition to the purchase or acquisition by exchange of such property by the Secretary, a right of use and occupancy of the residence and not in excess of three acres of land on which the residence is situated, for noncommercial residential purposes for a term ending at the death of the owner, or the death of his spouse, or the death of either of them, or, in lieu thereof, for a definite term not to exceed twenty-five years: *Provided*, That the Secretary may exclude from such reserved property any marsh, beach, or waters, together with so much of the land adjoining such marsh, beach, or waters as he deems necessary for public access thereto. The owner shall elect the term of the right to be reserved. The Secretary is authorized to accept donations of property for purposes of the seashore in which a right of use and occupancy for noncommercial residential purposes is reserved for the period stated in this subsection if the land on which the residence is situated and to which the right attaches is not in excess of three acres and there is excluded from the reserved property such marsh, beach, or waters and adjoining land as the Secretary deems necessary for public use and access thereto.

(d) A right of use and occupancy reserved in lands that are donated or otherwise acquired pursuant to this section shall be subject to termination by the Secretary upon his determination that such use and occupancy is being exercised in a manner not consistent with the purposes of this Act and upon tender to the holder of the right of an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

(e) The Secretary of the Interior is authorized to purchase with donated or appropriated funds, or acquire by exchange, not to exceed one hundred acres of lands or interests in lands at or near Beaufort, North Carolina, as an administrative site, and for a landing dock and re-

lated facilities that may be used to provide a suitable approach or access to the seashore.

SEC. 3. When title to the lands and interests in lands which under section 2(a) of this Act may be acquired for the purposes of the seashore by donation only is vested in the United States, the Secretary shall declare the establishment of the Cape Lookout National Seashore by publication of notice thereof in the Federal Register. Such notice shall contain a refined description or map of the boundaries of the seashore as the Secretary may find desirable and such exterior boundaries shall encompass, as nearly as possible, the area generally described in section 1 of this Act. Copies of said description or map shall be furnished to the Speaker of the House and the President of the Senate not less than thirty days prior to publication in the Federal Register. Following such establishment, and subject to the limitations and conditions prescribed in this Act, the Secretary may, subject to the provisions of section 2 hereof, acquire the remainder of the lands and interests in lands within the boundaries of the seashore.

SEC. 4. The Secretary shall permit hunting and fishing, including shellfishing, on lands, marshlands, and waters under his jurisdiction within the Cape Lookout National Seashore in accordance with the laws of the State of North Carolina and the United States, to the extent applicable, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any rules and regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the North Carolina Wildlife Resources Commission and the North Carolina Department of Conservation and Development.

SEC. 5. The Secretary shall administer the Cape Lookout National Seashore for the general purposes of public outdoor recreation, including conservation of natural features contributing to public enjoyment. In the administration of the seashore and the administrative site, the Secretary may utilize such statutory authorities relating to areas administered and supervised by the Secretary through the National Park Service and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

SEC. 6. The authority of the Chief of Engineers, Department of the Army, to undertake or contribute to shore erosion control or beach protection measures within the Cape Lookout National Seashore shall be exercised in accordance with a plan that is mutually acceptable to the Secretary of the Interior and the Secretary of the

Army, and that is consistent with the purposes of this Act.

SEC. 7. There are hereby authorized to be appropriated not to exceed $3,200,000 for the acquisition and development of the seashore in accordance with the purposes of this Act.

Approved March 10, 1966.

Legislative History

House Report No. 1278 accompanying H.R. 1784 (Committee on Interior and Insular Affairs).
Senate Report No. 509 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 111 (1965): July 27, considered and passed Senate.
Vol. 112 (1966):
Feb. 16, considered and passed House, amended, in lieu of H.R. 1784.
Feb. 23, Senate concurred in House amendment with an amendment.
Feb. 28, House concurred in Senate amendment.

9. Connecticut River

An Act to authorize the Secretary of the Interior to study the feasibility and desirability of a Connecticut River National Recreation Area, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, and for other purposes. (80 Stat. 8697)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to consider preserving the Connecticut River area and appropriate segments of adjoining land in their natural condition for public outdoor recreation, and preserving the priceless natural beauty and historic heritage of the river valley, the Secretary of the Interior shall study, investigate, and formulate recommendations on the feasibility and desirability of establishing all or parts of the Connecticut River Valley from its source to its mouth, in the States of Connecticut, Massachusetts, Vermont, and New Hampshire, as a Connecticut River National Recreation Area. The Secretary shall consult with other interested Federal agencies, and the State and local bodies and officials involved, and shall coordinate his study with applicable highway plans and other planning activities relation to the region. In conducting the study, the Secretary shall hold public hearings within any State involved, upon the request of the Governor thereof, for the purpose of receiving views and recommendations on the establishment of a national recreation area.

SEC. 2. The Secretary of the Interior shall submit to the President, within two years after the date of this Act, a report of his findings and recommendations. The President shall submit to the Congress such recommendations, including legislation, as he deems appropriate. The Secretary's report shall contain, but not be limited to, findings with respect to—

(a) the scenic, scientific, historic, outdoor recreation, and the natural values of the water and related land resources involved, including driving for pleasure, walking, hiking, riding, boating, bicycling, swimming, picnicking, camping, forest management, fish and wildlife management, scenic and historic site preservation, hunting, fishing, and winter sports;

(b) the potential alternative beneficial uses of the water and related land resources involved, taking into consideration appropriate uses of the land for residential, commercial, industrial, agricultural, and transportation purposes, and for public services; and

(c) the type of Federal program that is feasible and desirable in the public interest to preserve, de-

velop, and make accessible the values set forth in subsection (a), including the consideration of scenic roads or parkways, and that also will have a minimum impact on other essential operations and activities in the area, and on private property owners.

SEC. 3. There is authorized to be appropriated $100,000 or such part of said sum as may be necessary to carry out the provisions of this Act.

Approved October 3, 1966.

Legislative History

House Report No. 1870 (Committee on Interior and Insular Affairs).
Senate Report No. 1345 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 112 (1966):
June 30: Considered and passed Senate.
Sept. 19: Considered and passed House, amended.
Sept. 21: Senate concurred in House amendment.

10. Cumberland Island

An Act to establish the Cumberland Island National Seashore in the State of Georgia, and for other purposes. (86 Stat. 1066)

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 certain significant shoreline lands and waters of the United States, and to preserve related scenic, scientific, and historical values, there is established in the State of Georgia the Cumberland Island National Seashore (hereinafter referred to as the "seashore") consisting of the area generally depicted on the drawing entitled "Boundary Map, Cumberland Island National Seashore", numbered CUIS–40,000B, and dated June 1971, which 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 (hereinafter referred to as the "Secretary") may after notifying the Committees on Interior and Insular Affairs of the United States House of Representatives and United States Senate in writing, make minor adjustments in the boundary of the seashore from time to time by publication of a revised drawing or other boundary description in the Federal Register, but the total acreage within the boundaries shall not exceed forty thousand five hundred acres.

SEC. 2. Within the boundaries of the seashore, the Secretary may acquire lands, waters, and interests therein by purchase, donation, transfer from any Federal agency, or exchange. The Secretary may also acquire not to exceed one hundred acres of lands or interests in lands on the mainland to provide access to the administrative and visitor facilities for the seashore. Any lands or interests therein owned by the State of Georgia, or any political subdivision thereof may be acquired only by donation. Notwithstanding any other provision of law, any Federal property located within the boundaries of the seashore may, with the concurrence of the agency having custody thereof, be transferred without transfer of funds to the administrative jurisdiction of the Secretary for the purposes of the seashore.

SEC. 3. For the purpose of providing access from Interstate 95 to the mainland administrative and visitor facilities of the seashore, the Secretary may designate as the Cumberland Island Parkway a right-of-way, together with adjacent or related sites for public noncommercial recreational use and for interpretation of scenic and historic values, of not more than one thousand acres of lands, waters, and interests therein. The Secretary is authorized to acquire only by donation those lands and interests

therein, and other property comprising such right-of-way and adjacent or related sites as he may designate pursuant to this Act for the development, hereby authorized, of a road of parkway standards, including necessary bridges, spurs, connecting roads, access roads, and other facilities, and for the development and interpretation of recreation areas and historic sites in connection therewith. Lands acquired for the parkway shall be administered as a part of the seashore, subject to all laws and regulations applicable thereto, and subject to such special regulations as the Secretary may promulgate for the parkway.

SEC. 4. (a) With the exception of any property deemed necessary by the Secretary for visitor facilities or administration of the seashore, any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the property for noncommercial residential purposes, 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 owner shall elect the term to be reserved. 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: *Provided, however*, That, in addition, for so long as a right of use and occupancy remains in effect by the donors of land of one hundred acres or more, the Secretary shall not, with respect to such lands, develop any public use facilities except for trails, road access, and utilities: *Provided further*, That when acquiring lands, waters, and interests therein from the National Park Foundation, its successors and assigns, the Secretary shall acquire such lands, waters, and interests subjects to the written terms and conditions contained in those transactions, including but not limited to options, entered into by the National Park Foundation prior to January 1, 1973, and that such previous written rights and interests shall prevail over provisions of this paragraph.

(b) A right of use and occupancy retained or enjoyed pursuant to this section may be terminated with respect to the entire property by the Secretary upon his determination that the property or any portion thereof has ceased to be used for noncommercial residential purposes and upon tender to the holder of a right an amount equal to the fair market value, as of the date of tender, of that portion of the right which remains unexpired on the date of termination.

(c) The term "improved property", as used in this section shall mean a detached, noncommercial residential dwelling, the construction of which was begun before February 1, 1970 (hereinafter referred to as "dwelling"), together with so much of the land on which the dwelling

is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

(d)(1) In order to provide an opportunity for the establishment of a natural and scenic preserve by voluntary private action of certain owners of lands within the seashore, and notwithstanding anything to the contrary herein contained, no lands or interests in lands shall be acquired on Little Cumberland Island without the consent of the owner, for a period of one year from the date of enactment of this Act, except as specifically otherwise provided herein.

(2) In the event that the owners of land on Little Cumberland Island enter into an irrevocable trust or some other irrevocable agreement for the preservation of the resources of Little Cumberland Island which, in the judgment of the Secretary, assures the protection of the resources in a manner consistent with the purposes for which the seashore is established, the authority of the Secretary to acquire such lands shall be suspended for such time as the trust is in effect and the lands are used and occupied in accordance therewith.

(3) If, at any time during the one-year period following the date of enactment of this Act, the Secretary determines that any lands on Little Cumberland Island are threatened with development, or other uses, inconsistent with the establishment or continuation of the trust herein referred to, then the Secretary may acquire such lands, or interests therein, by any of the methods provided for in section 2 of this Act.

SEC. 5. The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the seashore in accordance with the appropriate laws of Georgia and the United States to the extent applicable, except that he may designate zones where, and establish periods when, no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the appropriate State agency responsible for hunting, fishing, and trapping activities.

SEC. 6. (a) The seashore shall be administered, protected, and developed 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, except that any other statutory authority available to the Secretary for the conservation and management of natural resources

may be utilized to the extent he finds such authority will further the purposes of the Act.

(b) Except for certain portions of the seashore deemed to be especially adaptable for recreational uses, particularly swimming, boating, fishing, hiking, horseback riding, and other recreational activities of similar nature, which shall be developed for such uses as needed, the seashore shall be permanently preserved in its primitive state, and no development of the project or plan for the convenience of visitors shall be undertaken which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions not prevailing, nor shall any road or causeway connecting Cumberland Island to the mainland be constructed.

SEC. 7. Nothing in this Act shall deprive the State of Georgia or any political subdivision thereof of its civil or criminal jurisdiction over persons found, acts performed, and offenses committed within the boundaries of the seashore, or of its right to tax persons, corporations, franchises, or other non-Federal property on lands included therein.

SEC. 8. The authority of the Secretary of the Army to undertake or contribute to water resource developments, including shore erosion control, beach protection and navigation improvements on land and/or waters within the Cumberland Island National Seashore shall be exercised in accordance with plans which are mutually acceptable to the Secretary of the Interior and the Secretary of the Army and which are consistent with both the purpose of this Act and the purpose of existing statutes dealing with water and related land resource development.

SEC. 9. Within three years from the date of enactment of this Act, the Secretary of the Interior shall report to the President, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d), his recommendations as to the suitability or nonsuitability of any area within the national seashore for preservation as wilderness, and any designation of any such area as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

SEC. 10. There are authorized to be appropriated not to exceed $10,500,000 for the acquisition of lands and interests in lands and not to exceed $27,840,000 for development of the seashore.

Approved October 23, 1972.

Legislative History

House Report No. 92–1405 accompanying H.R. 9859 (Committee on Interior and Insular Affairs).
Senate Report No. 92–972 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
July 24, considered and passed Senate.
Oct. 10, considered and passed House, amended, in lieu of H.R. 9859.
Oct. 12, Senate concurred in House amendment.
Weekly Compilation of Presidential Documents, Vol. 8 No. 44, Oct. 28, Presidential statement.

11. Delaware Water Gap

An Act to authorize establishment of the Delaware Water Gap National Recreation Area, and for other purposes. (79 Stat. 612)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to further the purposes of the joint resolution approved September 27, 1961 (re Delaware River Basin compact; 75 Stat. 688), and to provide, in a manner coordinated with the other purposes of the Tocks Island Reservoir project, for public outdoor recreation use and enjoyment of the proposed Tocks Island Reservoir and lands adjacent thereto by the people of the United States and for preservation of the scenic, scientific, and historic features contributing to public enjoyment of such lands and waters, the Secretary of the Interior is authorized, as herein provided, to establish and administer the Delaware Water Gap National Recreation Area, hereinafter referred to as the "area", as part of the Tocks Island Reservoir project, hereinafter referred to as "the project".

SEC. 2. (a) The Secretary of the Army is authorized and directed to acquire, by such means as he may deem to be in the public interest, and as a part of his acquisition of properties for the project, lands and interests therein within the boundaries of the area, as generally depicted on the drawing entitled "Proposed Tocks Island National Recreation Area" dated and numbered September 1962, NRA–TI–7100, which drawing is on file in the Office of the National Park Service, Department of the Interior. In acquiring these lands, the Secretary of the Army may utilize such statutory authorities as are available to him for the acquisition of project lands: *Provided,* That the Secretary of the Army shall acquire no lands or interests in land by exchange for lands or interests in land in Federal ownership unless the latter are in the States of Pennsylvania, New Jersey, or New York. Periodically, and as soon as practicable after such lands and interests within the area are acquired, the Secretary of the Army shall transfer jurisdiction thereover to the Secretary of the Interior for the purposes of this Act.

(b) Notwithstanding the provisions of subsection (a) of this section, the Secretary of the Interior is authorized, after consultation with appropriate public officials of the affected political subdivisions of the States of Pennsylvania or New Jersey, as the case may be, to designate not more than three hundred acres adjacent and contiguous to the Borough of Milford, Pennsylvania, and not more than one thousand acres in Sussex County, New Jersey, for omission from the Delaware Valley National Recreation Area and the lands so designated shall not be ac-

quired for said national recreation area under authority of this Act.

(c) The Secretary of the Interior shall investigate, study, and report to the President and the Congress on the feasibility and usefulness of extending the boundaries of the Delaware Water Gap National Recreation Area to include, in whole or in part, that portion of Tocks Island Reservoir which lies upstream from the northern terminus of the national recreation area as shown on the map hereinbefore referred to and lands adjacent to said portion of said reservoir. No such extension of boundaries, however, shall be made until authorized by Act of Congress.

(d) The beneficial owner, not being a corporation, of a freehold interest acquired before January 1, 1965, in improved residential property within the area to be acquired by the Secretary of the Army under authority of this Act, the continued use of which property for noncommercial residential purposes for a limited time will not, in the judgment of the Secretary of the Interior, unduly interfere with the development of public-use facilities for the national recreation area and will not, in the judgment of the Secretary of the Army, unduly interfere with the operation of the Tocks Island Reservoir project, may retain a right of use and occupancy of such property for noncommercial residential purposes for, as said owner may elect, either (i) a period terminating upon his death or the death of his spouse, whichever occurs later, or (ii) a term of not more than twenty-five years: *Provided*, That in no case shall the period or term for which such right of use and occupancy is retained extend beyond the term of the freehold interest acquired by the United States. The price payable to the owner of such property shall be reduced by an amount equal to the value of the right retained. As used in this Act "improved residential property" means a single-family year-round dwelling, the construction of which was begun before January 21, 1963, which dwelling 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 which land the Secretary of the Interior or the Secretary of the Army, as the case may be, finds is reasonably necessary for the owner's continued use and occupancy of the dwelling.

SEC. 3. (a) As soon as practicable after the date of enactment of this Act and following the transfer to the Secretary of the Interior by the Secretary of the Army of jurisdiction over those lands and interests therein within the boundary generally depicted on the drawing described in section 2 hereof which, in the opinion of the Secretary of the Interior, constitute an efficiently admin-

istrable unit, the Secretary of the Interior shall declare establishment of the area by publication of notice thereof in the Federal Register. Such notice shall contain a detailed description of the boundaries of the area which shall encompass, to the extent practicable, the lands and waters shown on said drawing. Prior to such establishment, the Secretary of the Interior shall administer such transferred lands and waters, consistent with the construction of the project, for purposes in contemplation of the establishment of the area pursuant to this Act.

(b) The Secretary of the Interior may subsequently make adjustments in the boundary of the area by publication of the amended description thereof in the Federal Register and acquire, by such means as he may deem to be in the public interest, including an exchange of excluded for included lands or interests therein with or without the payment or receipt of money to equalize values, additional lands and interests therein included in the area by reason of the boundary adjustment: *Provided*, That the area encompassed by such revised boundary shall not exceed the acreage included within the detailed boundary first described pursuant to this section.

(c) On lands acquired pursuant to this Act for recreation purposes, the Secretary of the Army, with the concurrence of the Secretary of the Interior, may permit the continuance of existing uses consistent with the purposes of this Act.

SEC. 4 In the administration of the area for the purposes of this Act, the Secretary of the Interior may utilize such statutory authorities relating to areas of the national park system and such statutory authorities otherwise available to him for the conservation, management, or disposal of vegetative, mineral, or fish or wildlife resources as he deems appropriate to carry out the purposes of this Act. To assure consistent and effective planning, development, and operation for all purposes of the project, the Secretary of the Interior and the Secretary of the Army shall coordinate the administration of their respective responsibilities in the project; and such administration shall be consistent with the joint resolution approved September 27, 1961 (re Delaware River Basin compact; 75 Stat. 688).

SEC. 5 In the administration of the area for the purposes of this Act, the Secretary of the Interior, subject to provisions of section 4 hereof, shall adopt and implement, and may from time to time revise, a land and water use management plan, which shall include specific provision for, in order of priority—

(1) public outdoor recreation benefits;

(2) preservation of scenic, scientific, and historic features contributing to public enjoyment;

(3) such utilization of natural resources as in the judgment of the Secretary of the Interior is consistent with, and does not significantly impair, public recreation and protection of scenic, scientific, and historic features contributing to public enjoyment.

SEC. 6. The Secretary of the Interior shall permit hunting and fishing on lands and waters under his jurisdiction within the area in accordance with the applicable laws and regulations of the States concerned and of the United States. The Secretary of the Interior may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, wildlife management, administration, or public use and enjoyment not compatible with hunting, and may, in his plan for the area, provide areas for intensive fish and wildlife management, including public hunting and fishing, and shall issue appropriate regulations after consultation with appropriate officials of the States concerned. The Secretary of the Interior shall encourage such officials to adopt uniform regulations applicable to the whole of the Delaware Water Gap National Recreation Area.

SEC. 7. Nothing in this Act shall be construed to deprive any State or political subdivision thereof of its right to exercise civil and criminal jurisdiction over the lands and waters within the area or of its right to tax persons, corporations, franchises, or property on the lands and waters included in the area.

SEC. 8. There are hereby authorized to be appropriated to the Secretary of the Interior for the acquisition of lands and interests in land pursuant to the provisions of section 2 of this Act and for expenses incident thereto not more than $37,412,000 which moneys shall be transferred to the Secretary of the Army. There are also authorized to be appropriated not more than $18,200,000 for the cost of installing and constructing recreation facilities on the lands and interests in lands so acquired. The amounts herein authorized to be appropriated are supplemental to those authorized to be appropriated for the Tocks Island project and related facilities by the Flood Control Act of 1962 (76 Stat. 1182).

Approved September 1, 1965.

Legislative History

House Report No. 360 (Committee on Interior and Insular Affairs).
Senate Report No. 598 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965):
July 12: Considered and passed House.
Aug. 13: Considered and passed Senate, amended.
Aug. 17: House concurred in Senate amendment.

12. Fire Island

An Act to establish the Fire Island National Seashore, and for other purposes. (78 Stat. 928)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the purpose of conserving and preserving for the use of future generations certain relatively unspoiled and undeveloped beaches, dunes, and other natural features within Suffolk County, New York, which possess high values to the Nation as examples of unspoiled areas of great natural beauty in close proximity to large concentrations of urban population, the Secretary of the Interior is authorized to establish an area to be known as the "Fire Island National Seashore".

(b) The boundaries of the national seashore shall extend from the easterly boundary of Robert Moses State Park eastward to Moriches Inlet and shall include not only Fire Island proper, but also such islands and marshlands in the Great South Bay, Bellport Bay, and Moriches Bay adjacent to Fire Island as Sexton Island, West Island, Hollins Island, Ridge Island, Pelican Island, Pattersquash Island, and Reeves Island and such other small and adjacent islands, mashlands, and wet lands as would lend themselves to contiguity and reasonable administration within the national seashore and, in addition, the waters surrounding said area to distances of one thousand feet in the Atlantic Ocean and up to four thousand feet in Great South Bay and Moriches Bay, all as delineated on a map identified as "Fire Island National Seashore No. OGP-0002", dated June 1964. The Secretary shall file said map with the Federal Register, and it may also be examined in the offices of the Department of the Interior.

SEC. 2. (a) The Secretary is authorized to acquire, and it is the intent of Congress that he shall acquire as appropriated funds become available for the purpose or as such acquisition can be accomplished by donation or with donated funds or by transfer, exchange, or otherwise, the lands, waters, and other property, and improvements thereon and any interest therein, within the boundaries of the seashore as established under section 1 of this Act. Any property or interest therein owned by the State of New York, by Suffolk County, or by any other political subdivision of said State may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act. In exercising his authority to acquire property in accordance

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with the provisions of this subsection, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized by this Act, but the liability of the United States under any such contract shall be contingent on the appropriaton of funds sufficient to fulfill the obligations thereby incurred.

(b) When the Secretary determines that lands and waters or interests therein have been acquired by the United States in sufficient quantity to provide an administrative unit, he shall declare the establishment of the Fire Island National Seashore by publication of notice in the Federal Register.

(c) The Secretary shall pay not more than the fair market value, as determined by him, for any land or interest therein acquired by purchase.

(d) When acquiring land by exchange the Secretary may accept title to any nonfederally owned land located within the boundaries of the national seashore and convey to the grantor any federally owned land under the jurisdiction of the Secretary. The lands so exchanged shall be approximately equal in fair market value, but the Secretary may accept cash from or pay cash to the grantor in order to equalize the values of the lands exchanged.

(e) With one exception the Secretary shall not acquire any privately owned improved property or interests therein within the boundaries of the seashore or any property or interests therein within the communities delineated on the boundary map mentioned in section 1, except beach or waters and adjoining land within such communities which the Secretary determines are needed for public access to the beach, without the consent of the owners so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid zoning ordinance that is satisfactory to the Secretary. The sole exception to this limitation on the power of the Secretary to condemn improved property where appropriate zoning ordinances exist shall be in the approximately eight-mile area from the easterly boundary of the Brookhaven town park at Davis Park, in the town of Brookhaven, to the westerly boundary of the Smith Point County Park. In this area only, when the Secretary deems it advisable for carrying out the purposes of this Act or to improve the contiguity of the park land and ease its administration, the Secretary may acquire any land or improvements therein by condemnation. In every case in which the Secretary exercises this right of condemnation of improved property the beneficial owner or owners (not being a corporation) of any improved property so condemned, provided he, she, or they held the same or a greater estate in the property on July 1, 1963, may elect as a condition of such acquisi-

tion by the Secretary any one of the following three alternatives:

(1) that the Secretary shall take the said property in fee simple absolute and pay the fair market value thereof as of the date of such taking;

(2) that the owner or owners shall retain a life estate in said property, measured on the life of the sole owner or on the life of any one person among multiple owners (notice of the person so designated to be filed in writing with the Secretary within six months after the taking) or on the life of the survivor in title of any estate held on July 1, 1963, as a tenancy by the entirety. The price in such case shall be diminished by the actuarial fair market value of the life estate retained, determined on the basis of standard actuarial methods;

(3) that the owner or owners shall retain an estate for twenty-five years. The price in this case shall likewise be diminished by the value of the estate retained.

(f) The term "improved property" as used in this Act shall mean any building, the construction of which was begun before July 1, 1963, and such amount of land, not in excess of two acres in the case of a residence or ten acres in the case of a commercial or industrial use, on which the building is situated as the Secretary considers reasonably necessary to the use of the building: *Provided*, That the Secretary may exclude from improved properties any beach or waters, together with so much of the land adjoining such beach or waters as he deems necessary for public access thereto.

SEC. 3. (a) In order to carry out the provisions of section 2, the Secretary shall issue regulations, which may be amended from time to time, specifying standards that are consistent with the purposes of this Act for zoning ordinances which must meet his approval.

(b) The standards specified in such regulations shall have the object of (1) prohibiting new commercial or industrial uses, other than commercial or industrial uses which the Secretary considers are consistent with the purposes of this Act, of all property within the national seashore, and (2) promoting the protection and development for purposes of this Act of the land within the national seashore by means of acreage, frontage, and setback requirements.

(c) Following issuance of such regulations the Secretary shall approve any zoning ordinance or any amendment to any approved zoning ordinance submitted to him that conforms to the standards contained in the regulations in effect at the time of adoption of the ordinance or amendment. Such approval shall remain effective for so long as such ordinance or amendment remains in effect as approved.

(d) No zoning ordinance or amendment thereof shall be approved by the Secretary which (1) contains any provisions that he considers adverse to the protection and development, in accordance with the purposes of this Act, of the area comprising the national seashore; or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under, or any exception made to, the application of such ordinance or amendment.

(e) If any improved property, with respect to which the Secretary's authority to acquire by condemnation has been suspended according to the provisions of this Act, is made the subject of a variance under, or becomes for any reason an exception to, such zoning ordinance, or is subject to any variance, exception, or use that fails to conform to any applicable standard contained in regulations of the Secretary issued pursuant to this section and in effect at the time of passage of such ordinance, the suspension of the Secretary's authority to acquire such improved property by condemnation shall automatically cease.

(f) The Secretary shall furnish to any party in interest upon request a certificate indicating the property with respect to which the Secretary's authority to acquire by condemnation is suspended.

SEC. 4. (a) Owners of improved property acquired by the Secretary may reserve for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a term that is not more than twenty-five years. The value of the reserved right shall be deducted from the fair market value paid for the property.

(b) A right of use and occupancy reserved pursuant to this section shall be subject to termination by the Secretary upon his determination that the use and occupancy is not consistent with an applicable zoning ordinance approved by the Secretary in accordance with the provisions of section 3 of this Act, and upon tender to the owner 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. 5. The Secretary shall permit hunting, fishing, and shellfishing on lands and waters under his administrative jurisdiction within the Fire Island National Seashore in accordance with the laws of New York and the United States of America, except that the Secretary may designate zones where, and establish periods when, no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment. Any regulations of the Secretary under this section shall be issued after consultation with the Conservation Department of the State of New York.

SEC. 6. The Secretary may accept and use for purposes of this Act any real or personal property or moneys that may be donated for such purposes.

SEC. 7. (a) The Secretary shall administer and protect the Fire Island National Seashore with the primary aim of conserving the natural resources located there. The area known as the Sunken Forest Preserve shall be preserved from bay to ocean in as nearly its present state as possible, without developing roads therein, but continuing the present access by those trails already existing and limiting new access to similar trails limited in number to those necessary to allow visitors to explore and appreciate this section of the seashore.

(b) Access to that section of the seashore lying between the easterly boundary of the Brookhaven town park at Davis Park and the westerly boundary of the Smith Point County Park shall be provided by ferries and footpaths only, and no roads shall be constructed in this section except such minimum roads as may be necessary for park maintenance vehicles. No development or plan for the convenience of visitors shall be undertaken therein which would be incompatible with the preservation of the flora and fauna or the physiographic conditions now prevailing, and every effort shall be exerted to maintain and preserve this section of the seashore as well as that set forth in the preceding paragraph in as nearly their present state and condition as possible.

(c) In administering, protecting, and developing the entire Fire Island National Seashore, the Secretary shall be guided by the provisions of this Act and the applicable provisions of the laws relating to the national park system, and the Secretary may utilize any other statutory authority available to him for the conservation and development of natural resources to the extent he finds that such authority will further the purposes of this Act. Appropriate user fees may be collected notwithstanding any limitation on such authority by any provision of law.

SEC. 8. (a) The authority of the Chief of Engineers, Department of the Army, to undertake or contribute to shore erosion control or beach protection measures on lands within the Fire Island National Seashore shall be exercised in accordance with a plan that is mutually acceptable to the Secretary of the Interior and the Secretary of the Army and that is consistent with the purposes of this Act.

(b) The Secretary shall also contribute the necessary land which may be required at any future date for the construction of one new inlet across Fire Island in such location as may be feasible in accordance with plans for such an inlet which are mutually acceptable to the Secretary of the Interior and the Secretary of the Army and that is consistent with the purposes of this Act.

SEC. 9. (a) There is hereby established a Fire Island National Seashore Advisory Commission (hereinafter referred to as the Commission). The Commission shall terminate on the tenth anniversary of the date of this Act or on the declaration, pursuant to section 2(b) of this Act, of the establishment of the Fire Island National Seashore, whichever occurs first. The Commission shall consist of fifteen members, each appointed for a term of two years by the Secretary, as follows:

(1) Ten members to be appointed from recommendations made by each of the town boards of Suffolk County, New York, one member from the recommendations made by each such board;

(2) Two additional members to be appointed from recommendations of the town boards of the towns of Islip and Brookhaven, Suffolk County, New York;

(3) One member to be appointed from the recommendation of the Governor of the State of New York;

(4) One member to be appointed from the recommendation of the county executive of Suffolk County, New York;

(5) One member to be designated by the Secretary.

(b) The Secretary shall designate one member to be Chairman.

(c) A member of the Commission shall serve without compensation.

(d) The Commission established by this section shall act and advise by affirmative vote of a majority of the members thereof.

(e) The Secretary or his designee shall, from time to time, consult with the members of the Commission with respect to matters relating to the development of Fire Island National Seashore and shall consult with the members with respect to carrying out the provisions of sections 2, 3, and 4 of this Act.

(f)(1) Any member of the Advisory Commission appointed under this Act shall be exempted, with respect to such appointment, from the operation of sections 281, 283, 284, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U.S.C. 99) except as otherwise specified in paragraph (2) of this subsection.

(2) The exemption granted by paragraph (1) of this subsection shall not extend—

(i) to the receipt of payment of salary in connection with the appointee's Government service from any sources other than the private employer of the appointee at the time of his appointment; or

(ii) during the period of such appointment, and the further period of two years after the termination thereof, to the prosecution or participation in the prosecution, by any person so appointed, of any claim

against the Government involving any matter concerning which the appointee had any responsibility arising out of his appointment during the period of such appointment.

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

Approved September 11, 1964.

Legislative History

House Report No. 1638 accompanying H.R. 7107 (Committee on Interior and Insular Affairs).
Senate Report No. 1300 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 110 (1964):
Aug. 6: Considered and passed Senate.
Aug. 20: Considered and passed House, amended, in lieu of H.R. 7107.
Aug. 21: Senate concurred in House amendments.

An Act to authorize the Secretary of the Interior to accept a donation of property in the county of Suffolk, State of New York, known as the William Floyd Estate, for addition to the Fire Island National Seashore, and for other purposes. (79 Stat. 967)

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 accept the donation of approximately six hundred and eleven acres of lands, submerged lands, islands, and marshlands or interests therein, known as the William Floyd Estate located in the town of Brookhaven, county of Suffolk, and State of New York, delineated on a certain map entitled "Map of the Fire Island National Seashore, Including the William Floyd Estate", numbered OGP–0003, dated May 1965, which map or a true copy thereof shall be filed with the Federal Register and may be examined in the offices of the Department of the Interior. Such donation may be accepted subject to such terms, covenants, and conditions as the Secretary finds will be in the public interest.

SEC. 2. The Secretary is also authorized to accept the donation of the main dwelling on said lands, which was the birthplace and residence of General William Floyd (a signer of the Declaration of Independence) and the furnishings therein and any outbuildings, subject to like terms, convenants, and conditions. The Secretary is authorized to lease said lands, dwellings, and outbuildings to the grantors thereof for a term of not more than twenty-five years, at $1 per annum, and during the period of the leasehold the Secretary may provide protective custody for such property.

SEC. 3. Upon expiration or surrender of the aforesaid lease the property shall become a detached unit of the Fire Island National Seashore, and shall be administered, protected, and developed in accordance with the laws applicable thereto subject, with respect to said main dwelling and the furnishings therein, to such terms, covenants,

and conditions which the Secretary shall have accepted and approved upon the donation thereof as in the public interest.

Approved October 9, 1965, 6:30 a.m.

Legislative History

House Report No. 980 (Committee on Interior and Insular Affairs).
Senate Report No. 763 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965):
Sept. 20: Passed House.
Sept. 23: Considered and passed Senate.

13. Flaming Gorge

An Act to establish the Flaming Gorge National Recreation Area in the States of Utah and Wyoming, and for other purposes. (82 Stat. 904)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide, in furtherance of the purposes of the Colorado River storage project, for the public outdoor recreation use and enjoyment of the Flaming Gorge Reservoir and surrounding lands in the States of Utah and Wyoming and the conservation of scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Flaming Gorge National Recreation Area in the States of Utah and Wyoming (hereinafter referred to as the "recreation area"). The boundaries of the recreation area shall be those shown on the map entitled "Proposed Flaming Gorge National Recreation Area," which is on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture.

SEC. 2. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture (hereinafter called the "Secretary") in accordance with the laws, rules, and regulations applicable to national forests, in a manner coordinated with the other purposes of the Colorado River storage project, and in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources as in his judgment will promote or are compatible with, and do not significantly impair the purposes for which the recreation area is established: *Provided*, That lands or waters needed or used for the operation of the Colorado River storage project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation.

SEC. 3. Within six months after the effective date of this Act, the Secretary shall publish in the Federal Register a detailed description of the boundaries of the recreation area. Following such publication, the Secretary may make minor adjustments in the boundary of the recreation area by publication of the amended description thereof in the Federal Register: *Provided*, That the total acreage of the recreation area within the adjusted boundary does not exceed the acreage of the recreation area as shown on the map referred to in section 1 hereof.

SEC. 4. The Secretary shall permit hunting, fishing, and trapping on the lands and waters under his jurisdiction within the recreation area in accordance with the applicable Federal and State laws: *Provided*, That the Secretary, after consultation with the respective State fish and game commissions, may issue regulations designating zones where and establishing periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment. Nothing in this Act shall affect the jurisdiction or responsibilities of the States of Utah and Wyoming under other provisions of State laws with respect to hunting and fishing.

SEC. 5. The lands within the recreation area, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws. The Secretary of the Interior, under such regulations as he deems appropriate, may permit the removal of the nonleasable minerals from lands or interests in lands within the recreation area in the manner prescribed by section 10 of the Act of August 4, 1939, as amended (53 Stat. 1196; 43 U.S.C. 387), and he may permit the removal of leasable minerals from lands or interests in lands within the recreation area in accordance with the Mineral Leasing Act of February 24, 1920, as amended (30 U.S.C. 181 et seq), or the Acquired Lands Mineral Leasing Act of August 7, 1947 (30 U.S.C. 351 et seq), if he finds that such disposition would not have significant adverse effects on the purposes of the Colorado River storage project and the Secretary of Agriculture finds that such disposition would not have significant adverse effects on the purposes of the recreation area: *Provided*, That any lease or permit respecting such minerals in the recreation area shall be issued only with the consent of the Secretary of Agriculture and subject to such conditions as he may prescribe.

All receipts derived from permits and leases issued under the authority of this section for removal of nonleasable minerals shall be paid into the same funds or accounts in the Treasury of the United States and shall be distributed in the same manner as provided for receipts from national forests. Any receipts derived from permits or leases issued on lands in the recreation area under the Mineral Leasing Act of February 25, 1920, as amended, or the Act of August 7, 1947, shall be disposed of as provided in the applicable Act.

SEC. 6. The boundaries of the Ashley National Forest are hereby extended to include all of the lands not presently within such boundaries lying within the recreation area as described in accordance with sections 1 and 3 of this Act.

SEC. 7. Subject to any valid claim or entry now existing and hereafter legally maintained, all public lands of the United States and all lands of the United States heretofore or hereafter acquired or reserved for use in connection with the Colorado River storage project within the exterior boundaries of the recreation area which have not heretofore been added to and made a part of the Ashley National Forest, and all lands of the United States acquired for the purpose of the recreation area, are hereby added to and made a part of the Ashley National Forest: *Provided*, That lands within the flow lines of any reservoir operated and maintained by the Department of the Interior or otherwise needed or used for the operation of the Colorado River storage project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation.

SEC. 8. Funds hereafter appropriated and available for the acquisition of lands and waters and interests therein in the national forest system pursuant to section 6 of the Act of September 3, 1964 (78 Stat. 897, 903), shall be available for the acquisition of any lands, waters, and interests therein within the boundaries of the recreation area.

SEC. 9. Nothing in this Act shall deprive any State or political subdivision thereof of its right to exercise civil and criminal jurisdiction within the recreation area consistent with the provisions of this Act, or of its right to tax persons, corporations, franchises, or other non-Federal property, including mineral or other interests, in or on lands or waters within the recreation area.

Approved October 1, 1968.

Legislative History

House Report No. 1854 accompanying H.R. 15245 (Committee on Interior and Insular Affairs).
Senate Report No. 1150 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 114 (1968):
May 29: Considered and passed Senate.
Sept. 16: Considered and passed House, in lieu of H.R. 15245.

14. Gateway

An Act to establish the Gateway National Recreation Area in the States of New York and New Jersey, and for other purposes. (86 Stat. 1308)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve and protect for the use and enjoyment of present and future generations an area possessing outstanding natural and recreational features, the Gateway National Recreation Area (hereinafter referred to as "recreation area") is hereby established.

(a) The recreation area shall comprise the following lands, waters, marshes, and submerged lands in the New York Harbor area generally depicted on the map entitled "Boundary Map, Gateway National Recreation Area," numbered 951–40017 sheets 1 through 3 and dated May, 1972:

(1) Jamaica Bay Unit—including all islands, marshes, hassocks, submerged lands, and waters in Jamaica Bay, Floyd Bennett Field, the lands generally located between highway route 27A and Jamaica Bay, and the area of Jamaica Bay up to the shoreline of John F. Kennedy International Airport;

(2) Breezy Point Unit—the entire area between the eastern boundary of Jacob Riis Park and the westernmost point of the peninsula;

(3) Sandy Hook Unit—the entire area between Highway 36 Bridge and the northernmost point of the peninsula;

(4) Staten Island Unit—including Great Kills Park, Miller Field (except for approximately 26 acres which are to be made available for public school purposes), Fort Wadsworth, and the waterfront lands located between the streets designated as Cedar Grove Avenue, Seaside Boulevard, and Drury Avenue and the bay from Great Kills to Fort Wadsworth;

(5) Hoffman and Swinburne Islands; and

(6) All submerged lands, islands, and waters within one-fourth of a mile of the mean low water line of any waterfront area included above.

(b) The map referred to in this section shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia. After advising the Committees on Interior and Insular Affairs of the United States House of Representatives and the United States Senate in writing, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to make minor revisions of the boundaries of the recreation

area when necessary by publication of a revised drawing or other boundary description in the Federal Register.

SEC. 2. (a) Within the boundaries of the recreation area, the Secretary may acquire lands and waters or interests therein by donation, purchase or exchange, except that lands owned by the States of New York or New Jersey or any political subdivisions thereof may be acquired only by donation.

(b) With the concurrence of the agency having custody thereof, any Federal property within the boundaries of the recration area may be transferred, without consideration, to the administrative jurisdiction of the Secretary for administration as a part of the recreation area.

(c) Within the Breezy Point Unit, (1) the Secretary shall acquire an adequate interest in the area depicted on the map referred to in section 1 of this Act to assure the public use of and access to the entire beach. The Secretary may enter into an agreement with any property owner or owners to assure the continued maintenance and use of all remaining lands in private ownership as a residential community composed of single-family dwellings. Any such agreement shall be irrevocable, unless terminated by mutual agreement, and shall specify, among other things:

(A) that the Secretary may designate, establish and maintain a buffer zone on Federal lands separating the public use area and the private community;

(B) that all construction commencing within the community, including the conversion of dwellings from seasonal to year-round residences, shall comply with standards to be established by the Secretary;

(C) that additional commercial establishments shall be permitted only with the express prior approval of the Secretary or his designee.

(2) If a valid, enforceable agreement is executed pursuant to paragraph (1) of this subsection, the authority of the Secretary to acquire any interest in the property subject to the agreement, except for the beach property, shall be suspended.

(3) The Secretary is authorized to accept by donation from the city of New York any right, title, or interest which it holds in the parking lot at Rockaway which is part of the Marine Bridge project at Riis Park. Nothing herein shall be deemed to authorize the United States to extinguish any present or future encumbrance or to authorize the State of New York or any political subdivision or agency thereof to further encumber any interest in the property so conveyed.

(d) Within the Jamaica Bay Unit, (1) the Secretary may accept title to lands donated by the city of New York subject to a retained right to continue existing uses for a specifically limited period of time if such uses conform

to plans agreed to by the Secretary, and (2) the Secretary may accept title to the area known as Broad Channel Community only if, within five years after the date of enactment of this Act, all improvements have been removed from the area and a clear title to the area is tendered to the United States.

SEC. 3. (a) 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. In the administration of the recreation area the Secretary may utilize such statutory authority available to him for the conservation and management of wildlife and natural resources as he deems appropriate to carryout the purposes of this Act: *Provided*, That the Secretary shall administer and protect the islands and waters within the Jamaica Bay Unit with the primary aim of conserving the natural resources, fish, and wildlife located therein and shall permit no development or use of this area which is incompatible with this purpose.

(b) The Secretary shall designate the principal visitor center constructed within the recreation area as the "William Fitts Ryan Visitor Center" in commemoration of the leadership and contributions which Representative William Fitts Ryan made with respect to the creation and establishment of this public recreation area.

(c) The Secretary is authorized to enter into cooperative agreements with the States of New York and New Jersey, or any political subdivision thereof, for the rendering, on a reimbursable basis, of rescue, firefighting, and law enforcement services and cooperative assistance by nearby law enforcement and fire preventive agencies.

(d) The authority of the Secretary of the Army to undertake or contribute to water resource developments, including shore erosion control, beach protection, and navigation improvements (including the deepening of the shipping channel from the Atlantic Ocean to the New York harbor) on land and/or waters within the recreation area shall be exercised in accordance with plans which are mutually acceptable to the Secretary of the Interior and the Secretary of the Army and which are consistent with both the purpose of this Act and the purpose of existing statutes dealing with water and related land resource development.

(e) The authority of the Secretary of Transportation to maintain and operate existing airway facilities and to install necessary new facilities within the recreation area shall be exercised in accordance with plans which are mutualy acceptable to the Secretary of the Interior and the Secretary of Transportation and which are consistent with both the purpose of this Act and the purpose of

existing statutes dealing with the establishment, maintenance, and operation of airway facilities: *Provided*, That nothing in this section shall authorize the expansion of airport runways into Jamaica Bay or air facilities at Floyd Bennett Field.

(f) The Secretary shall permit hunting, fishing, shellfishing, trapping, and the taking of specimens on the lands and waters under his jurisdiction within the Gateway National Recreation Area in accordance with the applicable laws of the United States and the laws of the States of New York and New Jersey and political subdivisions thereof, except that the Secretary may designate zones where and established periods when these activities may not be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment.

(g) In the Sandy Hook and Staten Island Units, the Secretary shall inventory and evaluate all sites and structures having present and potential historical, cultural, or architectural significance and shall provide for appropriate programs for the preservation, restoration, interpretation, and utilization of them.

(h) Notwithstanding any other provision of law, the Secretary is authorized to accept donations of funds from individuals, foundations, or corporations for the purpose of providing services and facilities which he deems consistent with the purposes of this Act.

SEC. 4. (a) There is hereby established a Gateway National Recreation Area Advisory Commission (hereinafter referred to as the "Commission"). Said Commission shall terminate ten years after the date of the establishment of the recreation area.

(b) The Commission shall be composed of eleven members each appointed for a term of two years by the Secretary as follows:

(1) two members to be appointed from recommendations made by the Governor of the State of New York;

(2) two members to be appointed from recommendations made by the Governor of the State of New Jersey;

(3) two members to be appointed from recommendations made by the mayor of New York City;

(4) two members to be appointed from recommendations made by the mayor of Newark, New Jersey; and

(5) three members to be appointed by the Secretary to represent the general public.

(c) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibility under this Act upon vouchers signed by the Chairman.

(e) The Commission established by this section shall act and advise by affirmative vote of a majority of the members thereof.

(f) The Secretary or his designee shall, from time to time, consult with the members of the Commission with respect to matters relating to the development of the recreation area.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not more than $12,125,000 for the acquisition of lands and interests in lands and not more than $92,813,000 (July, 1971 prices) for development of the recreation area, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in the construction costs as indicated by engineering cost indices applicable to the type of construction involved herein.

Approved October 27, 1972.

Legislative History

House Reports: No. 92–1392 accompanying H.R. 1121 (Committee on Interior and Insular Affairs) and No. 92–1589 (Committee of Conference).

Senate Report No. 92–345 (Committee on Interior and Insular Affairs).

Congressional Record:

Vol. 117 (1971): Aug. 6, considered and passed Senate.

Vol. 118 (1972):

Sept. 26, considered and passed House, amended, in lieu of H.R. 1121.

Oct. 13, House agreed to conference report.

Oct. 14, Senate agreed to conference report.

Weekly Compilation of Presidential Documents: Vol. 8, No. 44 (1972): Oct. 28, Presidential statement.

15. Glen Canyon

An Act to establish the Glen Canyon National Recreation Area in the States of Arizona and Utah. (86 Stat. 1311)

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 Lake Powell and lands adjacent thereto in the States of Arizona and Utah and to preserve scenic, scientific, and historic features contributing to public enjoyment of the area, there is established the Glen Canyon National Recreation Area (hereafter referred to as the "recreation area") to comprise the area generally depicted on the drawing entitled "Boundary Map Glen Canyon National Recreation Area," numbered GLC–91,006 and dated August 1972, which is on file and available for public inspection in the office of the National Park Service, Department of the Interior. The Secretary of the Interior (hereafter referred to as the "Secretary") may revise the boundaries of the recreation area from time to time by publication in the Federal Register of a revised drawing or other boundary description, but the total acreage of the national recreation area may not exceed one million two hundred and thirty-six thousand eight hundred and eighty acres.

SEC. 2. (a) Within the boundaries of the recreation area, the Secretary may acquire lands and interests in lands by donation, purchase, or exchange. Any lands owned by the States of Utah or Arizona, or any State, political subdivisions thereof, may be acquired only by donation or exchange. No lands held in trust for any Indian tribe may be acquired except with the concurrence of the tribal council.

(b) Nothing in this Act shall be construed to affect the mineral rights reserved to the Navajo Indian Tribe under section 2 of the Act of September 2, 1958 (72 Stat. 1686), or the rights reserved to the Navajo Indian Tribal Council in said section 2 with respect to the use of the lands there decsribed under the heading "PARCEL B".

SEC. 3. (a) The lands within the recreation area, subject to valid existing rights, are withdrawn from location, entry, and patent under the United States mining laws. Under such regulations as he deems appropriate, the Secretary shall permit the removal of the nonleasable minerals from lands or interests in lands within the national recreation area in the manner prescribed by section 10 of the Act of August 4, 1939, as amended (53 Stat. 1196; 43 U.S.C. 387 et seq.), and he shall permit the removal of leasable minerals from lands or interests in lands within the recreation area in accordance with the Mineral Leasing Act of February 25, 1920, as amended

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(30 U.S.C. 181 et seq.), or the Acquired Lands Mineral Leasing Act of August 7, 1947 (30 U.S.C. 351 et seq.), if he finds that such disposition would not have significant adverse effects on the Glen Canyon project or on the administration of the national recreation area pursuant to this Act.

(b) All receipts derived from permits and leases issued on lands in the recreation area under the Mineral Leasing Act of Februray 25, 1920, as amended, or the Act of August 7, 1947, shall be disposed of as provided in the applicable Act; and receipts from the disposition on nonleasable minerals within the recreation area shall be disposed of in the same manner as moneys received from the sale of public lands.

SEC. 4. The Secretary shall administer, protect, and develop the recreation area in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented, and with any other statutory authority available to him for the conservation and management of natural resources to the extent he finds such authority will further the purpose of this Act: *Provided, however*, That nothing in this Act shall affect or interfere with the authority of the Secretary granted by Public Law 485, Eighty-fourth Congress, second session, to operate Glen Canyon Dam and reservoir in accordance with the purposes of the Colorado River Storage Project Act for river regulation, irrigation, flood control, and generation of hydroelectric power.

SEC. 5. The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the recreation area in accordance with applicable laws of the United States and the States of Utah and Arizona, except that the Secretary may designate zones where, and establish periods when, no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment. Except in emergencies, any regulation of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State fish and game department.

SEC. 6. The administration of mineral and grazing leases within the recreation area shall be by the Bureau of Land Management. The same policies followed by the Bureau of Land Management in issuing and administering mineral and grazing leases on other lands under its jurisdiction shall be followed in regard to the lands within the boundaries of the recreation area, subject to the provisions of sections 3(a) and 4 of this Act.

SEC. 7. The Secretary shall grant easements and rights-of-way on a nondiscriminatory basis upon, over, under, across, or along any component of the recreation area unless he finds that the route of such easements and rights-

of-way would have significant adverse effects on the administration of the recreation area.

SEC. 8. (a) The Secretary together with the Highway Department of the State of Utah, shall conduct a study of proposed road alinements within and adjacent to the recreation area. Such study shall locate the specific route of a scenic, low-speed road, hereby authorized, from Glen Canyon City to Bullfrog Basin, crossing the Escalante River south of the point where the river has entered Lake Powell when the lake is at the three thousand seven hundred-foot level. In determining the route for this road, special care shall be taken to minimize any adverse environmental impact and said road is not required to meet ordinary secondary road standards as to grade, alinement, and curvature. Turnouts, overlooks, and scenic vistas may be included in the road plan. In no event shall said route cross the Escalante River north of Stephens Arch.

(b) The study shall include a reasonable timetable for the engineering, planning, and constuction of the road authorized in section 8(a) and the Secretary of the Interior shall adhere to said timetable in every way feasible to him.

(c) The Secretary is authorized to construct and maintain markers and other interpretive devices consistent with highway safety standards.

(d) The study specified in section 8(a) hereof shall designate what additional roads are appropriate and necessary for full utilization of the area for the purposes of this Act and to connect with all roads of ingress to, and egress from the recreation area.

(e) The findings and conclusions of the Secretary and the Highway Department of the State of Utah, specified in section 8(a), shall be submitted to Congress within two years of the date of enactment of this Act, and shall include recommendations for any further legislation necessary to implement the findings and conclusions. It shall specify the funds necessary for appropriation in order to meet the timetable fixed in section 8(b).

SEC. 9. Within two years from the date of enactment of this Act, the Secretary shall report to the President, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any area within the recreation area for preservation as wilderness, and any designation of any such area as wilderness shall be in accordance with said Wilderness Act.

SEC. 10. 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, $400,000 for the acquisition of lands and interests in lands and not to exceed $37,325,400 for development. The sums authorized in

this section shall be available for acquisition and development undertaken subsequent to the approval of this Act.

Approved October 27, 1972.

Legislative History

House Report No. 92–1446 accompanying H.R. 15716 (Committee on Interior and Insular Affairs).
Senate Report No. 92–156 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 117 (1971): June 21, considered and passed Senate.
Vol. 118 (1972):
Oct. 13, considered and passed House, amended, in lieu of H.R. 15716.
Oct. 14, Senate concurred in Honse amendment, with amendments; House concurred in Senate amendment.
Weekly Compilation of Presidential Documents: Vol. 8, No. 44 (1972): Oct. 28, Presidential statement.

16. Golden Gate

An Act to establish the Golden Gate National Recreation Area in the State of California, and for other purposes. (86 Stat. 1299)

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

ESTABLISHMENT

SECTION 1. In order to preserve for public use and enjoyment certain areas of Marin and San Francisco Counties, California, possessing outstanding natural, historic, scenic, and recreational values, and in order to provide for the maintenance of needed recreational open space necessary to urban environment and planning, the Golden Gate National Recreation Area (hereinafter referred to as the "recreation area") is hereby established. In the management of the recreation area, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall utilize the resources in a manner which will provide for recreation and educational opportunities consistent with sound principles of land use planning and management. In carrying out the provisions of this Act, the Secretary shall preserve the recreation area, as far as possible, in its natural setting, and protect it from development and uses which would destroy the scenic beauty and natural character of the area.

COMPOSITION AND BOUNDARIES

SEC. 2. (a) The recreation area shall comprise the lands, waters, and submerged lands generally depicted on the map entitled "Boundary Map, Golden Gate National Recreation Area", numbered NRA-GG-80,003A, sheets 1 through 3, and dated July, 1972.

(b) The map referred to in this section shall be on file and available for public inspection in the Offices of the National Park Service, Department of the Interior, Washington, District of Columbia. After advising the Committees on Interior and Insular Affairs of the United States House of Representatives and the United States Senate (hereinafter referred to as the "committees") in writing, the Secretary may make minor revisions of the boundaries of the recreation area when necessary by publication of a revised drawing or other boundary description in the Federal Register.

ACQUISITION POLICY

SEC. 3. (a) Within the boundaries of the recreation area, the Secretary may acquire land, improvements, waters, or interests therein, by donation, purchase, exchange or transfer. Any lands, or interests therein owned

by the State of California or any political subdivision thereof, may be acquired only by donation. 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 or severance costs. Land so acquired outside of the boundaries may be exchanged by the Secretary for non-Federal lands within the boundaries. Any portion of land acquired outside the boundaries 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: *Provided*, That no disposal shall be for less than fair market value. Except as hereinafter provided, Federal property within the boundaries of the recreation area is hereby transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of this Act, subject to the continuation of such existing uses as may be agreed upon between the Secretary and the head of the agency formerly having jurisdiction over the property. Notwithstanding any other provision of law, the Secretary may develop and administer for the purposes of this Act structures or other improvements and facilities on lands for which he receives a permit of use and occupancy from the Secretary of the Army.

(b) Fort Cronkhite, Fort Barry, and the westerly one-half of Fort Baker, in Marin County, California, as depicted on the map entitled "Golden Gate Military Properties" numbered NRAGG–20,002 and dated January 1972, which shall be on file and available for public inspection in the offices of the National Park Service, are hereby transferred to the jurisdiction of the Secretary for purposes of this Act, subject to continued use and occupancy by the Secretary of the Army of those lands needed for existing air defense missions, reserve activities and family housing, until he determines that such requirements no longer exist. The Coast Guard Radio Receiver Station, shall remain under the jurisdiction of the Secretary of the Department in which the Coast Guard is operating. When the station is determined to be excess to the needs of the Coast Guard, it shall be transferred to the jurisdiction of the Secretary for purposes of this Act.

(c) The easterly one-half of Fort Baker in Marin County, California, shall remain under the jurisdiction of the Department of the Army. When this property is determined by the Department of Defense to be excess to its needs, it shall be transferred to the jurisdiction of the Secretary for purposes of this Act. The Secretary of the Army shall grant to the Secretary reasonable public access through such property to Horseshoe Bay, together with the right to construct and maintain such public service facilities as are necessary for the purposes of this

Act. The precise facilities and location thereof shall be determined between the Secretary and the Secretary of the Army.

(d) Upon enactment, the Secretary of the Army shall grant to the Secretary the irrevocable use and occupancy of one hundred acres of the Baker Beach area of the Presidio of San Francisco, as depicted on the map referred to in subsection (b).

(e) The Secretary of the Army shall grant to the Secretary within a reasonable time, the irrevocable use and occupancy of forty-five acres of the Crissy Army Airfield of the Presidio, as depicted on the map referred to in subsection (b).

(f) When all or any substantial portion of the remainder of the Presidio is determined by the Department of Defense to be excess to its needs, such lands shall be transferred to the jurisdiction of the Secretary for purposes of this Act. The Secretary shall grant a permit for continued use and occupancy for that portion of said Fort Point Coast Guard Station necessary for activities of the Coast Guard.

(g) Point Bonita, Point Diablo, and Line Point shall remain under the jurisdiction of the Secretary of the Department in which the Coast Guard is operating. When this property is determined to be excess to the needs of the Coast Guard, it shall be transferred to the jurisdiction of the Secretary for purposes of this Act. The Coast Guard may continue to maintain and operate existing navigational aids: *Provided*, That access to such navigational aids and the installation of necessary new navigational aids within the recreation area shall be undertaken in accordance with plans which are mutually acceptable to the Secretary and the Secretary of the Department in which the Coast Guard is operating and which are consistent with both the purposes of this Act and the purpose of existing statutes dealing with establishment, maintenance, and operation of navigational aids.

(h) That portion of Fort Miley comprising approximately one and seven-tenths acres of land presently used and required by the Secretary of the Navy for its inshore, underseas warfare installations shall remain under the administrative jurisdiction of the Department of the Navy until such time as all or any portion thereof is determined by the Department of Defense to be excess to its needs, at which time such excess portion shall be transferred to the administrative jurisdiction of the Secretary for purposes of this Act.

(i) New construction and development within the recreation area on property remaining under the administrative jurisdiction of the Department of the Army and not subject to the provisions of subsection (d) or (e) hereof shall be limited to that which is required to ac-

commodate facilities being relocated from property being transferred under this Act to the administrative jurisdiction of the Secretary or which is directly related to the essential missions of the Sixth United States Army: *Provided, however*, That any construction on presently undeveloped open space may be undertaken only after prior consultation with the Secretary. The foregoing limitation on construction and development shall not apply to expansion of those facilities know as Letterman General Hospital or the Western Medical Institute of Research.

(j) The owner of improved property on the date of its acquisition by the Secretary under this Act 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 the property is wholly or partially donated to the United States, the Secretary shall pay to the owner the fair market value of the property on the date of acquisition minus 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 purpose 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.

(k) The term "improved property", as used in subsection (j), means a detached, noncommercial residential dwelling, the construction of which was begun before June 1, 1971, to gether with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling, which are situated on the land so designated.

(l) Whenever an owner of property elects to retain a right of use and occupancy as provided for in the Act, 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 those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act.

(m) Notwithstanding any other provision of law, the Secretary shall have the same authority with respect to contracts for the acquisition of land and interests in land for the purposes of this Act as was given the Secretary of the Treasury for other land acquisitions by section 34 of the Act of May 30, 1908, relating to purchase of sites for public buildings (35 Stat. 545), and the Secretary and the owner of land to be acquired under this Act may agree that the purchase price will be paid in periodic installments over a period that does not exceed ten years, with interest on the unpaid balance thereof at a rate which is not in excess of the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities on the installments. Judgments against the United States for amounts in excess of the deposit in court made in condemnation actions shall be subject to the provisions of the Act of July 27, 1956 (70 Stat. 624) and sections 2414 and 2517 of title 28, United States Code.

ADMINISTRATION

SEC. 4. (a) The Secretary shall administer the lands, waters, and interests therein acquired for 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, and the Secretary may utilize such statutory authority available to him for the conservation and management of wildlife and natural resources as he deems appropriate to carry out the purposes of this Act. Notwithstanding their inclusion within the boundaries of the recreation area, the Muir Woods National Monument and Fort Point National Historic Site shall continue to be administered as distinct and identifiable units of the national park system in accordance with the laws applicable to such monument and historic site.

(b) The Secretary may enter into cooperative agreements with any Federal agency, the State of California, or any political subdivision thereof, for the rendering, on a reimbursable basis, of rescue, firefighting, and law enforcement and fire preventive assistance.

(c) The authority of the Army to undertake or contribute to water resource developments, including shore erosion control, beach protection, and navigation improvements on land and/or waters within the recreation area shall be exercised in accordance with plans which are mutually acceptable to the Secretary and the Secretary of the Army and which are consistent with both the purpose of this Act and the purpose of existing statutes dealing with water and related resource development.

(d) The Secretary, in cooperation with the State of California and affected political subdivisions thereof, lo-

cal and regional transit agencies, and the Secretaries of Transportation and of the Army, shall make a study for a coordinated public and private transportaton system to and within the recreation area and other units of the national park system in Marin and San Francisco Counties.

ADVISORY COMMISSION

SEC. 5. (a) There is hereby established the Golden Gate National Recreation Area Advisory Commission (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of fifteen members appointed by the Secretary for terms of three years each.

(c) Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) Members of the Commission shall serve without compensation, as such, but the Secretary may pay, upon vouchers signed by the Chairman, the expenses reasonably incurred by the Commission and its members in carrying out their responsibilities under this Act.

(e) The Secretary, or his designee, shall from time to time, but at least annually, meet and consult with the Commission on general policies and specific matters related to planning, administration and development affecting the recreation area and other units of the national park system in Marin and San Francisco Counties.

(f) The Commission shall act and advise by affirmative vote of a majority of the members thereof.

(g) The Commission shall cease to exist ten years after the enactment of this Act.

APPROPRIATION LIMITATIONS

SEC. 6. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not more than $61,610,000 shall be appropriated for the acquisition of lands and interests in lands. There are authorized to be appropriated not more than $58,000,000 (May 1971 prices) for the development of the recreation area, 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 type of construction involved herein.

Approved October 27, 1972.

Legislative History

House Report No. 92–1391 (Committee on Interior and Insular Affairs).
Senate Report No. 92–1271 accompanying S. 3174 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Oct. 11, considered and passed House.
Oct. 12, considered and passed Senate, in lieu of S. 3174.
Weekly Compilation of Presidential Documents, Vol. 8, No. 44: Oct. 28, Presidential statement.

17. Gulf Islands

An Act to provide for the establishment of the Gulf Islands National Seashore, in the States of Florida and Mississippi, for the recognition of certain historic values at Fort San Carlos, Fort Redoubt, Fort Barrancas, and Fort Pickens in Florida, and Fort Massachusetts in Mississippi, and for other purposes. (84 Stat. 1967)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve for public use and enjoyment certain areas possessing outstanding natural, historic, and recreational values, the Secretary of the Interior (hereinafter referred to as the "Secretary") may establish and administer the Gulf Islands National Seashore (hereinafter referred to as the "seashore"). The seashore shall comprise the following gulf coast islands and mainland areas, together with adjacent water areas as generally depicted on the drawing entitled "Proposed Boundary Plan, Proposed Gulf Islands National Seashore," numbered NS–GI–7100J, and dated December 1970:

(1) Ship, Petit Bois, and Horn Islands in Mississippi;

(2) the eastern portion of Perdido Key in Florida;

(3) Santa Rosa Island in Florida;

(4) the Naval Live Oaks Reservation in Florida;

(5) Fort Pickens and the Fort Pickens State Park in Florida; and

(6) a tract of land in the Pensacola Naval Air Station in Florida that includes the Coast Guard Station and Lighthouse, Fort San Carlos, Fort Barrancas, and Fort Redoubt and sufficient surrounding land for proper administration and protection of the historic resources.

SEC. 2. (a) Within the boundaries of the seashore, the Secretary may acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange, except that property owned by a State or any political subdivision thereof may be acquired only with the consent of the owner. The Secretary may acquire by any of the above methods not more than one hundred thirty-five acres of land or interests therein outside of the seashore boundaries on the mainland in the vicinity of Biloxi-Gulfport, Mississippi, for an administrative site and related facilities for access to the seashore. With the concurrence of the agency having custody thereof, any Federal property within the seashore and mainland site may be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of the seashore.

(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 of the Interior 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 seashore, 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 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 their 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 January 1, 1967, 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 marsh, beach, or waters and adjoining land that the Secretary deems is necessary for public access to such marsh, beach, or waters.

(d) The Secretary may terminate a right of 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 this 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 seashore in accordance with applicable Federal and States 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 agencies responsible for hunting and fishing activities.

SEC. 4. Any acquisition of lands, waters, or interests therein shall not diminish any existing rights-of-way or easements which are necessary for the transportation of oil and gas minerals through the seashore which oil and

gas minerals are removed from outside the boundaries thereof; and, the Secretary, subject to appropriate regulations for the protection of the natural and recreational values for which the seashore is established, shall permit such additional rights-of-way or easements as he deems necessary and proper.

SEC. 5. Except as otherwise provided in this Act, the Secretary shall administer the seashore in accordance with the Act of August 25, 1916 (30 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.). In the administration of the seashore the Secretary may utilize such statutory authorities available to him for the conservation and management of wildlife and natural resources as he deems appropriate to carry out the purposes of this Act. With respect to Fort Redoubt, Fort San Carlos, Fort Barrancas at Pensacola Naval Air Station, Fort Pickens on Santa Rosa Island, and Fort McRee on Perdido Key, Florida, and Fort Massachusetts on Ship Island, Mississippi, together with such adjacent lands as the Secretary may designate, the Secretary shall administer such lands so as to recognize, preserve, and interpret their national historical significance in accordance with the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467), and he may designate them as national historic sites. The Act of July 2, 1948 (62 Stat. 1220), which provided for the establishment of the Pensacola National Monument, is hereby repealed.

SEC. 6. The Secretary of the Interior and the Secretary of the Army may cooperate in the study and formulation of plans for beach erosion control and hurricane protection of the seashore. Any such protective works or spoil deposit activities undertaken by the Chief of Engineers, Department of the Army, shall be carried out within the seashore in accordance with a plan that is acceptable to the Secretary of the Interior and that is consistent with the purposes of this Act.

SEC. 7. There are hereby transferred from the National Wildlife Refuge System to the seashore the Horn Island and Petit Bois National Wildlife Refuges to be administered in accordance with the provisions of this Act.

SEC. 8. Within four years from the date of the enactment of this Act, the Secretary of the Interior shall review the area within the Gulf Islands National Seashore and shall report to the President, in accordance with subsections 3 (c) and 3 (d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), and recommended as to the suitability or nonsuitability of any area within the seashore for preservation as wilderness, and any designation of any such area as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

SEC. 9. No provision of this Act, or of any other Act made applicable thereby, shall be construed to affect, supersede, or modify any authority of the Department of the Army or the Chief of Engineers, with respect to navigation or related matters as specifically provided in section 6 of this Act.

SEC. 10. There is hereby established a Gulf Islands National Seashore Advisory Commission. The Commission shall terminate ten years after the date the seashore is established pursuant to this Act. The Commission shall be composed of three members from each county in which the seashore is located, each appointed for a term of two years by the Secretary as follows:

(1) one member to be appointed from recommendations made by the county commissioners in the respective counties;

(2) one member to be appointed from recommendations made by the Governor of the State from each county; and

(3) one member to be designated by the Secretary from each county.

Provided, That two members shall be appointed to the Advisory Commission in each instance in counties whose population exceeds one hundred thousand.

The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

Members of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

The Secretary or his designee shall, from time to time, consult with the Commission with respect to the matters relating to the development of the Gulf Islands National Seashore.

SEC. 11. There are authorized to be appropriated not more than $3,120,000 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 cost indices applicable to the types of construction involved herein.

Approved January 8, 1971.

Legislative History

House Report No. 91–1397 (Committee on Interior and Insular Affairs).
Senate Report No. 91–1514 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970):
Sept. 10, considered and passed House.
Dec. 28, considered and passed Senate, amended.
Dec. 29, House concurred in Senate amendment.

An Act to amend the Act of January 8, 1971 (Public Law 91-660; 84 Stat. 1967), an Act to provide for the establishment of the Gulf Islands National Seashore, in the States of Florida and Mississippi, for the recognition of certain historic values at Fort San Carlos, Fort Redoubt, Fort Barrancas, and Fort Pickens in Florida, and Fort Massachusetts in Mississippi, and for other purposes. (86 Stat. 123)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of January 8, 1971 (Public Law 91-660; 84 Stat. 1967) is amended as follows:

(1) In section 2(a) revise the second sentence by deleting "one hundred thirty-five" and inserting in lieu thereof "four hundred" and

(2) In section 11 delete "$3,120,000" and insert in lieu thereof "$3,462,000" and delate "$14,779,000 (1970 prices)" and insert "$17,774,000 (June 1970 prices)".

Approved April 20, 1972.

Legislative History

House Report No. 92-986 accompanying H.R. 11839 (Committee on Interior and Insular Affairs).
Senate Report No. 92-705 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Mar. 23, considered and passed Senate.
Apr. 17, considered and passed House, amended, in lieu of H.R. 11839.
Apr. 19, Senate concurred in House amendment.

18. Indiana Dunes

An Act to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes. (80 Stat. 1309)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve for the educational, inspirational, and recreational use of the public certain portions of the Indiana dunes and other areas of scenic, scientific, and historic interest and recreational value in the State of Indiana, the Secretary of the Interior is authorized to establish and administer the Indiana Dunes National Lakeshore (hereinafter referred to as the "lakeshore") in accordance with the provisions of this Act. The lakeshore shall comprise the area within the boundaries delineated on a map identified as "A Proposed Indiana Dunes National Lakeshore", dated September 1966, and bearing the number "LNPNE–1008–ID", which map is on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior.

SEC. 2. (a) Within the boundaries of the lakeshore the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or otherwise. The Indiana Dunes State Park may be acquired only by donation of the State of Indiana, and the Secretary is hereby directed to negotiate with the State for the acquisition of said park. In exercising his authority to acquire property by exchange for the purposes of this Act, the Secretary may accept title to non-Federal property located within the area described in section 1 of this Act and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary which he classifies as suitable for exchange or other disposal within the State of Indiana or Illinois. Properties so exchanged shall be approximately equal in fair market value, as determined by the Secretary who may, in his discretion, base his determination on an independent appraisal obtained by him: *Provided*, That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

(b) In exercising his authority to acquire property under subsection (a) of this section, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized to be appropriated by section 10 of this Act, but the liability of the United States under any such contract shall be contingent on the

appropriation of funds sufficient to fulfill the obligations thereby incurred.

SEC. 3. As soon as practicable after the effective date of this Act and following the acquisition by the Secretary of an acreage within the boundaries of the area described in section 1 of this Act which in his opinion is efficiently administrable for the purposes of this Act, he shall establish the Indiana Dunes National Lakeshore by publication of notice thereof in the Federal Register. Following such establishment and subject to the limitations and conditions prescribed in section 1 hereof, the Secretary may continue to acquire lands and interests in lands for the lakeshore.

SEC. 4. (a) The Secretary's authority to acquire property by condemnation shall be supended with respect to all improved property located within the boundaries of the lakeshore during all times when an appropriate zoning agency shall have in force and applicable to such property a duly adopted, valid zoning ordinance approved by the Secretary in accordance with the provisions of section 5 of this Act.

(b) The term "improved property", whenever used in this Act, shall mean a detached, one-family dwelling, construction of which was begun before January 4, 1965, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the lands so designated. The amount of lands so designated shall in every case be not more than three acres in area, and in making such designation the Secretary shall take into account the manner of noncommercial residential use in which the dwelling and land have customarily been enjoyed: *Provided*, That the Secretary may exclude from the land so designated any beach or waters, together with so much of the land adjoining such beach or waters, as he may deem necessary for public access thereto or public use thereof.

SEC. 5. (a) As soon as practicable after enactment of this Act, the Secretary shall issue regulations specifying standards for approval by him of zoning ordinances for the purposes of sections 4 and 6 of this Act. The Secretary may issue amended regulations specifying standards for approval by him of zoning ordinances whenever he shall consider such amended regulations to be desirable due to changed or unforeseen conditions. The Secretary shall approve any zoning ordinance and any amendment to any approved zoning ordinance submitted to him which conforms to the standards contained in the regulations in effect at the time of adoption of such ordinance or amend-

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ment by the zoning agency. Such approval shall not be withdrawn or revoked, by issuance of any amended regulations after the date of such approval, for so long as such ordinance or amendment remains in effect as approved.

(b) The standards specified in such regulations and amended regulations for approval of any zoning ordinance or zoning ordinance amendment shall contribute to the effect of (1) prohibiting the commercial and industrial use, other than any commercial or industrial use which is permitted by the Secretary, of all property covered by the ordinance within the boundaries of the lakeshore; and (2) promoting the preservation and development, in accordance with the purposes of this Act, of the area covered by the ordinance within the lakeshore by means of acreage, frontage, and setback requirements and other provisions which may be required by such regulations to be included in a zoning ordinance consistent with the laws of the State of Indiana.

(c) No zoning ordinance or amendment thereof shall be approved by the Secretary which (1) contains any provision which he may consider adverse to the preservation and development, in accordance with the purposes of this Act, of the area comprising the lakeshore; or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under and any exception made to the application of such ordinance or amendment.

(d) If any improved property, with respect to which the Secretary's authority to acquire by condemnation has been suspended according to the provisions of this Act, is made the subject of a variance under or exception to such zoning ordinance, or is subjected to any use, which variance, exception, or use fails to conform to or is inconsistent with any applicable standard contained in regulations issued pursuant to this section and in effect at the time of passage of such ordinance, the Secretary may, in his discretion, terminate the suspension of his authority to acquire such improved property by condemnation.

(e) The Secretary shall furnish to any party in interest requesting the same a certificate indicating, with respect to any property located within the lakeshore as to which the Secretary's authority to acquire such property by condemnation has been suspended in accordance with provisions of this Act, that such authority has been so suspended and the reasons therefor.

SEC. 6. (a) Any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the improved property for noncommercial residential purposes for a term of twenty-five years, or for such lesser time as the said owner or owners may elect at the time of acquisition by the Secretary. Where any

such owner retains a right of use and occupancy as herein provided, such right during its existence may be conveyed or leased for noncommercial residential purposes. 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 of the property on the date of such the fair market value on such date of the right retained by the owner.

(b) The Secretary shall have authority to terminate any right of use and occupancy retained as provided in subsection (a) of this section at any time after the date upon which any use occurs with respect to such property which fails to conform or is in any manner opposed to or inconsistent with the applicable standards contained in regulations issued pursuant to section 5 of this Act and which is in effect on said date: *Provided*, That no use which is in conformity with the provisions of a zoning ordinance approved in accordance with said section 5 and applicable to such property shall be held to fail to conform or be opposed to or inconsistent with any such standard. In the event the Secretary terminates a right of use and occupancy under this subsection, he shall pay to the owner of the right so terminated an amount equal to the fair market value of the portion of said right which remained unexpired on the date of termination.

SEC. 7. (a) In the administration of the lakeshore the Secretary may utilize such statutory authorities relating to areas of the national park system and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(b) In order that the lakeshore shall be permanently preserved in its present state, no development or plan for the convenience of visitors shall be undertaken therein which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing or with the preservation of such historic sites and structures as the Secretary may designate: *Provided*, That the Secretary may provide for the public enjoyment and understanding of the unique natural, historic, and scientific features within the lakeshore by establishing such trails, observation points, and exhibits and providing such services as he may deem desirable for such public enjoyment and understanding: *Provided further*, That the Secretary may develop for appropriate public uses such portions of the lakeshore as he deems especially adaptable for such uses.

SEC. 8. (a) There is hereby established an Indiana Dunes National Lakeshore Advisory Commission. Said Commission shall terminate ten years after the date of establishment of the national lakeshore pursuant to this Act.

(b) The Commission shall be composed of seven members, each appointed for a term of two years by the Secretary, as follows: (1) one member who is a year-round resident of Porter County to be appointed from recommendations made by the commissioners of such county; (2) one member who is a year-round resident of the town of Beverly Shores to be appointed from the recommendations made by the board of trustees of such town; (3) one member who is a year-round resident of the towns of Porter, Dune Acres, Portage, Pines, Chesterton, Ogden Dunes, or the village of Tremont, such member to be appointed from recommendations made by the boards of trustees or the trustee of the affected town or township; (4) one member who is a year-round resident of the city of Michigan City to be appointed from recommendations made by such city; (5) two members to be appointed from recommendations made by the Governor of the State of Indiana; and (6) one member to be designated by the Secretary.

(c) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expense reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

(e) The Secretary or his designee shall, from time to time, consult with the Commission with respect to matters relating to the development of the Indiana Dunes National Lakeshore and with respect to the provisions of sections 4, 5, and 6 of this Act.

SEC. 9. Nothing in this Act shall deprive the State of Indiana or any political subdivision thereof of its civil and criminal jurisdiction over persons found, acts performed, and offenses committed within the boundaries of the Indiana Dunes National Lakeshore or of its right to tax persons, corporations, franchises, or other non-Federal property on lands included therein.

SEC. 10. There are hereby authorized to be appropriated not more than $27,900,000 for the acquisition of land and interests in land pursuant to this Act.

Approved November 5, 1966.

Legislative History

House Report No. 1782 accompanying H.R. 51 (Committee on Interior and Insular Affairs).
Senate Report No. 334 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 111 (1965): June 21, considered and passed Senate.
Vol. 112 (1966):
Oct. 11, 12, considered in House.
Oct. 14, considered and passed House, amended, in lieu of H.R. 51.
Oct. 18, Senate concurred in House amendment.

19. Lake Chelan

An Act to establish the North Cascades National Park and Ross Lake and Lake Chelan National Recreation Areas, to designate the Pasayten Wilderness and to modify the Glacier Peak Wilderness, in the State of Washington, and for other purposes. (82 (Stat. 927)

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

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TITLE II—ROSS LAKE AND LAKE CHELAN NATIONAL RECREATION AREAS

SEC. 201. In order to provide for the public outdoor recreation use and enjoyment of portions of the Skagit River and Ross, Diablo, and Gorge Lakes, together with the surrounding lands, and for the conservation of the scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Ross Lake National Recreation Area (hereinafter referred to in this Act as the "recreation area"). The recreation area shall consist of the lands and waters within the area designated "Ross Lake National Recreation Area" on the map referred to in section 101 of this Act.

SEC. 202. In order to provide for the public outdoor recreation use and enjoyment of portions of the Stehekin River and Lake Chelan, together with the surrounding lands, and for the conservation of the scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Lake Chelan National Recreation Area (hereinafter referred to in this Act as the "recreation area"). The recreation area shall consist of the lands and waters within the area designated "Lake Chelan National Recreation Area" on the map referred to in section 101 of this Act.

TITLE III—LAND ACQUISITION

SEC. 301. Within the boundaries of the park and recreation areas, the Secretary of the Interior (hereinafter referred to in this Act as the "Secretary") may acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange, except that he may not acquire any such interests within the recreation areas without the consent of the owner, so long as the lands are devoted to uses compatible with the purposes of this Act. Lands owned by the State of Washington or any political subdivision thereof may be acquired

only by donation. Federal property within the boundaries of the park and recreation areas is hereby transferred to the administrative jurisdiction of the Secretary for administration by him as part of the park and recreation areas. The national forest land within such boundaries is hereby eliminated from the national forests within which it was heretofore located.

SEC. 302. In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the park and recreation areas and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction in the State of Washington which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

SEC. 303. Any owner of property acquired by the Secretary which on the date of acquisition is used for agricultural or single-family residential purposes, or for commercial purposes which he finds are compatible with the use and development of the park or the recreation areas, may, as a condition of such acquisition, retain the right of use and occupancy of the property for the same purposes for which it was used on such date, for a period ending at the death of the owner or the death of his spouse, whichever occurs later, or for a fixed term of not to exceed twenty-five years, whichever the owner may elect. Any right so retained may during its existence be transferred or assigned. Any right so retained may be terminated by the Secretary at any time after the date upon which any use of the property occurs which he finds is a use other than one which existed on the date of acquisition. In the event the Secretary terminates a right of use and occupancy under this section, he shall pay to the owner of the right the fair market value of the portion of said right which remains unexpired on the date of termination.

TITLE IV—ADMINISTRATIVE PROVISIONS

SEC. 401. The Secretary shall administer the park in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

SEC. 402. (a) The Secretary shall administer the recreation areas in a manner which in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such

management, utilization, and disposal of renewable natural resources and the continuation of such existing uses and developments as will promote or are compatible with, or do not significantly impair, public recreation and conservation of the scenic, scientific, historic, or other values contributing to public enjoyment. In administering the recreation areas, the Secretary may utilize such statutory authorities pertaining to the administration of the national park system, and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate for recreation and preservation purposes and for resource development compatible therewith.

(b) The lands within the recreation areas, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws. The Secretary, under such reasonable regulations as he deems appropriate, may permit the removal of the nonleasable minerals from lands or interest in lands within the recreation areas in the manner prescribed by section 10 of the Act of August 4, 1939, as amended (53 Stat. 1196; 43 U.S.C. 387), and he may permit the removal of leasable minerals from lands or interests in lands within the recreation areas in accordance with the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181 et seq.), or the Acquired Lands Mineral Leasing Act of August 7, 1947 (30 U.S.C. 351 et seq.), if he finds that such disposition would not have significant adverse effects on the administration of the recreation areas.

(c) All receipts derived from permits and leases issued on lands or interests in lands within the recreation areas under the Mineral Leasing Act of February 25, 1920, as amended, or the Acquired Lands Mineral Leasing Act of August 7, 1947, shall be disposed of as provided in the applicable Act; and receipts from the disposition of nonleasable minerals within the recreation areas shall be disposed of in the same manner as moneys received from the sale of public lands.

(d) The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the recreation areas in accordance with applicable laws of the United States and of the State of Washington, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the Department of Game of the State of Washington.

(e) The Secretary shall not permit the construction or use of any road within the park which would provide vehicular access from the North Cross State Highway to the Stehekin Road. Neither shall he permit the construction or use of any permanent road which would provide vehicular access between May Creek and Hozomeen along the east side of Ross Lake.

TITLE V—SPECIAL PROVISIONS

SEC. 501. The distributive shares of the respective counties of receipts from the national forests from which the national park and recreation areas are created, as paid under the provisions of the Act of May 23, 1908 (35 Stat. 260), as amended (16 U.S.C. 500), shall not be affected by the elimination of lands from such national forests by the enactment of this Act.

SEC. 502. Where any Federal lands included in the park or recreation areas are legally occupied or utilized on the effective date of this Act for any purpose, pursuant to a contract, lease, permit, or license issued or authorized by any department, establishment, or agency of the United States, the Secretary shall permit the persons holding such privileges to continue in the exercise thereof, subject to the terms and conditions thereof, for the remainder of the term of the contract, lease, permit, or license or for such longer period of time as the Secretary deems appropriate.

SEC. 503. Nothing in this Act shall be construed to affect adversely or to authorize any Federal agency to take any action that would affect adversely any rights or privileges of the State of Washington in property within the Ross Lake National Recreation Area which is being utilized for the North Cross State Highway.

SEC. 504. Within two years from the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture shall agree on the designation of areas within the park or recreation areas or within national forests adjacent to the park and recreation areas needed for public use facilities and for administrative purposes by the Secretary of Agriculture or the Secretary of the Interior, respectively. The areas so designated shall be administered in a manner that is mutually agreeable to the two Secretaries, and such public use facilities, including interpretive centers, visitor contact stations, lodges, campsites, and ski lifts, shall be constructed according to a plan agreed upon by the two Secretaries.

SEC. 505. Nothing in this Act shall be construed to supersede, repeal, modify, or impair the jurisdiction of the Federal Power Commission under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), in the recreation areas.

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 shall be appropriated for the acquisition of lands or interest in lands.

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Approved October 2, 1968.

20. Lake Mead

An Act to provide an adequate basis for administration of the Lake Mead National Recreation Area, Arizona and Nevada, and for other purposes. (78 Stat. 1039)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the national significance of the Lake Mead National Recreation Area, in the States of Arizona and Nevada, and in order to establish a more adequate basis for effective administration of such area for the public benefit, the Secretary of the Interior hereafter may exercise the functions and carry out the activities prescribed by this Act.

SEC. 2. Lake Mead National Recreation Area shall comprise that particular land and water area which is shown on a certain map, identified as "boundary map, RA–LM–7060–B, revised July 17, 1963", which is on file and which shall be available for public inspection in the office of the National Park Service of the Department of the Interior. An exact copy of such map shall be filed with the Federal Register within thirty days following the approval of this Act, and an exact copy thereof shall be available also for public inspection in the headquarters office of the superintendent of the said Lake Mead National Recreation Area.

The Secretary of the Interior is authorized to revise the boundaries of such national recreation area, subject to the requirement that the total acreage of that area, as revised, shall be no greater than the present acreage thereof. In the event of such boundary revision, maps of the recreation area, as revised, shall be prepared by the Department of the Interior, and shall be filed in the same manner, and shall be available for public inspection also in accordance with the aforesaid procedures and requirements relating to the filing and availability of maps. The Secretary may accept donations of land and interests in land within the exterior boundaries of such area, or such property may be procured by the Secretary in such manner as he shall consider to be in the public interest.

In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property located within the boundaries of the recreation area and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary, notwithstanding any other provision of law. The properties so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

Establishment or revision of the boundaries of the said national recreation area, as herein prescribed, shall not affect adversely any valid rights in the area, nor shall it affect the validity of withdrawals heretofore made for reclamation or power purposes. All lands in the recreation area which have been withdrawn or acquired by the United States for reclamation purposes shall remain subject to the primary use thereof for reclamation and power purposes so long as they are withdrawn or needed for such purposes. There shall be excluded from the said national recreation area by the Secretary of the Interior any property for management or protection by the Bureau of Reclamation, which would be subject otherwise to inclusion in the said recreation area, and which the Secretary of the Interior considers in the national interest should be excluded therefrom.

SEC. 3. The authorities granted by this Act shall be subject to the following exceptions and qualifications when exercised with respect to any tribal or allotted lands of the Hualapai Indians that may be included within the exterior boundaries of the Lake Mead National Recreation Area:

(a) The inclusion of Indian lands within the exterior boundaries of the area shall not be effective until approved by the Hualapai Tribal Council.

(b) Mineral developments or use of the Indian lands shall be permitted only in accordance with the laws that relate to Indian lands.

(c) Leases and permits for general recreational use, business sites, home sites, vacation cabin sites, and grazing shall be executed in accordance with the laws relating to leases of Indian lands, provided that all development and improvement leases so granted shall conform to the development program and standards prescribed for the Lake Mead National Recreation Area.

(d) Nothing in this Act shall deprive the members of the Hualapai Tribe of hunting and fishing privileges presently exercised by them, nor diminish those rights and privileges of that part of the reservation which is included in the Lake Mead Recreation Area.

SEC. 4. (a) Lake Mead National Recreation Area shall be administered by the Secretary of the Interior for general purposes of public recreation, benefit, and use, and in a manner that will preserve, develop, and enhance, so far as practicable, the recreation potential, and in a manner that will preserve the scenic, historic, scientific, and other important features of the area, consistently with applicable reservations and limitations relating to such area and with other authorized uses of the lands and properties within such area.

(b) In carrying out the functions prescribed by this Act, in addition to other related activities that may be

permitted hereunder, the Secretary may provide for the following activities, subject to such limitations, conditions, or regulations as he may prescribe, and to such extent as will not be inconsistent with either the recreational use or the primary use of that portion of the area heretofore withdrawn for reclamation purposes:

(1) General recreation use, such as bathing, boating, camping, and picnicking;

(2) Grazing;

(3) Mineral leasing;

(4) Vacation cabin site use, in accordance with existing policies of the Department of the Interior relating to such use, or as such policies may be revised hereafter by the Secretary.

SEC. 5. The Secretary of the Interior shall permit hunting, fishing, and trapping on the lands and waters under his jurisdiction within the recreation area in accordance with the applicable laws and regulations of the United States and the respective States: *Provided*, That the Secretary, after consultation with the respective State fish and game commissions, may issue regulations designating zones where and establishing periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment.

SEC. 6. Such national recreation area shall continue to be administered in accordance with regulations heretofore issued by the Secretary of the Interior relating to such areas, and the Secretary may revise such regulations or issue new regulations to carry out the purposes of this Act. In his administration and regulation of the area, the Secretary shall exercise authority, subject to the provisions and limitations of this Act, comparable to his general administrative authority relating to areas of the national park system.

The superintendent, caretakers, officers, or rangers of such recreation area are authorized to make arrests for violation of any of the regulations applicable to the area or prescribed pursuant to this Act, and they may bring the offender before the nearest commissioner, judge, or court of the United States having jurisdiction in the premises.

Any person who violates a rule or regulation issued pursuant to this Act shall be guilty of a misdemeanor, and may be punished by a fine of not moret han $500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

SEC. 7. Nothing in this Act shall deprive any State, or any political subdivision thereof, of its civil and criminal jurisdiction over the lands within the said national recreation area, or of its rights to tax persons, corporations, franchises, or property on the lands included in such area.

Nothing in this Act shall modify or otherwise affect the existing jurisdiction of the Hualapai Tribe or alter the status of individual Hualapai Indians within that part of the Hualapai Indian Reservation included in said Lake Mead National Recreation Area.

SEC. 8. Revenues and fees obtained by the United States from operation of the national recreation area shall be subject to the same statutory provisions concerning the disposition thereof as are similar revenues collected in areas of the national park system with the exception, that those particular revenues and fees including those from mineral developments, which the Secretary of the Interior finds are reasonably attributable to Indian lands shall be paid to the Indian owner of the land, and with the further exception that other fees and revenues obtained from mineral development and from activities under other public land laws within the recreation area shall be disposed of in accordance with the provisions of the applicable laws.

SEC. 9. A United States commissioner shall be appointed for that portion of the Lake Mead National Recreation Area that is situated in Mohave County, Arizona. Such commissioner shall be appointed by the United States district court having jurisdiction thereover, and the commissioner shall serve as directed by such court, as well as pursuant to, and within the limits of, the authority of said court.

The functions of such commissioner shall include the trial and sentencing of persons committing petty offenses, as defined in title 18, section 1, United States Code: *Provided*, That any person charged with a petty offense may elect to be tried in the district court of the United States, and the commissioner shall apprise the defendant of his right to make such election, but shall not proceed to try the case unless the defendant, after being so apprised, signs a written consent to be tried before the commissioner. The exercise of additional functions by the commissioner shall be consistent with and be carried out in accordance with the authority, laws, and regulations, of general application to United States commissioners. The provisions of title 18, section 3402, of the United States Code, and the rules of procedure and practice prescribed by the Supreme Court pursuant thereto, shall apply to all cases handled by such commissioner. The probation laws shall be applicable to persons tried by the commissioner and he shall have power to grant probation. The commissioner shall receive the fees, and none other, provided by law for like or similar services.

SEC. 10. There are hereby authorized to be appropriated not more than $1,200,000 for the acquisition of land and interests in land pursuant to section 2 of this Act.

Approved October 8, 1964.

Legislative History

House Report No. 1039 accompanying H.R. 4010 (Committee on Interior and Insular Affairs).
Senate Report No. 380 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 109 (1963): Aug. 2, considered and passed Senate.
Vol. 110 (1964):
Aug. 3, considered and passed House, amended, in lieu of H.R. 4010.
Sept. 28, Senate concurred in House amendment.

21. Lake Tahoe

An Act to authorize the Secretary of the Interior to study the feasibility and desirability of a national lakeshore on Lake Tahoe in the States of Nevada and California, and for other purposes. (84 Stat. 882)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to consider preserving appropriate segments of the lakeshore of Lake Tahoe and adjoining lands and waters in their natural condition for public outdoor recreation, the Secretary of the Interior (hereafter referred to as the "Secretary") shall study, investigate, and formulate recommendations on the feasibility and desirability of establishing such areas as a national lakeshore. The Secretary shall consult with the Secretary of Agriculture; the Chief of Engineers, Department of the Army; and any other interested Federal agencies, as well as the Tahoe Regional Planning Agency and other State and local bodies and officials involved; and shall coordinate the study with applicable outdoor recreation plans, pollution control plans, highway plans, and other planning activities relating to the Lake Tahoe Basin. Federal departments and agencies are authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to furnish such statistics, data, reports, and other material as the Secretary may deem necessary for purposes of the study.

SEC. 2. The Secretary shall submit to the President and the Congress of the United States, within one year after the date of this Act, a report of his findings and recommendations. The report of the Secretary shall contain, but not be limited to, findings with respect to—

(a) the scenic, scientific, historic, outdoor recreation, and natural values of the water, lakeshore, and related upland resources involved, including their use for driving for pleasure, walking, hiking, riding, bicycling, boating, swimming, picnicking, camping, forest management, fish and wildlife management, scenic and historic site preservation, hunting, fishing, and winter sports;

(b) the potential alternative beneficial uses of the water, lakeshore, and related upland resources involved, taking into consideration appropriate uses of the land for residential, commercial, industrial, agricultural, and transportation purposes, and for public services;

(c) the type of Federal, State, and local programs that are feasible and desirable in the public interest to preserve, develop, and make accessible for public use the values identified;

(d) the relationship of any recommended national lakeshore to existing or proposed Federal, State, and local programs to manage in the public interest the natural resources of the entire Lake Tahoe Basin; and

(e) alternative means of restoring and preserving the values inherent in the area under present ownership patterns.

SEC. 3. Pending submission of the report of the Secretary to the Congress, the heads of Federal agencies having administrative jurisdiction over the Federal lands within the area referred to in section 1 of this Act shall, consistent with the purposes for which the lands were acquired or set aside by the United States and to the extent authorized by law, encourage and provide maximum opportunities for the types of recreation use of such lands referred to in section 2(a) of this Act.

SEC. 4. There are authorized to be appropriated not more than $50,000 to carry out the provisions of this Act.

Approved September 26, 1970.

Legislative History

House Report No. 91–1403 (Committee on Interior and Insular Affairs).
Senate Report No. 91–855 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970) :
May 13, considered and passed Senate.
Sept. 14, considered and passed House, amended.
Sept. 16, Senate concurred in House amendments.

22. Lower St. Croix River

An Act to amend the Wild and Scenic Rivers Act by designating a segment of the Saint Croix River, Minnesota and Wisconsin, as a component of the national wild and scenic rivers system. (86 Stat. 1174)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Lower Saint Croix River Act of 1972".

SEC. 2. Section 3(a) of the Wild and Scenic Rivers Act (82 Stat. 907; 16 U.S.C. 1274(a)) is amended by adding at the end thereof the following:

"(9) LOWER SAINT CROIX, MINNESOTA AND WISCONSIN.—The segment between the dam near Taylors Falls and its confluence with the Mississippi River: *Provided*, (i) That the upper twenty-seven miles of this river segment shall be administered by the Secretary of the Interior; and (ii) That the lower twenty-five miles shall be designated by the Secretary upon his approval of an application for such designation made by the Governors of the States of Minnesota and Wisconsin."

SEC. 3. The Secretary of the Interior shall, within one year following the date of enactment of this Act, take, with respect to the Lower Saint Croix River segment, such action as is provided for under section 3(b) of the Wild and Scenic Rivers Act: *Provided*, That (a) the action required by such section shall be undertaken jointly by the Secretary and the appropriate agencies of the affected States; (b) the development plan required by such section shall be construed to be a comprehensive master plan which shall include, but not be limited to, a determination of the lands, waters, and interests therein to be acquired, developed, and administered by the agencies or political subdivisions of the affected States; and (c) such development plan shall provide for State administration of the lower twenty-five miles of the Lower Saint Croix River segment and for continued administration by the States of Minnesota and Wisconsin of such State parks and fish hatcheries as now lie within the twenty-seven-mile segment to be administered by the Secretary of the Interior.

SEC. 4. Notwithstanding any provision of the Wild and Scenic Rivers Act which limits acquisition authority within a river segment to be administered by a Federal agency, the States of Minnesota and Wisconsin may acquire within the twenty-seven-mile segment of the Lower Saint Croix River segment to be administered by the Secretary of the Interior such lands as may be proposed for their acquisition, development, operation, and main-

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tenance pursuant to the development plan required by section 3 of this Act.

SEC. 5. Nothing in this Act shall be deemed to impair or otherwise affect such statutory authority as may be vested in the Secretary of the Department in which the Coast Guard is operating or the Secretary of the Army for the maintenance of navigation aids and navigation improvements.

SEC. 6. (a) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed $7,275,000 for the acquisition and development of lands and interests therein within the boundaries of the twenty-seven-mile segment of the Lower Saint Croix River segment to be administered by the Secretary of the Interior.

(b) No funds otherwise authorized to be appropriated by this section shall be expended by the Secretary of the Interior until he has determined that the States of Minnesota and Wisconsin have initiated such land acquisition and development as may be proposed pursuant to the development plan required by section 3 of this Act, and in no event shall the Secretary of the Interior expend more than $2,550,000 of the funds authorized to be appropriated by this section in the first fiscal year following completion of the development plan required by section 3 of this Act. The balance of funds authorized to be appropriated by this section shall be expended by the Secretary of the Interior at such times as he finds that the States of Minnesota and Wisconsin have made satisfactory progress in their implementation of the development plan required by section 3 of this Act.

Approved October 25, 1972.

Legislative History

House Report No. 92–1579 (Committee on Interior and Insular Affairs).
Senate Report No. 92–1279 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972) :
Oct. 9, considered and passed Senate.
Oct. 13, considered and passed House.
Weekly Compilation of Presidential Documents, Vol. 8, No. 44 : Oct. 28, Presidential statement.

23. Oregon Dunes

An Act to establish the Oregon Dunes National Recreation Area in the State of Oregon, and for other purposes. (86 Stat. 99)

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 the public outdoor recreation use and enjoyment of certain ocean shorelines and dunes, forested areas, fresh water lakes, and recreational facilities in the State of Oregon by present and future generations and the conservation of scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Oregon Dunes National Recreation Area (hereinafter referred to as the "recreation area").

SEC. 2. The administration, protection, and development of the recreation area shall be by the Secretary of Agriculture (hereinafter called the "Secretary") in accordance with the laws, rules, and regulations applicable to national forests, in such manner as in his judgment will best contribute the attainment of the purposes set forth in section 1 of this Act.

SEC. 3. The portion of the recreation area delineated as the "Inland Sector" on the map referenced in section 4 of this Act is hereby established as an inland buffer sector in order to promote such management and use of the lands, waters, and other properties within such sector as will best protect the values which contribute to the purposes set forth in section 1 of this Act.

SEC. 4. The boundaries of the recreation area, as well as the boundaries of the inland sector included therein, shall be as shown on a map entitle "Proposed Oregon Dunes National Recreation Area" dated May 1971, which is on file and available for public inspection in the Office of the Chief, Forest Service, Department of Agriculture, and to which is attached and hereby made a part thereof a detailed description by metes and bounds of the exterior boundaries of the recreation area and of the inland sector. The Secretary may by publication of a revised map or description in the Federal Register correct clerical or typographical errors in said map or descriptions.

SEC. 5. Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area is hereby transferred without consideration to the administrative jurisdiction of the Secretary for use by him in implementing the purposes of this Act, but lands presently administered by the United States Coast Guard or the United States Corps of Engi-

neers may continue to be used by such agencies to the extent required.

SEC. 6. The boundaries of the Siuslaw National Forest are hereby extended to include all of the lands not at present within such boundaries lying within the recreation area as described in accordance with section 4 of this Act.

SEC. 7. Within the inland sector established by section 3 of this Act the Secretary may acquire the following classes of property only with the consent of the owner:

(a) improved property as hereinafter defined;

(b) property used for commercial or industrial purposes if such commercial or industrial purposes are the same such purposes for which the property was being used on December 31, 1970, or such commercial or industrial purposes have been certified by the Secretary or his designee as compatible with or furthering the purposes of this Act;

(c) timberlands under sustained yield management so long as the Secretary determines that such management is being conducted in accordance with standards for timber production, including but not limited to harvesting reforestation, and debris cleanup, not less stringent than management standards imposed by the Secretary on comparable national forest lands: *Provided*, That the Secretary may acquire such lands or interests therein without the consent of the owner if he determines that such lands or interests are essential for recreation use or for access to or protection of recreation developments within the purposes of this Act. In any acquisition of such lands or interests the Secretary shall, to the extent practicable, minimize the impact of such acquisition on access to or the reasonable economic use for sustained yield forestry of adjoining lands not acquired; and

(d) property used on December 31, 1970, primarily for private, noncommercial recreational purposes if any improvements made to such property after said date are certified by the Secretary of Agriculture or his designee as compatible with the purposes of this Act.

SEC. 8. (a) Within the boundaries of the recreation area lands, waters, and interests therein owned by or under the control of the State of Oregon or any political subdivision thereof may be acquired only by donation or exchange.

(b) No part of the Southern Pacific Railway right-of-way within the boundaries of the recreation area may be acquired without the consent of the railway, so long as it is used for railway purposes: *Provided*, That the Sec-

retary may condemn such easements across said right-of-way as he deems necessary for ingress and egress.

(c) Any person owning an improved property, as hereafter defined, within the recreation area may reserve for himself and his assigns, as a condition of the acquisition of such property, a right of use and occupancy of the residence and not in excess of three acres of land on which such residence is situated. Such reservation shall be for a term ending at the death of the owner, or the death of his spouse, whichever occurs later, or, in lieu thereof, for a definite term not to exceed twenty-five years: *Provided*, That, the Secretary may exclude from such reserved property any lands or waters which he deems necessary for public use, access, or development. The owner shall elect, at the time of conveyance, the term of the right to be reserved. Where any such owner retains a right of use and occupancy as herein provided, such right may during its existence be conveyed or leased in whole, but not in part, for noncommercial residential purposes. 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. At any time subsequent to the acquisition of such property the Secretary may, with the consent of the owner of the retained right of use and occupancy, acquire such right, in which event he shall pay to such owner the fair market value of the remaining portion of such right.

(d) The term "improved property" wherever used in this Act shall mean a detached one-family dwelling the construction of which was begun before December 31, 1970, together with any structures accessory to it and the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary finds necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use.

SEC. 9. The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the recreation area in accordance with applicable laws of the United States and the State of Oregon, except that the Secretary may designate zones where, and establish periods when, no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment. Except in emergencies, any regulation of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State fish and game department.

SEC. 10. The lands within the recreation area, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining

laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

SEC. 11. (a) The Secretary is authorized and directed, subject to applicable water quality standards now or hereafter established, to permit, subject to reasonable rules and regulations, the investigation for, appropriation, storage, and withdrawal of ground water, surface water, and lake, stream, and river water from the recreation area and the conveyance thereof outside the boundaries of the recreation area for beneficial use in accordance with applicable laws of the United States and of the State of Oregon if permission therefor has been obtained from the State of Oregon before the effective date of this Act: *Provided*, That nothing herein shall prohibit or authorize the prohibition of the use of water from Tahkenitch or Siltcoo Lakes in accordance with permission granted by the State of Oregon prior to effective date hereof in connection with certain industrial plants developed or being developed at or near Gardiner, Oregon.

(b) The Secretary is authorized and directed, subject to applicable water quality standards now or hereafter established, to permit, subject to reasonable rules and regulations, transportation and storage in pipelines within and through the recreation area of domestic and industrial wastes in accordance with applicable laws of the United States and of the State of Oregon if permission therefor has been obtained from the State of Oregon before the effective date of this Act.

(c) The Secretary is further authorized, subject to applicable water quality standards now or hereafter established, to grant such additional easements and rights, in terms up to perpetuity, as in his judgment would be appropriate and desirable for the effective use of the rights to water and the disposal of waste provided for herein and for other utility and private purposes if permission therefor has been obtained from the State of Oregon, subject to such reasonable terms and conditions as he deems necessary for the protection of the scenic, scientific, historic, and recreational features of the recreation area.

SEC. 12. (a) The Secretary shall establish an advisory council for the Oregon Dunes National Recreation Area, and shall consult on a periodic and regular basis with such council with respect to matters relating to management and development of the recreation area. The members of the advisory council, who shall not exceed fifteen in number, shall serve for individual staggered terms of three years each and shall be appointed by the Secretary as follows:

(i) a member to represent each country in which a portion of the recreation area is located, each such

appointee to be designated by the respective governing body of the county involved;

(ii) a member appointed to represent the State of Oregon, who shall be designated by the Governor of Oregon;

(iii) not to exceed eleven members appointed by the Secretary from among persons who, individually or through association with national or local organizations, have an interest in the administration of the recreation area; and

(iv) the Secretary shall designate one member to be Chairman and shall fill vacancies in the same manner as the original appointment.

(b) The Secretary shall, in addition to his consultation with the advisory council, seek the views of other private groups and individuals with respect to administration of the recreation area.

(c) The members shall not receive any compensation for their services as members of the council, as such, but the Secretary is authorized to pay expenses reasonably incurred by the council in carrying out its responsibilities.

SEC. 13. Within three years from the date of enactment of this Act, the Secretary shall review the area within the boundaries of the recreation area and shall report to the President, in accordance with subsections 3(b) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(b) and (d)), his recommendation as to the suitability or nonsuitability of any area within the recreation area for preservation as a wilderness, and any designation of any such area as a wilderness shall be accomplished in accordance with said subsection of the Wilderness Act.

SEC. 14. The Secretary shall cooperate with the State of Oregon or any political subdivision thereof in the administration of the recreation area and in the administration and protection of lands within or adjacent to the recreation area owned or controlled by the State or political subdivision thereof. Nothing in this Act shall deprive the State of Oregon or any political subdivision thereof of its right to exercise civil and criminal jurisdiction within the recreation area consistent with the provisions of this Act, or of its right to tax persons, corporations, franchises, or other non-Federal property, including mineral or other interests, in or on lands or waters within the recreation area.

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. For development of

the recreation area, not more than $12,700,000 is authorized to be appropriated.

Approved March 23, 1972.

Legislative History

House Report No. 92–894 accompanying H.R. 8763 (Committee on Interior and Insular Affairs).
Senate Report No. 92–422 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 117 (1971): Nov. 4, considered and passed Senate.
Vol. 118 (1972):
Mar. 6, considered and passed House, amended, in lieu of H.R. 8763.
Mar. 14, Senate concurred in House amendment.
Weekly Compilation of Presidential Documents, Vol. 8, No. 13: Mar. 24, Presidential statement.

24. Ozark Riverways

An Act to provide for the establishment of the Ozark National Scenic Riverways in the State of Missouri, and for other purposes. (78 Stat. 608)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of conserving and interpreting unique scenic and other natural values and objects of historic interest, including preservation of portions of the Current River and the Jacks Fork River in Missouri as free-flowing streams, preservation of springs and caves, management of wildlife, and provisions for use and enjoyment of the outdoor recreation resources thereof by the people of the United States, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall designate for establishment as the Ozark National Scenic Riverways the area (hereinafter referred to as "such area") generally depicted on map numbered NR OZA 7002 entitled "Proposed Ozark National Rivers" dated December 1963 which map is on file for public inspection in the office of the National Park Service, Department of the Interior: *Provided*, That the area so designated shall not include more than sixty-five thousand acres of land now in private ownership and that no lands shall be designated within two miles of the present boundaries of the municipalities of Eminence and Van Buren, Missouri. The Secretary, with the concurrence of the State, shall designate for inclusion in the Ozark National Scenic Riverways, the lands composing Big Springs, Alley Springs, and Round Spring State Parks, and the Secretary is hereby directed to negotiate with the State for the donation and the inclusion of such park lands in the Ozark National Scenic Riverways.

SEC. 2. The Secretary may, within the area designated or altered pursuant to section 4, acquire lands and interests therein, including scenic easements, by such means as he may deem to be in the public interest: *Provided*, That scenic easements may only be acquired with the consent of the owner of the lands or waters thereof: *And provided further*, That any parcel of land containing not more than five hundred acres, which borders either the Current River or the Jacks Fork River, and which is being primarily used for agricultural purposes, shall be acquired by the Secretary in its entirety unless the owner of any such parcel consents to the acquisition of a part thereof. Property so acquired which lies outside the boundary generally depicted on the map referred to in section 1 of this Act may be exchanged by the Secretary for any land of approximately equal value within the boundaries. Lands and waters owned by the State of

Missouri within such area may be acquired only with the consent of the State. Federally owned lands or waters lying within such area shall, upon establishment of the area pursuant to section 4 hereof, be transferred to the administrative jurisdiction of the Secretary, without transfer of funds, for administration as part of the Ozark National Scenic Riverways.

SEC. 3. Any owner or owners, including beneficial owners (hereinafter in this section referred to as "owner"), of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the improved property for noncommercial residential purposes for a term ending at the death of such owner, or the death of his spouse, or at the death of the survivor of either of them. The owner shall elect the term to be reserved. 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.

SEC. 4. When the Secretary determines that lands and waters, or interests therein, have been acquired by the United States in sufficient quantity to provide an administrable unit, he shall declare establishment of the Ozark National Scenic Riverways by publication of notice in the Federal Register. The Secretary may thereafter alter such boundaries from time to time, except that the total acreage in the Ozark National Scenic Riverways shall not exceed sixty-five thousand acres, exclusive of land donated by the State of Missouri or its political subdivisions and of federally owned land transferred pursuant to section 2 of this Act.

SEC. 5. (a) In furtherance of the purposes of this Act, the Secretary is authorized to cooperate with the State of Missouri, its political subdivisions, and other Federal agencies and organizations in formulating comprehensive plans for the Ozark National Scenic Riverways and for the related watershed of the Current and Jacks Fork Rivers in Missouri, and to enter into agreements for the implementation of such plans. Such plans may provide for land use and development programs, for preservation and enhancement of the natural beauty of the landscape, and for conservation of outdoor resources in the watersheds of the Current and Jacks Fork Rivers.

(b) The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Ozark National Scenic Riverways area in accordance with applicable Federal and State laws. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted, for reasons of public safety, administration, or public use and enjoyment and shall issue regulations after consultation with the Conservation Commission of the State of Missouri.

SEC. 6. The Ozark National Scenic Riverways shall be administered in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and in accordance with other laws of general application relating to the areas administered and supervised by the Secretary through the National Park Service; except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

SEC. 7. (a) There is hereby established an Ozark National Scenic Riverways Commission. The Commission shall cease to exist ten years after the date of establishment of the area pursuant to section 4 of this Act.

(b) The Commission shall be composed of seven members each appointed for a term of two years by the Secretary as follows:

(1) Four members to be appointed from recommendations made by the members of the county court in each of the counties in which the Ozark National Scenic Riverways is situated (Carter, Dent, Shannan, and Texas), one member from the recommendations made by each such court;

(2) Two members to be appointed from recommendations of the Governor of the State of Missouri; and

(3) One member to be designated by the Secretary.

(c) The Secretary shall designate one member to be chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) A member of the Commission shall serve without compensation. The Secretary shall reimburse members of the Commission for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(e) The Secretary or his designee shall from time to time consult with the members of the Commission with respect to matters relating to the development of the Ozark National Scenic Riverways, and shall consult with the members with respect to carrying out the provisions of this Act.

(f) It shall be the duty of the Commission to render advice to the Secretary from time to time upon matters which the Secretary may refer to it for its consideration.

SEC. 8. There are hereby authorized to be appropriated such sums (but not more than $7,000,000 for the acquisition of lands or interests in lands) as are necessary to carry out the purposes of this Act.

Approved August 27, 1964.

Legislative History
House Report No. 1241 accompanying H.R. 1803 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 109 (1963): Oct. 22, considered and passed Senate.
Vol. 110 (1964):
Aug. 11, considered and passed House, amended, in lieu of H.R. 1803.
Aug. 14, Senate concurred in House amendments.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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 limitation 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:

* * * * * * *

(7) Ozark National Scenic Riverways, Missouri: section 8 of the Act of August 27, 1964 (78 Stat. 608), is amended by changing "$7,000,000" to "$10,804,000"; and

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TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of the Interior is authorized to revise the boundaries of the following units of the national park system:

* * * * * * *

(10) Ozark National Scenic Riverways, Missouri: to add approximately 1,670 acres; and

* * * * * * *

SEC. 302. The boundary revisions authorized in section 301 shall become effective upon publication in the Federal Register of a map or other description of the lands added or excluded by the Secretary of the Interior.

SEC. 303. Within the boundaries of the areas as revised in accordance with section 301, the Secretary of the Interior is authorized to acquire lands and interest therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subject to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this Act, the Secretary (i) may tender, to the owner or owners of record on the date of enactment of this Act, a revocable permit for the continued use and occupancy of such land or any portion thereof subject to such terms and condi-

tions as he deems necessary or (ii) may acquire any land pursuant to this Act subject to the retention of a right of use and occupancy for a term not to exceed 25 years or for the life of the owner or owners. Lands and interests therein excluded from the areas pursuant to section 301 may be exchanged for non-Federal lands within the boundaries as revised, or they may be transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, as the Secretary of the Interior may deem appropriate. In exercising the authority in this section with respect to lands and interests therein excluded from the areas, the Secretary of the Interior may, on behalf of the United States, retrocede to the appropriate State exclusive or concurrent legislative jurisdiction subject to such terms and conditions as he may deem appropriate, over such lands, to be effective upon acceptance thereof by the State. Any such lands not so exchanged or transferred may be disposed of in accordance with the Federal Property and Administrative Services Act of 1949, as amended.

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TITLE IV—MISCELLANEOUS CHANGES

SEC. 401. The third sentence of section 2 of the Act of August 27, 1964 (78 Stat. 608) is amended to read as follows: "Lands and waters owned by the State of Missouri within such area may be acquired with the consent of the State and, notwithstanding any other provision of law, subject to provision for reversion to such State conditioned upon continued use of the property for National Scenic Riverway."

* * * * * * *

Approved April 11, 1972.

25. Padre Island

An Act to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes. (82 Stat. 1155)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, there are hereby authorized to be appropriated such sums as may be necessary to satisfy the final judgment of $6,810,380, (that is, $9,212,730 minus $2,402,350 deposited in court; all figures exclusive of amounts for tract No. 7) rendered against the United States in civil action numbered 65–C–54 in the United States District Court for the Southern District of Texas, for the acquisition of land and interests in land for the Padre Island National Seashore. The sums herein authorized to be appropriated shall be sufficient to pay the amount of said judgment, together with interest and costs as provided by law.

Approved October 17, 1968.

Legislative History

House Report No. 1856 (Committee on Interior and Insular Affairs).
Senate Report No. 1598 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 114 (1968):
Sept. 16: Considered and passed House.
Oct. 4: Considered and passed Senate.

An Act to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes. (83 Stat. 45)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, there are hereby authorized to be appropriated such sums as may be necessary to satisfy the final net judgments rendered against the United States in civil action numbered 66–B–1 in the United States District Court for the Southern District of Texas, for the acquisition of lands and interests in land for the Padre Island National Seashore, totaling $4,129,829.00, plus interest as provided by law.

Approved July 11, 1969.

Legislative History

House Report No. 91–305 (Committee on Interior and Insular Affairs).
Senate Report No. 91–261 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 115 (1969):
June 16: Considered and passed House.
June 30: Considered and passed Senate.

26. Pictured Rocks

An Act to establish in the State of Michigan the Pictured Rocks National Lakeshore, and for other purposes. (80 Stat. 922)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve for the benefit, inspiration, education, recreational use, and enjoyment of the public a significant portion of the diminishing shoreline of the United States and its related geographic and scientific features, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to take appropriate action, as herein provided, to establish in the State of Michigan the Pictured Rocks National Lakeshore.

SEC. 2. The area comprising that particular land and water depicted on the map identified as "Proposed Pictured Rocks National Lakeshore. United States Department of the Interior, National Park Service, Boundary Map, NL–PR–7100A, July 1966", which is on file and available for public inspection in the office of the National Park Service of the Department of the Interior, is hereby designated for establishment as the Pictured Rocks National Lakeshore. An exact copy of such map shall be filed for publication in the Federal Register within thirty days following the date of enactment of this Act.

SEC. 3. As soon as practicable after the date of enactment of this Act and following the acquisition by the Secretary of an acreage within the boundaries of the area which in his opinion is efficiently administrable for the purposes of this Act, he shall establish the Pictured Rocks National Lakeshore by publication of notice thereof in the Federal Register.

SEC. 4. (a) There is hereby established a Pictured Rocks National Lakeshore Advisory Commission. Said commission shall terminate ten years after the date the lakeshore is established pursuant to this Act.

(b) The commission shall be composed of five members, each appointed for a term of two years by the Secretary, as follows:

(1) Two members to be appointed from recommendations made by the county in which the lakeshore is situated;

(2) Two members to be appointed from recommendations made by the Governor of the State of Michigan; and

(3) One member to be designated by the Secretary.

(c) The Secretary shall designate one member to be chairman. Any vacancy in the commission shall be filled

in the same manner in which the original appointment was made.

(d) Members of the commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the commission in carrying out its responsibilities under this Act on vouchers signed by the chairman.

(e) The Secretary or his designee shall, from time to time, consult with the commission with respect to the matters relating to the development of the Pictured Rocks National Lakeshore.

SEC. 5. In administering the lakeshore the Secretary shall permit hunting and fishing on lands and waters under his jurisdiction in accordance with the applicable laws of the United States and of Michigan. The Secretary, after consultation with the Michigan Department of Conservation, may designate zones and establish periods where and when no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment. The Secretary shall, after consultation with such department, issue regulations, consistent with this section, as he may determine necessary to carry out the purposes of this section.

SEC. 6. (a) The administration, protection, and development of the Pictured Rocks National Lakeshore shall be exercised by the Secretary, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented, relating to the areas administered and supervised by the Secretary through the National Park Service; except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

(b) In the administration, protection, and development of the lakeshore, the Secretary shall prepare and implement a land and water use management plan, which shall include specific provision for—

(1) development of facilities to provide the benefits of public recreation, including a scenic shoreline drive;

(2) protection of scenic, scientific, and historic features contributing to public enjoyment; and

(3) such protection, management, and utilization (subject to the provisions of sections 9 and 10 of this Act) of renewable natural resources, including forage and forest products, as in the judgment of the Secretary is consistent with, and does not significantly impair public recreation and protection of scenic, scientific, and historic features contributing to public enjoyment.

SEC. 7. Nothing in this Act shall be construed as prohibiting any governmental jurisdiction in the State of Michigan from assessing taxes upon any interest in real estate retained under the provisions of section 11 of this Act to the owner of such interest.

SEC. 8. (a) The Secretary is authorized, subject to the limitations, conditions, and restrictions imposed by this Act, to acquire the land, water, and other property, and improvements thereon, and any interests therein (including easements) within the boundary described in section 2 of this Act by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or condemnation; except that such authority to acquire by condemnation shall be exercised only in the manner and to the extent specifically authorized in this Act.

(b) In exercising his authority to acquire property under this Act, the Secretary shall give immediate and careful consideration to any offer made by an individual owning property within the lakeshore to sell such property to the Secretary. In considering any such offer, the Secretary shall take into consideration any hardship to the owner which might result from any undue delay in acquiring his property.

(c) Any property or interests therein, owned by the State of Michigan, or any political subdivisions thereof, may be acquired only by donation. Notwithstanding any other provision of law, any Federal property located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act.

(d) The Secretary shall make every reasonable effort to acquire property through negotiation and purchase. Where agreement is not reached and condemnation proceedings are filed, the owner of such property shall be paid the fair market value thereof as determined in such proceedings.

(e) Nothing in this Act shall be construed to prohibit the use of condemnation as a means of acquiring a clear and marketable title, free of any and all encumbrances.

(f) In exercising his authority to acquire property by exchange the Secretary may accept title to any non-Federal property within the area designated by section 2 of this Act for inclusion in the lakeshore, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction within the State of Michigan which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal or, if they are not approximately equal, the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

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SEC. 9. (a) The area hereinafter described in subsection (b) of this section is hereby established as an inland buffer zone in order to stabilize and portect the existing character and uses of the lands, waters, and other properties within such zone for the purpose of preserving the setting of the shoreline and lakes, protecting the watersheds and streams, and providing for the fullest economic utilization of the renewable resources through sustained yield timber management and other resource management compatible with the purposes of this Act.

(b) As used in this Act, the term "inland buffer zone" means that part of the lakeshore delineated as such on the map identified as "Proposed Pictured Rocks National Lakeshore, United States Department of the Interior, National Park Service, Boundary Map, NL–PR–7100A, July, 1966". The Secretary shall file the map with the Office of the Federal Register, and it may also be examined in the Offices of the Department of the Interior.

SEC. 10. The Secretary shall be prohibited from acquiring by condemnation any (1) improved property within the inland buffer zone, or (2) property within the inland buffer zone during all times when, in his judgment such property is being used (A) for the growing and harvesting of timber under a scientific program of selective cutting and forest management, or (B) for commercial purposes, if such commercial purposes are the same such purposes for which usch property is being used on December 31, 1964, so long as the use of such improved or other property would further the purposes of this Act and such use does not impair the usefulness and attractiveness of the lakeshore.

(b) As used in this Act, the term "improved property" shall mean any one-family dwelling on which construction was begun before December 31, 1964, 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.

SEC. 11. (a) Any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain, for a term of not to exceed twenty-five years, or for a term ending at the death of such owner or owners, the right of use and occupancy of such property for any residential purpose which is not incompatible with the purposes of this Act or which does not impair the usefulness and attractiveness of the area designated for inclusion. The Secretary shall pay to the owner the value of the property on the date of such acquisition, less the value on such date of the right retained by the owner. Where any such owner retains a right of use and occupancy as herein provided, such right during its existence may be conveyed or leased for non-

commercial residential purposes in accordance with the provisions of this section.

(b) Any deed or other instrument used to transfer title to property, with respect to which a right of use and occupancy is retained under this section, shall provide that such property shall not be used for any purpose which is incompatible with purposes of this Act, or which impairs the usefulness and attractiveness of the lakeshore and if it should be so used, the Secretary shall have authority to terminate such right. In the event the Secretary exercises his power of termination under this subsection he shall pay to the owner of the right terminated an amount equal to the value of that portion of such right which remained unexpired on the date of such termination.

(c) Any land acquired by the Secretary under this Act on which there is situated a cottage or hunting lodge which, on December 31, 1964, was under lease to any lessee or lessees shall, if such lease is in effect on the date such land is so acquired, be acquired by the Secretary subject to such lease and the right of such lessee or lessees to continue using the property covered by such lease in accordance with the provisions thereof. Upon the expiration of such lease, the Secretary shall have the authority to enter into a lease with such lessee or lessees authorizing them to continue using such cottage or lodge (as the case may be) for a term of not to exceed twenty-five years, or for a term ending at the death of such lessee or lessees, subject to such conditions as may be prescribed by the Secretary.

SEC. 12. The Secretary shall, at the request of any township or county in or adjacent to the lakeshore affected by this Act, assist and consult with the appropriate officers and employees of such township or county in establishing zoning bylaws. Such assistance may include payments to the county or township for technical aid.

SEC. 13. The Secretary shall furnish to any interested person requesting the same a certificate indicating, with respect to any property which the Secretary has been prohibited from acquiring by condemnation in accordance with provisions of this Act, that such authority is prohibited and the reasons therefor.

SEC. 14. There are hereby authorized to be appropriated not more than $6,873,000 for the acquisition of lands and interests in land in connection with, and not more than $6,348,000 for development of, the Pictured Rocks National Lakeshore.

Approved October 15, 1966.

Legislative History

House Report No. 1896 (Committee on Interior and Insular Affairs).
Senate Report No. 1681 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 112 (1966):
Sept. 19: Considered and passed House.
Oct. 7: Considered and passed Senate, amended.
Oct. 10: House concurred in Senate amendment.

27. Point Reyes

An Act to amend the Act of September 13, 1962, authorizing the establishment of the Point Reyes National Seashore in the State of California, and for other purposes. (80 Stat. 919)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of September 13, 1962 (76 Stat. 538) is hereby amended as follows:

(a) Strike subsection (b) of section 2 and substitute therefor: "The area referred to in subsection (a) shall also include a right-of-way to the aforesaid tract in the general vicinity of the northwesterly portion of the property known as 'Bear Valley Ranch', to be selected by the Secretary, of not more than four hundred feet in width, together with such adjoining lands as would be deprived of access by reason of the acquisition of such right-of-way."

(b) In section 8 strike out "$14,000,000" and substitute "$19,135,000".

Approved October 15, 1966.

Legislative History

House Report No. 2067 (Committee on Interior and Insular Affairs).
Senate Report No. 1526 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 112 (1966):
Aug. 29: Considered and passed Senate.
Oct. 3: Considered and passed House, amended.
Oct. 7: Senate concurred in House amendment.

An Act to authorize the appropriation of additional funds necessary for acquisition of land at the Point Reyes National Seashore in California. (84 Stat. 90)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act of September 13, 1962 (76 Stat. 538), as amended (16 U.S.C. 459c–7), is amended (a) by deleting "$19,135,000" and inserting "$57,500,000", and (b) by changing the period at the end of the section to a colon and adding: "*Provided*, That no freehold, leasehold, or lesser interest in any lands hereafter acquired within the boundaries of the Point Reyes National Seashore shall be conveyed for residential or commercial purposes except for public accommodations, facilities, and services provided pursuant to the Act of October 9, 1965 (Public Law 89–249; 79 Stat. 969).".

SEC. 2. (a) Section 3(a) of the Act of September 13, 1962 (76 Stat. 538), is amended by striking out the words "Except as provided in section 4, the," in the first sentence and inserting the word "The" in lieu thereof.

(b) Section 4 is hereby repealed.

(c) The remaining sections of the Act of September 13, 1962 (76 Stat. 538), are renumbered accordingly.

Approved April 3, 1970.

Legislative History

House Report No. 91–785 (Committee on Interior and Insular Affairs).
Senate Report No. 91–738 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970) :
Feb. 10, considered and passed House.
Mar. 17, considered and passed Senate, amended.
Mar. 19, House concurred in Senate amendment.

28. Ross Lake

An Act to establish the North Cascades National Park and Ross Lake and Lake Chelan National Recreation Areas, to designate the Pasayten Wilderness and to modify the Glacier Peak Wilderness, in the State of Washington, and for other purposes. (82 Stat. 927)

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

* * * * * * *

TITLE II—ROSS LAKE AND LAKE CHELAN NATIONAL RECREATION AREAS

SEC. 201. In order to provide for the public outdoor recreation use and enjoyment of portions of the Skagit River and Ross, Diablo, and Gorge Lakes, together with the surrounding lands, and for the conservation of the scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established subject to valid existing rights, the Ross Lake National Recreation Area (hereinafter referred to in this Act as the "recreation area"). The recreation area shall consist of the lands and waters within the area designated "Ross Lake National Recreation Area" on the map referred to in section 101 of this Act.

SEC. 202. In order to provide for the public outdoor recreation use and enjoyment of portions of the Stehekin River and Lake Chelan, together with the surrounding lands, and for the conservation of the scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Lake Chelan National Recreation Area (hereinafter referred to in this Act as the "recreation area"). The recreation area shall consist of the lands and waters within the area designated "Lake Chelan National Recreation Area" on the map referred to in section 101 of this Act.

TITLE III—LAND ACQUISITION

SEC. 301. Within the boundaries of the park and recreation areas, the Secretary of the Interior (hereinafter referred to in this Act as the "Secretary") may acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange, except that he may not acquire any such interests within the recreation area without the consent of the owner, so long as the lands are devoted to uses compatible with the purposes of this Act. Lands owned by the State of Washing-

ton or any political subdivision thereof may be acquired only by donation. Federal property within the boundaries of the park and recreation areas is hereby transferred to the administrative jurisdiction of the Secretary for administration by him as part of the park and recreation areas. The national forest land within such boundaries is hereby eliminated from the national forests within which it was heretofore located.

SEC. 302. In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the park and recreation areas and in exchange therefore he may convey to the grantor of such property any federally owned property under his jurisdiction in the State of Washington which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

SEC. 303. Any owner of property acquired by the Secretary which on the date of acquisition is used for agricultural or single-family residential purposes, or for commercial purposes which he finds are compatible with the use and development of the park or the recreation areas, may, as a condition of such acquisition, retain the right of use and occupancy of the property for the same purposes for which it was used on such date, for a period ending at the death of the owner or the death of his spouse, whichever occurs later, or for a fixed term of not to exceed twenty-five years, whichever the owner may elect. Any right so retained may during its existence be transferred or assigned. Any right so retained may be terminated by the Secretary at any time after the date upon which any use of the property occurs which he finds is a use other than one which existed on the date of acquisition. In the event the Secretary terminates a right of use and occupancy under this section, he shall pay to the owner of the right the fair market value of the portion of said right which remains unexpired on the date of termination.

TITLE IV—ADMINISTRATIVE PROVISIONS

SEC. 401. The Secretary shall administer the park in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

SEC. 402. (a) The Secretary shall administer the recreation areas in a manner which in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values

contributing to public enjoyment; and (3) such management, utilization, and disposal of renewable natural resources and the continuation of such existing uses and developments as will promote or are compatible with, or do not significantly impair, public recreation and conservation of the scenic, scientific, historic, or other values contributing to public enjoyment. In administering the recreation areas, the Secretary may utilize such statutory authorities pertaining to the administration of the national park system, and such statutory authorities otherwise available to him for the conservation and management of natural resources as he deems appropriate for recreation and preservation purposes and for resource development compatible therewith.

(b) The lands within the recreation areas, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws. The Secretary, under such reasonable regulations as he deems appropriate, may permit the removal of the nonleasable minerals from lands or interest in lands within the recreation areas in the manner prescribed by section 10 of the Act of August 4, 1939, as amended (53 Stat. 1196; 43 U.S.C. 387), and he may permit the removal of leasable minerals from lands or interests in lands within the recreation areas in accordance with the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181 et seq.), or the Acquired Lands Mineral Leasing Act of August 7, 1947 (30 U.S.C. 351 et seq.), if he finds that such disposition would not have significant adverse effects on the administration of the recreation areas.

(c) All receipts derived from permits and leases issued on lands or interests in lands within the recreation areas under the Mineral Leasing Act of February 25, 1920, as amended, or the Acquired Lands Mineral Leasing Act of August 7, 1947, shall be disposed of as provided in the applicable Act; and receipts from the disposition of nonleasable minerals within the recreation areas shall be disposed of in the same manner as moneys received from the sale of public lands.

(d) The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the recreation areas in accordance with applicable laws of the United States and of the State of Washington, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the Department of Game of the State of Washington.

(e) The Secretary shall not permit the construction or use of any road within the park which would provide vehicular access from the North Cross State Highway to the Stehekin Road. Neither shall he permit the construction or use of any permanent road which would provide vehicular access between May Creek and Hozomeen along the east side of Ross Lake.

TITLE V—SPECIAL PROVISIONS

SEC. 501. The distributive shares of the respective counties of receipts from the national forests from which the national park and recreation areas are created, as paid under the provisions of the Act of May 23, 1908 (35 Stat. 260), as amended (16 U.S.C. 500), shall not be affected by the elimination of lands from such national forests by the enactment of this Act.

SEC. 502. Where any Federal lands included in the park or recreation areas are legally occupied or utilized on the effective date of this Act for any purpose, pursuant to a contract, lease, permit, or license issued or authorized by any department, establishment, or agency of the United States, the Secretary shall permit the persons holding such privileges to continue in the exercise thereof, subject to the terms and conditions thereof, for the remainder of the term of the contract, lease, permit, or license or for such longer period of time as the Secretary deems appropriate.

SEC. 503. Nothing in this Act shall be construed to affect adversely or to authorize any Federal agency to take any action that would affect adversely any rights or privileges of the State of Washington in property within the Ross Lake National Recreation Area which is being utilized for the North Cross State Highway.

SEC. 504. Within two years from the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture shall agree on the designation of areas within the park or recreation areas or within national forests adjacent to the park and recreation areas needed for public use facilities and for administrative purposes by the Secretary of Agriculture or the Secretary of the Interior, respectively. The areas so designated shall be administered in a manner that is mutually agreeable to the two Secretaries, and such public use facilities, including intrepretive centers, visitor contact stations, lodges, campsites, and ski lifts, shall be constructed according to a plan agreed upon by the two Secretaries.

SEC. 505. Nothing in this Act shall be construed to supersede, repeal, modify, or impair the jurisdiction of the Federal Power Commission under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), in the recreation areas.

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 shall be appropriated for the acquisition of lands or interest in lands.

* * * * * * *

Approved October 2, 1968.

29. Sawtooth

An Act to establish the Sawtooth National Recreation Area in the State of Idaho, to temporarily withdraw certain national forest land in the State of Idaho from the operation of the United States mining laws, and for other purposes. (86 Stat. 612)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to assure the preservation and protection of the natural, scenic, historic, pastoral, and fish and wildlife values and to provide for the enhancement of the recreational values associated therewith, the Sawtooth National Recreation Area is hereby established.

(b) The Sawtooth National Recreation Area (hereafter referred to as the "recreation area"), including the Sawtooth Wilderness Area (hereafter referred to as the "wilderness area"), shall comprise the lands generally depicted on the map entitled "Sawtooth National Recreation Area" dated June, 1972, which shall be on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture. The Secretary of Agriculture (hereafter referred to as the "Secretary") shall, as soon as practicable after the date of enactment of this Act, publish a detailed description and map showing the boundaries of the recreation area in the Federal Register.

SEC. 2. (a) The Secretary shall administer the recreation area in accordance with the laws, rules and regulations applicable to the national forests in such manner as will best provide (1) the protection and conservation of the salmon and other fisheries; (2) the conservation and development of scenic, natural, historic, pastoral, wildlife, and other values, contributing to and available for public recreation and enjoyment, including the preservation of sites associated with and typifying the economic and social history of the American West; and (3) the management, utilization, and disposal of natural resources on federally owned lands such as timber, grazing, and mineral resources insofar as their utilization will not substantially impair the purposes for which the recreation area is established.

(b) The lands designated as the Sawtooth Wilderness Area, which supersedes the Sawtooth Primitive Area, shall be administered in accordance with the provisions of this Act and the provisions of the Wilderness Act (78 Stat. 890), whichever is more restrictive, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

SEC. 3. (a) Except as provided in section 4, the Secretary is authorized to acquire by donation, purchase with

donated or appropriated funds, exchange, bequest, or otherwise any lands, or lesser interests therein, including mineral interests and scenic easements, which he determines are needed for the purposes of this Act: *Provided*, That acquisitions of lands or interests therein for access to and utilization of public property, and for recreation and other facilities, shall not exceed five per centum of the total acreage of all private property within the recreation area as of the effective date of this Act.

As used in this Act the term "scenic easement" means the right to control the use of land in order to protect the esthetic values for the purposes of this Act, but shall not preclude the continuation of any use exercised by the owner as of the date of this Act.

(b) In exercising this authority to acquire lands, the Secretary shall give prompt and careful consideration to any offer made by an individual owning any land, or interest in land, within the boundaries described in subsection 1(b) of this Act. In considering such offer, the Secretary shall take into consideration any hardship to the owner which might result from any undue delay in acquiring his property.

(c) The Secretary may utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this section only in cases where, in his judgment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire only such title as, in his judgment, is reasonably necessary to accomplish the objectives of this Act.

(d) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property, or interests therein, located within the recreation area and, notwithstanding any other provision of law, he may convey in exchange therefor any federally owned property within the State of Idaho which he classifies as suitable for exchange and which is under his administrative jurisdiction. The values of the properties so exchanged shall be approximately equal or, if they are not approximately equal, they shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. In the exercise of his exchange authority, the Secretary may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(e) Nothing in this Act shall be construed as limiting the authority of the Secretary to acquire mineral interests in lands within the recreation area, with or without the consent of the owner. Upon acquisition of any such interest, the lands and/or minerals covered by such interest are by this Act withdrawn from entry or appropriation under the United States mining laws and from disposi-

tion under all laws pertaining to mineral leasing and all amendments thereto.

(f) Any land or interest in land owned by the State of Idaho or any of its political subdivisions may be acquired only by donation or exchange.

(g) Notwithstanding any other provision of law, any Federal property located within the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the purposes of this Act. Lands acquired by the Secretary or transferred to his administrative jurisdiction within the recreation area shall become parts of the recreation area and of the national forest within or adjacent to which they are located.

(h) Except as otherwise provided, the Secretary shall have the authority to use condemnation as a means of acquiring a clear and marketable title, free of any and all encumbrances.

SEC. 4. (a) The Secretary shall make and publish regulations setting standards for the use, subdivision, and development of privately owned property within the boundaries of the recreation area. Such regulations shall be generally in furtherance of the purposes of this Act and shall have the object of assuring that the highest and best private use, subdivision, and development of such privately owned property is consistent with the purposes of this Act and with the overall general plan of the recreation area. Such regulations shall be as detailed and specific as is reasonably required to accomplish such objective and purpose. Such regulations may differ amongst the several parcels of private land in the boundaries and may from time to time be amended by the Secretary. All regulations adopted under this section shall be promulgated in conformity with the provisions of the Administrative Procedure Act. The United States District Court for the District of Idaho shall have jurisdiction to review any regulations established pursuant to the first sentence of this subsection, upon a complaint filed within six months after the effective date of such regulations, by any affected landowner in an action for a declaratory judgment.

(b) After publication of such regulations, no privately owned lands shall be acquired by the Secretary by condemnation unless he determines, in his judgment, that such lands are being used, or are in imminent danger of being used, in a manner incompatible with the regulations established pursuant to this section or unless such lands are determined to be necessary for access or development, in which case such acquisitions shall be subject to the 5 per centum limitation established in subsection 3(a) of this Act.

SEC. 5. The Secretary shall, as soon as practicable after the enactment of this Act, review the undeveloped and unimproved portion or portions of the recreation area as to suitability or nonsuitability for preservation as a part of the National Wilderness Preservation System. In conducting his review, the Secretary shall comply with the provisions of subsection 3(d) of the Wilderness Act of September 3, 1964 (78 Stat. 892), relating to public notice, public hearings, and review by State and other agencies, and shall advise the Senate and House of Representatives of his recommendations with respect to the designation as wilderness of the area or areas reviewed.

16 USC 1132.

SEC. 6. The Secretary may cooperate with other Federal agencies, with State and local public agencies, and with private individuals and agencies in the development and operation of facilities and services in the area in furtherance of the purposes of this Act, including, but not limited to, the restoration and maintenance of the historic setting and background of the frontier ranch-type town of Stanley.

SEC. 7. Nothing in this Act shall diminish, enlarge, or modify any right of the State of Idaho, or any political subdivision thereof, to exercise civil and criminal jurisdiction within the recreation area or of rights to tax persons, corporations, franchises, or property, including mineral or other interests, in or on lands or waters within the recreation area.

SEC. 8. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the recreation area in accordance with applicable laws of the United States and the State of Idaho, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, or public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State fish and game department.

SEC. 9. The jurisdiction of the State and the United States over waters of any stream included in the recreation area shall be determined by established principles of law. Under the provisions of this Act, any taking by the United States of a water right which is vested under either State or Federal law at the time of enactment of this Act shall entitle the owner thereof to just compensation. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

SEC. 10. Subject to valid existing rights, all Federal lands located in the recreation area are hereby withdrawn from all forms of location, entry, and patent under the mining laws of the United States.

SEC. 11. The Congress hereby recognizes and declares the need to take action to regulate the use of, and protect the surface values of, the Federal lands in the recreation area, and directs that rules and regulations necessary to carry out this section shall be promulgated and issued by the Secretary of Agriculture after consultation with the Secretary of the Interior. Such regulations shall include, when deemed necessary, provisions for control of the use of motorized and mechanical equipment for transportation over, or alteration of, the surface of such Federal land in connection with any authorized activities on such land, including but not limited to mineral prospecting, exploration, or development operations.

SEC. 12. Patents shall not hereafter be issued for locations and claims heretofore made in the recreation area under the mining laws of the United States.

SEC. 13. There are authorized to be appropriated for the purposes of this Act not more than $19,802,000 for the acquisition of lands and interests in lands and not more than $26,241,000 for development. 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.

SEC. 14. (a) The Secretary of the Interior, in consultation with appropriate Federal, State, and local agencies, shall make a comprehensive analysis of the natural, economic, and cultural values of the recreation area and the adjacent Pioneer Mountains for the purpose of evaluating the potentiality of establishing therein a national park or other unit of the national park system. He shall submit a report of the results of the analysis along with his recommendations to the Congress by December 31, 1974.

(b) His report shall show that in making the aforesaid recommendations he took into consideration, among other things—

(1) the feasible alternative uses of the land and the long- and short-term effect of such alternative uses, upon, but not limited to, the following—

(A) the State and local economy,

(B) the natural and cultural environment,

(C) the management and use of water resources,

(D) the management of grazing, timber, mineral, and other commercial activities,

(E) the management of fish and wildlife resources,

(F) the continued occupancy of existing homesites, campsites, commercial and public recreation enterprises, and other privately owned properties and the future development of the same,

(G) the interrelation between recreation areas, wilderness areas and park lands, and

(2) the establishment of a national park in the mountain peaks and upland areas together with such portions of the national recreation area as may be necessary and appropriate for the proper administration and public use of and access to such park lands, leaving the valleys and low-lying lands available for multiple-use purposes.

(c) Any recommendation for the establishment of a unit of the national park system shall be accompanied by (1) a master plan for the development and administration of such unit, indicating proposed boundaries, access or other roads, visitor facilities, and proposed management concepts applicable to such unit; (2) a statement of the estimated Federal cost for acquisition, development, and operation of such unit; and (3) proposed legislation for establishment of such park administrative unit.

(d) There are authorized to be appropriated not more than $50,000 to carry out the provisions of this section.

SEC. 15. If any provision of this Act is declared to be invalid, such declaration shall not affect the validity of any other provision hereof.

Approved August 22, 1972.

Legislative History

House Reports: No. 92–762 (Committee on Interior and Insular Affairs) and No. 92–1276 (Committee of Conference).
Senate Report No. 92–797 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Jan. 26, considered and passed House.
May 23, considered and passed Senate, amended.
Aug. 2, Senate agreed to conference report.
Aug. 14, House agreed to conference report.

30. Sleeping Bear Dunes

An Act to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes. (84 Stat. 1075)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Congress finds that certain outstanding natural features, including forests, beaches, dune formations, and ancient glacial phenomena, exist along the mainland shore of Lake Michigan and on certain nearby islands in Benzie and Leelanau Counties, Michigan, and that such features ought to be preserved in their natural setting and protected from developments and uses which would destroy the scenic beauty and natural character of the area. In order to accomplish this purpose for the benefit, inspiration, education, recreation, and enjoyment of the public, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to take appropriate action, as herein provided, to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore. In carrying out the provisions of this Act, the Secretary shall administer and protect the Sleeping Bear Dunes National Lakeshore in a manner which provides for recreational opportunities consistent with the maximum protection of the natural environment within the area.

(b) In preserving the lakeshore and stabilizing its development, substantial reliance shall be placed on cooperation between Federal, State, and local governments to apply sound principles of land use planning and zoning. In development the lakeshore, full recognition shall be given to protecting the private properties for the enjoyment of the owners.

SEC. 2. (a) The Sleeping Bear Dunes National Lakeshore (hereinafter referred to as the "lakeshore") shall comprise the land and water area generally depicted on the map entitled "A Proposed Sleeping Bear Dunes National Lakeshore Boundary Map", numbered NL–SBD–91,000 and dated May 1969, which shall be on file and available for public inspection in the offices of the National Park Service of the Department of the Interior.

(b) As soon as practicable after the date of enactment of this Act and following the acquisition by the Secretary of those lands owned by the State of Michigan within the boundaries of the area designated for inclusion in the lakeshore (excepting not to exceed three hundred acres in the Platte Bay area) and of such additional lands, if any, as are necessary to provide an area which in his opinion is efficiently administrable for the purposes of this Act, he shall establish the Sleeping Bears Dunes Na-

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tional Lakeshore by publication of notice thereof in the Federal Register.

SEC. 3. (a) Within thirty days, or as soon as possible thereafter, after the effective date of this Act, the Secretary shall publish in the Federal Register a map or other description of the lakeshore delineating areas constituting the following categories:

Category I, public use and development areas.

Category II, environmental conservation areas.

Category III, private use and development areas.

(b) Lands and interests therein designated as category I may be acquired by the Secretary in accordance with section 8 of this Act.

(c) Within one hundred and fifty days after the effective date of this Act, the Secretary shall publish in the Federal Register an additional map or other description of those lands, if any, designated as within categories II and III for acquisition by him in a fee in accordance with section 8 of this Act.

(d) Except as provided in subsection (f) of this section, the Secretary may, after the publication provided for in subsection (c), acquire only such interests in lands designated as category II, other than those to be acquired in fee simple, as he deems appropriate to insure the continued conservation and preservation of the environmental quality of the lakeshore.

(e) Except as provided in subsection (f) of this section, the Secretary may, after the publication provided for in subsection (c), acquire only such interests in lands designated as category III, other than those lands to be acquired in fee simple, as he deems appropriate to protect lands designated for acquisition.

(f) Not later than one hundred and fifty days after the effective date of this Act, the Secretary shall notify owners of real property in categories II and III, other than property designated by him for fee acquisition, of the minimum restrictions on use and development of such property under which such property can be retained in a manner compatible with the purpose for which the lakeshore was established. If the owner of any real property in categories II and III agrees to the use and development of his property in accordance with such restrictions, the Secretary may not acquire, without the consent of such owner, such property or interests therein for so long the the property affected is used in accordance with such restrictions, unless he determines that such property is needed for public use development. The foregoing limitations on acquisition shall also apply to any owners of real property to whom the Secretary did not, within the time set forth, give such a notice, except that if any property owner has not, within ninety days of the notice agreed to use the property in accordance with the notice, then the

Secretary may acquire, without limitation, fee or lesser interests in property by any of the methods set forth in section 8 of this Act: *Provided,* That nothing contained in subsections (d) and (e), and in this subsection, which limits the acquisition of the fee simple title to property within the lakeshore, shall prevent the Secretary from acquiring, without the consent of the owner, the fee simple title whenever in the Secretary's judgment the estimated cost of acquiring the lesser interest would be a substantial percentage of the estimated cost of acquiring the fee simple title.

SEC. 4. (a) There is hereby established a Sleeping Bear Dunes National Lakeshore Advisory Commission. The Commission shall cease to exist ten years after the establishment of the lakeshore pursuant to section 2 of this Act.

(b) The Commission shall be composed of ten members, each appointed for a term of two years by the Secretary, as follows:

(1) Four members to be appointed from recommendations made by the counties in which the lakeshore is situated, two members to represent each such county;

(2) Four members to be appointed from recommendations made by the Governor of the State of Michigan; and

(3) Two members to be designated by the Secretary.

(c) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filed in the same manner in which the original appointment was made.

(d) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

(e) The Secretary or his designee shall consult with the Commission with respect to matters relating to the development of the lakeshore and with respect to the provisions of sections 9, 12, and 13 of this Act.

SEC. 5. In administering the lakeshore the Secretary shall permit hunting and fishing on lands and waters under his jurisdiction in accordance with the laws of the State of Michigan and the United States applicable thereto. The Secretary, after consultation with the appropriate agency of the State of Michigan, may designate zones and establish periods where and when no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment and issue regulations, consistent with this section, as he may determine necessary to carry out the purposes of this section.

SEC. 6. (a) The administration, protection, and development of the lakeshore shall be exercised by the Secretary, subject to the provisions of this Act and of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented, relating to the areas administered and supervised by the Secretary through the National Park Service; except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

(b) In the administration, protection, and development of the area, the Secretary shall prepare and implement a land and water use management plan, which shall include specific provisions for—

(1) development of facilities to provide the benefits of public recreation;

(2) protection of scenic, scientific, and historic features contributing to public enjoyment; and

(3) such protection, management, and utilization of renewable natural resources as in the judgment of the Secretary is consistent with, and will further the purpose of, public recreation and protection of scenic, scientific, and historic features contributing to public enjoyment.

(c) Within four years from the date of enactment of this Act, the Secretary of the Interior shall review the area within the Sleeping Bear Dunes National Lakeshore and shall report to the President, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d), his recommendation as to the suitability or nonsuitability of any area within the lakeshore for preservation as wilderness, and any designation of any such area as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

(d) In developing the lakeshore the Secretary shall provide public use areas in such places and manner as he determines will not diminish the value or enjoyment for the owner or occupant of any improved property located thereon.

SEC. 7. Nothing in this Act shall be construed as prohibiting any governmental jurisdiction in the State of Michigan from assessing taxes upon any interest in real estate retained under the provisions of section 10 of this Act to the owner of such interest.

SEC. 8. (a) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, transfer funds, transfer from any Federal agency, or exchange lands and interests therein for the purposes of this Act. When an individual tract of land is only partly within the area designated, the Secretary may acquire the

entire tract by any of the above methods to avoid the payment of severance costs. Land so acquired outside the designated area may be exchanged by the Secretary for non-Federal lands within such area, and any portion of the land not utilized for such exchanges may be disposed of in accordance with the provisions of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (40 U.S.C. 471 et seq.).

(b) In exercising his authority to acquire property under this Act, the Secretary shall give immediate and careful consideration to any offer made by an individual owning property within the lakeshore to sell such property to the Secretary. An individual owning property within the lakeshore may notify the Secretary that the continued ownership by such individual of that property would result in hardship to him, and the Secretary shall immediately consider such evidence and shall within one year following the submission of such notice, subject to the availability of funds, purchase such property offered for a price which does not exceed its fair market value.

(c) Any property or interests therein, owned by the State of Michigan or any political subdivisions thereof, may be acquired only by donation. Notwithstanding any other provision of law, any property owned by the United States on the date of enactment of this Act located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act.

(d) With respect to that property which the Secretary is authorized to acquire by condemnation under the terms of this Act, the Secretary shall initiate no condemnation proceedings until after he has made every reasonable effort to acquire such property by negotiation and purchase. The certificate of the determination by the Secretary or his designated representative that there has been compliance with the provisions of this subsection and of subsection (b) of this section shall be prima facie evidence of such compliance.

(e) Nothing in his Act shall be construed to prohibit the use of condemnation as a means of acquiring a clear and marketable title, free of any and all encumbrances.

SEC. 9. (a) The Secretary shall, at the request of any township or county in or adjacent to the lakeshore affected by this Act, assist and consult with the appropriate officers and employees of such township or county in establishing zoning bylaws for the purpose of this Act. Such assistance may include payments to the county or township for technical aid.

(b) No improved property within the area designated for inclusion in the lakeshore shall be acquired by the Secretary by condemnation so long as the affected county

or township has in force and applicable thereto a duly adopted, valid zoning bylaw approved by the Secretary in accordance with the provisions of subsection (d) of this section and the use of improved property is in compliance therewith. In the event that the affected county or township does not have in effect and applicable to any improved property a duly adopted, valid zoning bylaw so approved, the Secretary shall be prohibited from acquiring such property by condemnation, if the owner thereof notifies the Secretary in writing of such owner's agreement to use his property in a manner consistent with the applicable standard set forth in subsection (d) of this section, and such prohibition against condemnation shall remain in effect for so long as such property is so used.

(c) If the Secretary determines that any such property referred to in subsection (b) of this section covered by any such bylaw is being used in a way which is not in substantial compliance with such bylaw, or that any such property referred to in subsection (by) with respect to which an agreement has been made in being used in a manner which is not substantially consistent with such applicable standards, he shall so notify the owner of any such property in writing. Such notice shall contain a detailed statement as to why the Secretary believes that such use is not in substantial compliance with such zoning bylaw or why such use is not substantially consistent with such applicable standards, as the case may be. Any such owner shall have sixty days following the receipt by him of that written notification within which to discontinue the use referred to in such notification. Discontinuance of such use within such sixty-day period shall have the effect of prohibiting the Secretary from acquiring such property by condemnation by reason of such use. In any case in which such use is not discontinued within such sixty-day period, the Secretary may, in his discretion, acquire such property by condemnation.

(d) Any zoning bylaw or amendment thereto submitted to the Secretary of approval for the purposes of this Act shall be approved by him if such bylaw or amendment contains provisions which—

(1) contribute to the effect of prohibiting the commercial and industrial use (other than a use for a commercial purpose as authorized under section 13 of this Act) of all property within the boundaries of such area which is situated within the county or township adopting such bylaw or amendment;

(2) are consistent with the objectives and purposes of this Act so that, to the extent possible under Michigan law, the scenic and scientific values of the lakeshore area will be protected;

(3) are designed to preserve the lakeshore character of the area by appropriate restrictions upon the burning of cover, cutting of timber (except tracts managed for sustained yield), removal of sand or gravel, and dumping, storage, or piling of refuse and other unsightly objects or other uses which would detract from the natural or traditional lakeshore scene;

(4) provide that no construction, reconstruction, moving, alteration, or enlargement of any property, including improved property as defined in this Act, within the lakeshore area shall be permitted, if such construction, reconstruction, moving, alteration, or enlargement would afford less than a fifty-foot setback from all streets measured at a right angle with the street line, and a twenty-five-foot distance from all contiguous properties. Any owner or zoning authority may request the Secretary of the Interior to determine whether a proposed move, alteration, construction, reconstruction, or enlargement of any such property would subject such property to acquisition by condemnation, and the Secretary, within sixty days of the receipt of such request, shall advise the owner or zoning authority in writing whether the intended use will subject the property to acquisition by condemnation; and

(5) have the effect of providing that the Secretary shall receive notice of any variance granted under, and of any exception made to the application of, such bylaw or amendment.

(e) The approval of any bylaw or amendment pursuant to subsection (d) shall not be withdrawn or revoked by the Secretary for so long as such bylaw or amendment remains in effect as approved. Any such bylaw or amendment so approved shall not be retroactive in its application.

SEC 10. (a) Any owner or owners of improved property situated within the area designated for inclusion in the lakeshore on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain, for a term of not to exceed twenty-five years, or for a term ending at the death of such owner or owners, the right of use and occupancy of such property for any residential purpose which is not incompatible with the purposes of this Act or which does not impair the usefulness and attractiveness of the area designated for inclusion. The Secretary shall pay to the owner the value of the property on the date of such acquisition, less the value on such date of the right retained by the owner. Where any such owner retains a right of use and occupancy as herein provided, such right during its existence may be conveyed or leased

for noncommercical residential purposes in accordance with the provisions of this section.

(b) Any deed or other instrument used to transfer title to property, with respect to which a right of use and occupancy is retained under this section, shall provide that such property shall not be used for any purpose which is incompatible with purposes of this Act, or which impairs the usefulness and attractiveness of such area and if it should be so used, the Secretary shall have authority to terminate such right. In the event the Secretary exercises his power of termination under this subsection he shall pay to the owner of the right terminated an amount equal to the value of that portion of such right which remained unexpired on the date of such termination.

SEC. 11. As used in this Act, the term "improved property" means a detached, one-family dwelling, construction of which was begun before December 31, 1964, together with so much of the land on which the dwelling is situated, such land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the lands so designated. The amount of the land so designated shall in every case be at least three acres in area, or all of such lesser acreage as may be held in the same ownership as the dwelling, and in making such designation the Secretary shall take into account the manner of noncommercial residential use in which the dwelling and land have customarily been enjoyed: *Provided, however*, That the Secretary may exclude from the land so designated any beach or water on Lake Michigan, together with so much of the land adjoining any such beach or waters, as the Secretary may deem necessary for public access thereto. If the Secretary makes such exclusion, an appropriate buffer zone shall be provided between any residence and the public access or beach.

SEC. 12. In order to facilitate visitor travel, provide scenic overlooks for public enjoyment and interpretation of the national lakeshore and related features, and in order to enhance recreational opportunities, the Secretary is authorized to construct and administer as a part of the national lakeshore scenic roads of parkway standards generally lying within the parkway zone designated on the map specified in section 2(a) of this Act. Such scenic roads shall include necessary connections, bridges, and other structural utilities. Notwithstanding any other provision of this Act, the Secretary may procure for this purpose land, or interest therein, by donation, purchase with appropriated or donated funds, or otherwise: *Provided*, That land and interest so procured shall not exceed

one hundred and fifty acres per mile of scenic road, except that tracts may be procured in their entirety in order to avoid severances. Property so acquired in excess of the acreage limitation provided in this section may be exchanged by the Secretary for any land of approximately equal value authorized for acquisition by this Act.

SEC. 13. In any case not otherwise provided for in this Act, the Secretary shall be prohibited from condemning any commercial property used for commercial purposes in existence on December 31, 1964, so long as, in his opinion, the use thereof would further the purpose of this Act, and such use does not impair the usefulness and attractiveness of the area designated for inclusion in the lakeshore. The following uses, among others, shall be considered to be uses compatible with the purposes of this Act: Commercial farms, orchards, motels, rental cottages, camps, craft and art studios, marinas, medical, legal, architectural, and other such professional offices, and tree farms.

SEC. 14. The Secretary shall furnish to any interested person requesting the same a certificate indicating, with respect to any property which the Secretary has been prohibited from acquiring by condemnation in accordance with provisions of this Act, that such authority is prohibited and the reasons therefor.

SEC. 15. There are authorized to be appropriated not more than $19,800,000 for the acquisition of lands and interests in lands and not more than $18,769,000 (June 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 type of construction involved herein.

Approved October 21, 1970.

Legislative History

House Report No. 91–1401 (Committee on Interior and Insular Affairs).
Senate Report No. 91–1263 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970) :
Sept. 22, considered and passed House.
Oct. 7, considered and passed Senate.

31. Whiskeytown-Shasta-Trinity

An Act to establish the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California, and for other purposes. (79 Stat. 1295)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide, in a manner coordinated with the other purposes of the Central Valley project, for the public outdoor recreation use and enjoyment of the Whiskeytown, Shasta, Clair Engle, and Lewiston reservoirs and surrounding lands in the State of California by present and future generations and the conservation of scenic, scientific, historic, and other values contributing to public enjoyment of such lands and waters, there is hereby established, subject to valid existing rights, the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California (hereinafter referred to as the "recreation area"). The boundaries of the recreation area, which consists of the Whiskeytown unit, the Shasta unit, and the Clair Engle-Lewiston unit, shall be those shown in drawing numbered BOR–WST 1004, dated July 1963, entitled "Proposed Whiskeytown-Shasta-Trinity National Recreation Area", which is on file and available for public inspection in the office of the Director of the Bureau of Outdoor Recreation, Department of the Interior. The Whiskeytown unit shall be administered by the Secretary of the Interior; and the Shasta and Clair Engle-Lewiston units shall be administered by the Secretary of Agriculture, except that lands or waters needed or used for the operation of the Central Valley project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation. The two Secretaries shall coordinate their planning and administration of the respective units in such manner as to provide integrated management policies for the recreation area as a whole for the purposes of this Act in order to bring about uniformity to the fullest extent feasible in the administration and use of the recreation area.

ACQUISITION OF PROPERTY

SEC. 2. (a) Within the boundaries of the portion of the recreation area under his jurisdiction and outside such boundaries when required for the construction or improvement of access roads thereto, each Secretary is authorized to acquire lands, waters, or other property, or any interest therein, in such manner, including exchange as hereinafter provided, as he considers to be in the public interest to carry out the purposes of this Act. In connection with any such acquisition, each Secretary may per-

mit the grantor a reservation of all or any part of the minerals or of any other interest or right of use in such lands or waters on such terms and conditions as the Secretary may deem appropriate. Any property or interest therein owned by the State of California or any political subdivision thereof within the recreation area may be acquired under the authority of this Act only with the concurrence of the owner. Notwithstanding any other provision of law, any Federal property located within the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the appropriate Secretary for use by him in carrying out the purposes of this Act.

The Secretary of the Interior, in order to assure public access to Clear Creek and to provide hiking and horseback riding trails for the public, may, as he deems necessary for these purposes acquire such easements or other interests on either or both sides of Clear Creek between the south boundary of the Whiskeytown unit and the highway at Igo, California.

The Secretary of Agriculture is authorized to acquire scenic easements or such other interests, including ownership of the land therein, as he determines to be appropriate to protect and assure the appearance of a strip of land not to exceed six hundred and sixty feet on each side of the centerline of Federal Aid Secondary Highway Numbered 1089 between the points where said highway crosses the south line of sections 19 and 20, township 35 north, range 8 west, and where it crosses the south line of section 18, township 36 north, range 7 west, on the northwesterly side of the Clair Engle-Lewiston unit. *Provided*, That such easements or interests shall not be acquired without the consent of the owners so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid, zoning ordinance that, in the judgment of the Secretary of Agriculture, conforms to the zoning standards set forth in regulations issued pursuant to subsection (e).

The two Secretaries shall engage in mutual consultation with respect to such acquisition and to exchange transactions so as to promote uniform policies therefor insofar as practicable, taking into consideration the purposes of the recreation area as a whole, the responsibility of the Secretary of the Interior for the administration of federally owned minerals and of the Central Valley project, and the responsibility of the Secretary of Agriculture for the adminstration of national forests.

(b) When the public interests will be benefited thereby, the Secretary of the Interior and the Secretary of Agriculture are each authorized to accept title to any non-

Federal property within any part of the recreation area and in exchange therefor convey to the grantor of such property any federally owned property under his jurisdiction within the State of California which he classifies as suitable for exchange or other disposal, notwithstanding any other provision of law. The properties so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary of the Interior or the Secretary of Agriculture, as the case may be, may accept cash from or pay cash to the grantor in such exchange in order to equalize the value of the properties exchanged. The Secretary of Agriculture shall obtain the concurrence of the Secretary of the Interior with respect to the value of any mineral interests in any such exchange proposed to be made by the Secretary of Agriculture.

(c) Any owner or owners of improved residential property on the date of its acquisition by either Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the property by himself and members of his immediate family for noncommercial residential purposes for a term ending at the death of such owner, the death of his spouse, or the day his last surviving child reaches the age of thirty, whichever is the latest. The value of the right retained shall be taken into consideration by the respective Secretary in determining the value of the property being acquired.

(d) Privately owned "improved property" or interests therein shall not be acquired under this Act without the consent of the owner so long as an appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid, zoning ordinance that is approved by the Secretary having jurisdiction of the unit wherein the property is located. The term "improved property" as used in this Act shall mean any building or group of related buildings the actual construction of which was begun before February 7, 1963, together with not more than three acres of the land in the same ownership on which the building or group of buildings is situated: *Provided*, That the respective Secretary may exclude from improved property any shore or waters, together with so much of the land adjoining such shore or waters as he deems necessary for public access thereto.

(e) Prior to the approval of any zoning ordinance for the purposes of this section, the Secretary of the Interior and the Secretary of Agriculture shall jointly issue regulations, which may be amended from time to time, specifying standards for such zoning ordinances. Standards specified in such regulations shall have the object of (1) prohibiting new commercial or industrial uses, other than commercial or industrial uses which the Secretaries consider to be consistent with the purposes of this Act; (2)

promoting the protection and development of properties for purposes of this Act by means of use, acreage, frontage, setback, density, height, or other requirements; and (3) providing that the appropriate Secretary shall receive notice of any variance granted under, or any exception made to, the application of the zoning ordinance. Following issuance of such regulations, each Secretary shall approve any zoning ordinance or any amendment to an approved zoning ordinance submitted to him that conforms to the standards contained in the regulations in effect at the time of adoption of the ordinance or amendment. Such approval shall remain effective for so long as such ordinance or amendment remains in effect as approved.

(f) The suspension of the respective Secretary's authority to acquire any improved property without the owner's consent shall automatically cease if (1) such property is made the subject of a variance or exception to any applicable zoning ordinance that does not conform to any applicable standard contained in regulations issued pursuant to this section; or (2) if such property is put to any use which does not conform to any applicable zoning ordinance.

(g) Each Secretary shall furnish to any party in interest upon request a certificate indicating the property with respect to which the Secretary's authority to acquire without the owner's consent is suspended.

(h) Within the Shasta and Clair Engle-Lewiston units any owner of unimproved property who proposes to develop his property or a part thereof for service to the public may submit to the Secretary of Agriculture a development plan which shall set forth the manner in which and the time by which the property is to be developed and the use to which it is proposed to be put. If upon review of such plan the Secretary determines that the development and use of the property in the manner prescribed conforms to a zoning ordinance approved in accordance with the provisions of this section and that such use and development would serve the purposes of this Act, the Secretary of Agriculture may in his discretion issue to such owner a certificate to that effect. Upon the issuance of any such certificate and so long as such property is developed, maintained, and used in conformity therewith, the authority of the Secretary of Agriculture to acquire such property or any interest therein without the consent of the owner shall be suspended. This subsection shall not apply to any property which the Secretary of Agriculture determines to be needed for easements and rights-of-way for access, utilities, or facilities, or for administrative sites, campgrounds, or other

areas needed for use by the United States for visitors to the national recreation area.

ESTABLISHMENT OF UNITS: BOUNDARY DEESCRIPTIONS

SEC. 3. (a) When the Secretary of Agriculture determines that sufficient lands, waters, or interest therein are owned or have been acquired by the United States within the boundaries of the Shasta unit or within the boundaries of the Clair Engle-Lewiston unit to permit efficient initial development and administration for the purposes of this Act, he shall publish in the Federal Register a notice to that effect and a detailed description of the boundaries of such unit.

(b) When the Secretary of the Interior determines that sufficient lands, waters, or interest therein are owned or have been acquired by the United States within the boundaries of the Whiskeytown unit to permit efficient initial development and administration for the purposes of this Act, he shall publish in the Federal Register a notice to that effect and a detailed description of the boundaries of the unit.

(c) Following the publication of any such notice, the respective Secretaries may continue to acquire the remaining property within the recreation area.

ADMINISTRATION: PRIORITIES

SEC. 4. (a) Each Secretary is authorized and directed to administer the portion of the recreation area under his jurisdiction in a manner coordinated with the other purposes of the Central Valley project and with the purposes of the recreation area as a whole and in such manner as in his judgment will best provide for (1) public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of renewable natural resources as in the judgment of the respective Secretary will promote or is compatible with, and does not significantly impair, public recreation and conservation of scenic, scientific, historic, or other values contributing to public enjoyment. Such administration shall be carried out under land and water use management plans which each Secretary shall prepare and may from time to time revise in consultation with the other.

(b) In the administration of the portion of the recreation area under his jurisdiction—

(1) the Secretary of Agriculture shall utilize statutory authorities relating to the national forests in such manner as he deems appropriate to carry out the purposes of this Act; and

(2) the Secretary of the Interior may utilize such statutory authorities relating to areas of the national park system and such statutory authority otherwise available to him for the conservation and development of natural resources as he deems appropriate to carry out the purposes of this Act.

HUNTING AND FISHING

SEC. 5. Each Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the recreation area in accordance with the applicable laws of the State of California and of the United States: *Provided*, That each Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, or public use and enjoyment no compatible with hunting or fishing. Regulations prescribing any such restrictions shall be issued after consultation with the California Department of Fish and Game.

MINERAL DEVELOPMENT

SEC. 6. The lands within the recreation area, subject to valid existing rights, are hereby withdrawn from location, entry, and patent under the United States mining laws. The Secretary of the Interior, under such regulations as he deems appropriate, may permit the removal of the nonleasable minerals from lands or interests in lands under his jurisdiction within the recreation area in the manner prescribed by section 10 of the Act of August 4, 1939, as amended (53 Stat. 1196; 43 U.S.C. 387), and from those under the jurisdiction of the Secretary of Agriculture within the recreation area in accordance with the provisions of section 3 of the Act of September 1, 1949 (63 Stat. 683; 30 U.S.C. 192c), and he may permit the removal of leasable minerals from lands or interests in lands within the recreation area in accordance with the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181 et seq.), or the Acquired Lands Mineral Leasing Act of August 7, 1947 (30 U.S.C. 351 et seq.), if he finds that such disposition would not have significant adverse effects on the purposes of the Central Valley project or the administration of the recreation area: *Provided*, That any lease or permit respecting such minerals in lands administered by the Secretary of Agriculture shall be issued only with his consent and subject to such conditions as he may prescribe.

All receipts derived from permits and leases issued under the authority of this section on lands administered by the Secretary of Agriculture shall be paid into the same funds or accounts in the Treasury of the United

States and shall be distributed in the same manner as provided for other receipts from the lands affected by the lease or permit, except that any receipts derived from permits or leases issued on those or other lands in the recreation area under the Mineral Leasing Act of February 25, 1920, as amended, or the Act of August 7, 1947, shall be disposed of as provided in the applicable Act; and receipts from the disposition of nonleasable minerals from public lands under the jurisdiction of the Secretary of the Interior shall be disposed of in the same manner as moneys received from the sale of public lands.

STATE JURISDICTION

SEC. 7. Nothing in this Act shall deprive any State or political subdivision thereof of its right to exercise civil and criminal jurisdiction within the recreaton area or of its right to tax persons, corporations, franchises, or property, including mineral or other interests, in or on lands or waters within the recreation area.

ADDITIONS TO THE SHASTA AND TRINITY NATIONAL FORESTS

SEC. 8. The exterior boundaries of the Shasta National Forest in the State of California are hereby extended to include the lands described in the Act of March 19, 1948 (62 Stat. 83), and sections 22 and 27, township 35 north, range 1 west, Mount Diablo base and meridian. The exterior boundaries of the Trinity National Forest in the State of California are hereby extended to include all of sections 4, 5, and 8, the east half and the northwest quarter of section 6, the east half of section 7, the northwest quarter of section 17, and the northeast quarter of section 18, township 33 north, range 8 west, Mount Diablo base and meridian. Subject to any valid claim or entry now existing and hereafter legally maintained, all public lands of the United States and all lands of the United States heretofore or hereafter acquired or reserved for use in connection with the Shasta, Clair Engle, or Lewiston Reservoirs of the Central Valley project within the exterior boundaries of the Shasta and Trinity National Forests which have not heretofore been added to and made a part of such forests, and all lands of the United States acquired for the purposes of the recreation area in the Shasta or Clair Engle-Lewiston units are hereby added to and made a part of the respective national forests within which they are situated: *Provided*, That lands within the flow lines of any reservoir operated and maintained by the Department of the Interior or otherwise needed or used for the operation of the Central Valley project shall continue to be administered by the Secretary of the Interior to the extent he determines to be required for such operation.

SEC. 9. Revenues and fees obtained by the United States from operation of the national recreation area shall be subject to the same statutory provisions concerning the disposition thereof as are similar revenues collected in areas of the national park system except that fees and revenues obtained from mineral development and from activities under other public land laws within the recreation area shall be disposed of in accordance with the provisions of the applicable laws.

SEC. 10. There are hereby authorized to be appropriated for the acquisition of lands and interests in land pursuant to the provisions of this Act not more than $21,600,000. There are also authorized to be appropriated not more than $22,700,000 for the development of recreation facilities pursuant to the provisions of this Act.

Approved November 8, 1965.

Legislative History

House Report No. 535 (Committee on Interior and Insular Affairs).
Senate Report No. 922 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965) :
July 12 : Considered and passed House.
Oct. 21 : Considered and passed Senate.

XI. NATIONAL CAPITAL PARKS

1. Benito Pablo Juarez Statue

Joint Resolution authorizing the erection of a statue of Benito Pablo Juarez on public grounds in the District of Columbia. (82 Stat. 1154)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to select an appropriate site for the location of a statue, including pedestal therefor, of Benito Pablo Juarez, a gift of the Government of the United States of Mexico, on grounds now owned by the United States of America in the District of Columbia, and the erection thereof is hereby authorized, such authority to terminate five years from the effective date of this joint resolution unless erection of the statue is begun within that time: *Provided*, That the choice of the site and the design of the statue shall be subject to the approval of the Commission of Fine Arts and the National Capital Planning Commission: *Provided further*, That the erection of the statue and proper landscape treatment of the site, including walks, shall be without expense to the United States of America, except for necessary maintenance after completion.

Approved October 17, 1968.

Legislative History

House Report No. 1903 (Committee on House Administration).
Senate Report No. 1488 (Committee on Rules and Administration).
Congressional Record, Vol. 114 (1968):
Aug. 1: Considered and passed Senate.
Oct. 7: Considered and passed House.

2. Father Flanagan's Boys' Home Memorial

Joint Resolution authorizing Father Flanagan's Boys' Home to erect a memorial in the District of Columbia or its environs. (79 Stat. 1215)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Father Flanagan's Boys' Home of Boys Town, Nebraska, is authorized to erect a memorial on public grounds in the District of Columbia, or its enirons, in honor and commemoration of Father Edward J. Flanagan, founder of the world famous home for underprivileged and homeless boys.

SEC. 2. (a) The Secretary of the Interior is authorized and directed to select with the approval of the Commission of Fine Arts and the National Capital Planning Commission, a suitable site on public grounds in the District of Columbia, or its environs, upon which may be erected the memorial authorized in the first section of this joint resolution. If the site selected is on pubic grounds belonging to or under the jurisdiction of the government of the District of Columbia, the approval of the Board of Commissioners of the District of Columbia shall also be obtained.

(b) The design and plans for such memorial shall be subject to the approval of the Secretary of the Interior, the Commission of Fine Arts, and the National Capital Planning Commission, and the United States and the District of Columbia shall be put to no expense in the erection thereof.

SEC. 3. The authority conferred pursuant to this joint resolution shall lapse unless (1) the erection of such memorial is commenced within five years from the date of enactment of this joint resolution, and (2) prior to its commencement funds are certified available in an amount sufficient, in the judgment of the Secretary of the Interior, to insure completion of the memorial.

SEC. 4. The maintenance and care of the memorial erected under the provisions of this joint resolution shall be the responsibility of the Secretary of the Interior.

Approved November 7, 1965.

Legislative History

House Report No. 1174 (Committee on House Administration).
Senate Report No. 930 (Committee on Rules and Administration).
Congressional Record, Vol. 111 (1965) :
Oct. 19 : Considered and passed House.
Oct. 21 : Considered and passed Senate.

3. Francis Asbury Statue

An Act to authorize the Secretary of the Interior to permit the removal of the Francis Asbury statue, and for other purposes. (84 Stat. 201)

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 permit the removal of the statue of Francis Asbury erected, pursuant to the Act of February 28, 1919 (40 Stat. 1213), on lands in the District of Columbia now under the administrative jurisdiction of the National Park Service, and to convey without compensation title to said statue to the Methodist Corporation, a religious corporation duly organized and existing under the laws of the District of Columbia, upon such terms and conditions as the Secretary deems necessary. The removal of the statue and restoration of the site to the satisfaction of the Secretary shall be without cost to the United States.

Approved May 4, 1970.

Legislative History

House Report No. 91–998 (Committee on House Administration).
Senate Report No. 91–493 (Committee on Interior and Insular Affairs).
Congressional Record :
Vol. 115 (1969) : Oct. 23, considered and passed Senate.
Vol. 116 (1970) : Apr. 20, considered and passed House.

4. Frederick Douglass Home

An Act to amend the Act entitled "An Act to provide for the establishment of the Frederick Douglass home as a part of the park system in the National Capital, and for other purposes", approved September 5, 1962. (83 Stat. 183)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act entitled "An Act to provide for the establishment of the Frederick Douglass home as a part of the park system in the National Capital, and for other purposes", approved September 5, 1962 (76 Stat. 435), is amended to read as follows:

"SEC. 4. There are authorized to be appropriated such sums, but not more than $413,000, as may be needed for the restoration and development of buildings and grounds at Cedar Hill."

Approved November 6, 1969.

Legislative History

House Report No. 91–540 (Committee on Interior and Insular Affairs).
Senate Report No. 91–496 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 115 (1969) :
Oct. 6 : Considered and passed House.
Oct. 23 : Considered and passed Senate.

5. Gen. John J. Pershing Memorial

An Act to authorize the erection of a memorial in the District of Columbia to General John J. Pershing. (80 Stat. 1377)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the American Battle Monuments Commission is authorized to provide for the erection of a memorial to the late John J. Pershing, General of the Armies of the United States, and to the officers and men under his command, such memorial to be erected—

(1) in accordance with a design to be submitted by the American Battle Monuments Commission and approved by the President's Temporary Commission on Pennsylvania Avenue or its successor in interest; and

(2) on that parcel of federally owned land in the northwest section of the District of Columbia, bounded on the north by Pennsylvania Avenue, on the south by E Street, on the west by Fifteenth Street, and on the east by Fourteenth Street.

SEC. 2. The maintenance and care of the memorial herein authorized to be erected shall, upon completion, be the responsibility of the Secretary of the Interior.

SEC. 3. There is hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

Approved November 7, 1966.

Legislative History

House Report No. 1864 accompanying H.R. 14195 (Committee on House Administration).
Senate Report No. 1196 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 112 (1966):
June 2: Considered and passed Senate.
Aug. 31: Considered and passed House, amended, in lieu of H.R. 14195.
Oct. 14: Senate concurred in House amendments.

6. John F. Kennedy Center

To amend the Public Buildings Act of 1959, as amended, to provide for financing the acquisition, construction, alteration, maintenance, operation, and protection of public buildings, and for other purposes. (86 Stat. 216)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public Buildings Amendments of 1972".

* * * * * * *

SEC. 10. Section 6 of the John F. Kennedy Center Act, as amended (72 Stat. 1968), is amended by adding at the end thereof the following new subsection:

"(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 hereby authorized to be appropriated for the fiscal year ending June 30, 1973, to the Secretary of the Interior such sums as may be necessary for carrying out this subsection."

* * * * * * *

Approved June 16, 1972.

Legislative History

House Reports: No. 92-989 accompanying H.R. 10488 (Committee on Public Works) and No. 92-1097 (Committee of Conference).
Senate Report No. 92-412 (Committee on Public Works).
Congressional Record:
Vol. 117 (1971): Nov. 1, considered and passed Senate.
Vol. 118 (1972): Apr. 19, considered and passed House, amended, in lieu of H.R. 10488.
June 5, House agreed to conference report.
June 7, Senate agreed to conference report.
Weekly Compilation of Presidential Documents, Vol. 8, No. 26: June 16, Presidential statement.

7. Joseph H. Hirshhorn Museum and Sculpture Garden

An Act to provide for the establishment of the Joseph H. Hirshhorn Museum and Sculpture Garden, and for other purposes. (80 Stat. 1403)

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

SECTION. 1. (a) The area bounded by Seventh Street, Independence Avenue, Ninth Street, and Jefferson Drive, in the District of Columbia, is hereby appropriated to the Smithsonian Institution as the permanent site of a museum and the area bounded by Seventh Street, Jefferson Drive, Ninth Street, and Madison Drive, in the District of Columbia is hereby made available to the Smithsonian Institution as the permanent site of a sculpture garden, both areas to be used for the exhibition of works of art.

(b) The Board of Regents of the Smithsonian Institution is authorized to remove any existing structure, to prepare architectural and engineering designs, plans, and specifications, and to construct a suitable museum within said area lying south of Jefferson Drive and to provide a sculpture garden for the use of the Smithsonian Institution within the areas designated in section 1(a) of this Act.

SEC. 2. (a) The museum and sculpture garden provided for by this Act shall be designated and known in perpetuity as the Joseph H. Hirshhorn Museum and Sculpture Garden, and shall be a free public museum and sculpture garden under the administration of the Board of Regents of the Smithsonian Institution. In administering the sculpture garden the Board shall cooperate with the Secretary of Interior so that the development and use of the Garden is consistent with the open-space concept of the Mall, for which the Secretary of Interior is responsible, and with related development regarding underground garages and street development.

(b) The faith of the United States is pledged that the United States shall provide such funds as may be necessary for the upkeep, operation, and administration of the Joseph H. Hirshhorn Museum and Sculpture Garden.

(c) The Joseph H. Hirshhorn Museum and Sculpture Garden shall be the permanent home of the collections of art of Joseph H. Hirshhorn and the Joseph H. Hirshhorn Foundation, and shall be used for the storage, exhibition, and study of works of art, and for the administration of the affairs of the Joseph H. Hirshhorn Museum and Sculpture Garden.

SEC. 3. (a) There is established in the Smithsonian Institution a Board of Trustees to be known as the Trustees of the Joseph H. Hirshhorn Museum and Sculpture Garden, which shall provide advice and assistance to the Board of Regents of the Smithsonian Institution on all matters relating to the administration, operation, maintenance, and preservation of the Joseph H. Hirshhorn Museum and Sculpture Garden; and which shall have the sole authority (i) to purchase or otherwise acquire (whether by gift, exchange, or other means) works of art for the Joseph H. Hirshhorn Museum and Sculpture Garden, (ii) to loan, exchange, sell, or otherwise dispose of said works of art, and (iii) to determine policy as to the methods of display of the works of art contained in said museum and sculpture garden.

(b) The Board of Trustees shall be composed of the Chief Justice of the United States and the Secretary of the Smithsonian Institution, who shall serve as ex officio members, and eight general members to be appointed as follows: Four of the general members first taking office shall be appointed by the President of the United States from among nominations submitted by Joseph H. Hirshhorn and four shall be appointed by the President from among nominations submitted by the Board of Regents of the Smithsonian Institution. The general members so appointed by the President shall have terms expiring one each on July 1, 1968, 1969, 1970, 1971, 1972, 1973, 1974, and 1975, as designated by the President. Successor general members (who may be elected from among members whose terms have expired) shall serve for a term of six years, except that a successor chosen to fill a vacancy occurring prior to the expiration of the term of office of his predecessor shall be chosen only for the remainder of such term. Vacancies occurring among general members of the Board of Trustees of the Joseph H. Hirshhorn Museum and Sculpture Garden shall be filled by a vote of not less than four-fifths of the then acting members of the Board of Trustees.

SEC. 4. The Board of Regents of the Smithsonian Institution may appoint and fix the compensation and duties of a director and, subject to his supervision, an administrator and two curators of the Joseph H. Hirshhorn Museum and Sculpture Garden, none of whose appointment, compensation, or duties shall be subject to the civil service laws or the Classification Act of 1949, as amended. The Board of Regents may employ such other officers and employees as may be necessary for the efficient administration, operation, and maintenance of the Joseph H. Hirshhorn Museum and Sculpture Garden.

SEC. 5. There is authorized to be appropriated not to exceed $15,000,000 for the planning and construction of

the Joseph H. Hirshhorn Museum and Sculpture Garden, and such additional sums as may be necessary for the maintenance and operation of such museum and sculpture garden.

Approved November 7, 1966.

Legislative History

House Report No. 2222 (Committee on Public Works).
Senate Reports: No. 1538 (Committee on Public Works) and No. 1583 (Committee on Rules and Administration).
Congressional Record, Vol. 112 (1966):
Sept. 1: Considered and passed Senate.
Oct. 17: Considered and passed House.

8. Mary McLeod Bethune

Joint Resolution extending for four years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune. (84 Stat. 303)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective June 1, 1967, the last sentence of the joint resolution entitled "Joint resolution authorizing the erection in the District of Columbia of a memorial to Mary McLeod Bethune", approved June 1, 1960, as amended (74 Stat. 154, 79 Stat. 822), is amended by striking out "within seven years" and inserting in lieu thereof "within eleven years".

Approved June 12, 1970.

Legislative History

House Report No. 91-999 (Committee on House Administration).
Senate Report No. 91-898 (Committee on Rules and Administration).
Congressional Record, Vol. 116 (1970):
Apr. 20, considered and passed House.
May 28, considered and passed Senate.

Joint Resolution extending for two years the existing authority for the erection in the District of Columbia of a memorial to Mary McLeod Bethune. (85 Stat. 157)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective June 1, 1971, the last sentence of the joint resolution entitled "Joint resolution authorizing the erection in the District of Columbia of a memorial to Mary McLeod Bethune", approved June 1, 1960, as amended (74 Stat. 154, 79 Stat. 822, 84 Stat. 303), is amended by striking out "within eleven years" and inserting in lieu thereof "within thirteen years".

Approved July 29, 1971.

Legislative History

House Report No. 92-311 (Committee on House Administration).
Senate Report No. 92-151 (Committee on Rules and Administration).
Congressional Record, Vol. 117 (1971):
June 18, considered and passed Senate.
July 19, considered and passed House.

9. National Visitor Center

An Act to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479), by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes. (82 Stat. 43)

Be it enacted by the Senate and House of Repesentatives of the United States of America in Congress assembled, That this Act may be cited as the "National Visitor Center Facilities Act of 1968".

TITLE I—NATIONAL VISITOR CENTER

SEC. 101. The Secretary of the Interior (hereafter in this Act referred to as the "Secretary"), in consultation with the Administrator of General Services (hereafter in this Act referred to as the "Administrator"), is authorized to negotiate and enter into agreements and leases with The Washington Terminal Company, its successors or assigns (hereafter in this Act referred to as the "Company"), the owner of the property in the District of Columbia known as Union Station, for use of all or a part of such property for a national visitor center to be known as the National Visitor Center and a parking facility in connection therewith.

SEC. 102. (a) The agreements and leases authorized by section 101 of this Act shall be subject to the following terms and conditions:

(1) the Company shall agree to make such alterations of the Union Station Building as the Secretary determines necessary to provide adequate facilities for visitors, which facilities, including the parking facility under paragraph (3), shall be representative of the highest standards of excellence of design and function;

(2) the lease of the Union Station Building shall commence on a date to be mutually agreed upon contingent upon which such facilities are available for public use, and shall not be for a term of more than twenty-five years;

(3) the Company, in consultation with the Secretary shall construct a parking facility, including necessary approaches and ramps, to accommodate as nearly as possible four thousand motor vehicles in the air space northerly of and adjacent to the existing Union Station Building, and such facility shall, upon completion, be leased to the United States for a term not to exceed twenty-five years;

(4) the Company shall, and it is hereby authorized to, construct a new railroad passenger station in the

area beneath or adjacent to the parking facility referred to in paragraph (3);

(5) the United States shall have the option to purchase all of the property leased under this title for an amount not in excess of the fair market value of such property any time after the first year of the lease on one year's written notice and on such terms and conditions including credit toward such purchase price of any portions of rentals paid by the United States as may be mutually agreed upon;

(6) rentals paid by the United States shall not exceed the fair rental value of the property as mutually determined by the Secretary, the Administrator, and the Lessor;

(7) the aggregate annual cost to the United States of all leases entered into under this title shall not exceed $3,500,000;

(8) the total cost of all alterations referred to in paragraph (1) and all construction referred to in paragraph (3) shall not exceed $16,000,000, except that total cost of such alterations shall not exceed $5,000,000.

(b) In addition to the terms and conditions set forth in subsection (a) of this section, agreements and leases entered into under authority of this title shall include such other terms and conditions as the Secretary and the Administrator jointly shall prescribe.

SEC. 103. The Secretary shall administer any property leased under this title in accordance with those provisions of the Act of August 25, 1916 (16 U.S.C. 1 et seq.), as amended and supplemented, applicable to the administration of the national park system.

SEC. 104. On or before April 15, 1968, the Secretary shall report to Congress the results of a full and complete investigation and study of the problems of transporting visitors along the Mall and its vicinity in the District of Columbia, on the United States Capitol Grounds, and to and from the National Visitor Center, including but not limited to, types of transportation to be utilized, the operation of any such transportation system, the feasibility of providing free transportation for visitors on all or any portion of such system, and proposed legislation to carry out his recommendations.

SEC. 105. (a) In connection with the construction of the parking facility to be constructed pursuant to section 102(a)(3) of this title, the District of Columbia shall, upon the request of the Secretary, transfer to the Secretary any real property under its jurisdiction which may be necessary to provide vehicular access to public roads and highways in the immediate area of such facility.

(b) Any alteration in the existing traffic pattern in Union Station Plaza necessitated or made desirable by

reason of such parking facility shall be made only after consultation with the Architect of the Capitol.

SEC. 106. (a) Notwithstanding the execution of any agreement or lease pursuant to this title, the Secretary, in consultation with the National Visitor Facilities Advisory Commission established under title II of this Act, is directed (1) to make a continuing study of the needs of visitors to the Washington metropolitan area, including the necessity and desirability of different or additional visitor facilities and of altering existing visitor facilities, and (2) to recommend the Administrator acquire, alter, or construct such facilities.

(b) The Secretary shall submit annually a report to Congress on the National Visitor Center authorized by this title and on all other visitor facilities authorized in accordance with this Act, including the amendments made by this Act.

SEC. 107. All existing laws or parts of laws inconsistent with the provisions of this Act are hereby repealed to the extent to which they are so inconsistent, but to no further or other extent.

SEC. 108. The first section of the Act approved November 5, 1966 (Public Law 89–759) is amended by inserting "and directed" immediately following "authorized" and by amending paragraph (1) to read as follows:

"(1) select as the site of a permanent heliport, the parking facility referred to in section 102(a)(3) of the National Visitor Center Facilities Act of 1968;"

SEC. 109. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SEC. 110. The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the alterations referred to in section 102(a)(1), and the parking facility referred to in section 102(a)(3), of this title shall be paid wages at rates not less than those prevailing for the same type of work on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Act of March 3, 1931, as amended, known as the Davis-Bacon Act (46 Stat. 1494; 40 U.S.C. 276a—276a–5). The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c).

TITLE II—ADVISORY COMMISSION

SEC. 201. There is hereby created a National Visitor Facilities Advisory Commission (hereafter in this Act

referred to as the "Commission") which shall (1) conduct a continuing review of the National Visitor Center established pursuant to title I of this Act, (2) conduct continuing investigations and studies of sites and plans to provide additional facilities and services for visitors and students coming to the Nation's Capital, and (3) advise the Secretary and the Administrator with respect to the planning, construction, acquisition, and operation of all such visitor facilities.

SEC. 202. (a) The Commission shall be composed of the Secretary, the Administrator, the Secretary of the Smithsonian Institution, the Chairman of the National Capital Planning Commission, the Chairman of the Commission of Fine Arts, six Members of the Senate, three from each party, to be appointed by the President of the Senate, and six Members of the House of Representatives, three from each party, to be appointed by the Speaker of the House of Representatives, and three members appointed by the President, at least two of whom shall not be officers of the Federal Government, and one member of whom shall be a representative of the District of Columbia government. Non-Federal members shall serve at the pleasure of the President. The Secretary shall be the Chairman of the Commission. The Commission shall meet at the call of the Chairman.

(b) Members of the Commission who are not officers or employees of the Federal Government or the government of the District of Columbia shall be entitled to receive compensation in accordance with section 3109 of title 5, United States Code, and travel expenses including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the government service employed intermittently.

(c) The Director of the National Park Service, in consultation with the Administrator, shall provide the necessary staff and facilities to assist the Commission in carrying out its duties under this title.

SEC. 203. The Commission shall, from time to time, report to the Secretary and the Administrator the results of its reviews, studies, and investigations. In the case of any report recommending additional facilities for visitors, such report shall include the Commision's recommendations as to a site or sites for the facilities to be provided, together with preliminary plans, specifications, and architectural drawings for such facilities as well as the estimated cost of the recommended sites and facilities.

TITLE III—CAPITOL VISITOR CENTER

SEC. 301 Notwithstanding any other provision of law, the Architect of the Capitol, in consultation with the House Office Building Commission and the Senate Office

Building Commission, is hereby authorized and directed to provide adequate space and facilities in the Capitol Building for an educational and informational center and information and distribution stations to afford visitors to the Capitol Building an opportunity to acquire (1) information relative to Congressional offices, (2) assistance relative to their visit to the Capitol, (3) pamphlets, books, drawings, slides and photographs, and related materials, and (4) information about the Capital and the history of the Capitol Building and past and present Congresses. All materials distributed by such educational and informational center and such stations shall first be approved by the Architect of the Capitol, after consultation with the House Committee on House Administration, the Senate Committee on Rules and Administration, the United States Capitol Historical Society, and such other educational and historical groups as the Architect of the Capitol deems appropriate. The Architect of the Capitol is hereby authorized to enter into such agreements as may be reasonably necessary to operate such educational and informational center and stations.

Approved March 12, 1968.

Legislative History

House Reports: No. 810 (Committee on Public Works) and No. 1131 (Committee of Conference).
Senate Report No. 959 (Committee on Public Works).
Congressional Record:
Vol. 113 (1967): Nov. 27, considered and passed House.
Vol. 114 (1968):
Feb. 8, considered and passed Senate, amended.
Feb. 28, Senate agreed to conference report.
Feb. 29, House agreed to conference report.

10. Old Georgetown Market

An Act to declare the Old Georgetown Market a historic landmark and to require its preservation and continued use as a public market, and for other purposes. (80 Stat. 829)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the real property, together with all structures thereon on the date of enactment of this Act, described as lot 800, square 1186, of the District of Columbia, commonly known as the Old Georgetown Market, is hereby declared a historic landmark, and the Board of Commissioners of the District of Columbia are authorized and directed to preserve such property as a historic landmark and to operate and maintain it as a public market, except that the Board is authorized to enter into an agreement with the Secretary of the Interior to provide for the use of a portion of such property as a museum to be operated by the Secretary in connection with the Chesapeake and Ohio Canal. Such property shall not be used under authority of any provision of law for any purpose not provided in this Act, unless (1) such law is enacted after the date of enactment of this Act and (2) specifically authorizes such property to be used for such other purpose.

SEC. 2. For the purpose of carrying out the provisions of this Act, there are authorized to be appropriated to the District of Columbia such sums as may be necessary, but not to exceed in the aggregate, $150,000.

Approved September 21, 1966.

Legislative History

House Report No. 1481 (Committee on the District of Columbia).
Senate Report No. 1531 (Committee on the District of Columbia).
Congressional Record, Vol. 112 (1966):
May 9: Considered and passed House.
Aug. 29: Considered and passed Senate, amended.
Sept. 7: House concurred in Senate amendment.

11. Rivers and Harbors Act of 1966

An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes. (80 Stat. 1405)

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

* * * * * * *

SEC. 111. (a) The Secretary of the Interior is hereby authorized to provide for the construction, maintenance, and operation of a bridge, with visitor facilities, over the Washington Channel, from the vicinity of Tenth Street Southwest to East Potomac Park in Washington, District of Columbia. The structure may be so designed and constructed as to provide facilities for the accommodation of visitors to the Nation's Capital area, and to provide convenient and adequate access to East Potomac Park.

(b) The Secretary may obtain and use such lands or interests therein owned, controlled, or administered by the District of Columbia, the District of Columbia Redevelopment Land Agency, the Corps of Engineers, or any other Government agency, with the prior consent of such agency or agencies, as he shall consider necessary for the construction and operation of said bridge, without cost or reimbursement. Before construction is commenced, the location and plans for the bridge shall be approved by the Chief of Engineers and the Secretary of the Army subject to such conditions as they may prescribe, in accordance with section 502(b) of the General Bridge Act of 1946 (33 U.S.C. 525b).

(c) The Secretary is authorized to enter into appropriate arrangements for the construction and operation of the bridge in accordance with the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535), as amended, except that any such arrangements need not be limited to a maximum term of thirty years. The bridge, at all times, shall be under the jurisdiction of the Secretary of the Interior, and shall be administered, operated, maintained, and policed as a part of the park system of the National Capital.

(d) The Secretary of the Interior shall cooperate with other Federal and local agencies with respect to the construction and operation of the bridge by him and the construction and operation of associated facilities by such other Federal and local agencies including the District of Columbia Redevelopment Land Agency which shall enter into appropriate arrangements by negotiation or public bid to (i) lease all or part of the land bounded by Maine

Avenue, Ninth Street and the Southwest Freeway, Southwest, to provide for the construction, maintenance and operation of a structured automobile parking facility designed to accommodate visitors to East Potomac Park and (ii) provide for the construction of (a) a public park or overlook, which park is to be maintained and operated by the National Park Service; and (b) roads providing access to the Tenth Street Mall from the Southwest Freeway and to and from Ninth Street, Southwest, which roads shall be maintained and operated by the District of Columbia. Any lease of the aforementioned area, executed by the District of Columbia Redevelopment Land Agency, shall provide appropriate easements for the construction, maintenance and operation of the aforesaid public park and roadways. Local agencies may enter into arrangements with the person, persons, corporation or corporations, as the Secretary may select pursuant to subsection (c) hereof for the construction and operation of necessary associated facilities otherwise authorized.

(e) (1) There is hereby established an advisory committee, which shall be composed of the Chairman, National Capital Planning Commission; the Chairman, Commission of Fine Arts; the President, Board of Commissioners of the District of Columbia; the Chief of Engineers, United States Army; the Chairman, District of Columbia Redevelopment Land Agency; and three members to be appointed by the Secretary of the Interior from among the residents of the Metropolitan Washington area. The ex-officio members of the Committee may be represented by their designees.

(2) Members of the Committee shall serve without compensation, but the Secretary is authorized to pay any expenses reasonably incurred by the Committee in carrying out its responsibilities under this section.

(3) The Secretary shall designate one member of the Committee to be Chairman. The Committee shall act and advise by the affirmative vote of a majority of its members.

(4) The Secretary or his designee shall from time to time, consult with and obtain the advice of the Committee with respect to matters relating to the design, construction, and operation of the bridge and any associated facilities.

(f) The construction and operation of the bridge shall be at no expense to the Federal Government, and there are hereby authorized to be appropriated such sums as may be necessary for maintenance of the bridge and to carry out the other purposes of this section.

Approved November 7, 1966.

Legislative History

House Report No. 2217 (Committee on Public Works).
Senate Report No. 1720 accompanying S. 3906 (Committee on Public Works).
Congressional Record, Vol. 112 (1966):
Oct. 19: Considered and passed House.
Oct. 20: Considered and passed Senate, amended, in lieu of S. 3906; concurred in Senate amendment.

12. Seabees Memorial

Joint Resolution proposing the erection of a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of the Seabees of the United States Navy. (86 Stat. 678)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Seabee Memorial Association, Incorporated, is authorized to erect a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of the Seabees of the United States Navy who have served their country with the "CAN DO" spirit in building for peace.

SEC. 2. (a) The Secretary of the Interior is authorized and directed to select, with the approval of the National Commission of Fine Arts and the National Capital Planning Commission, a suitable site on public grounds in the District of Columbia, or its environs, upon which may be erected the memorial authorized in the first section of this Act: *Provided*, That if the site selected is on public grounds belonging to or under the jurisdiction of the government of the District of Columbia, the approval of the Commissioner of the District of Columbia shall also be obtained.

(b) The design and plans for such memorial shall be subject to the approval of the Secretary of the Interior, the National Commission of Fine Arts, and the National Capital Planning Commission, and the United States or the District of Columbia shall be put to no expense in the erection thereof.

SEC. 3. The authority conferred pursuant to this joint resolution shall lapse unless (1) the erection of such memorial is commenced within five years from the date of enactment of this joint resolution, and (2) prior to its commencement funds are certified available in an amount sufficient, in the judgment of the Secretary of the Interior, to insure completion of the memorial.

SEC. 4. The maintenance and care of the memorial erected under the provisions of this Act shall be the responsibility of the Secretary of the Interior, or, if the memorial is erected upon public grounds belonging to or under the jurisdiction of the District of Columbia, the government of the District of Columbia.

Approved September 18, 1972.

Legislative History

House Report No. 92–1032 (Committee on House Administration).
Senate Report No. 92–917 (Committee on Rules and Administration).
Congressional Record, Vol. 118 (1972) :
May 9, considered and passed House.
June 23, considered and passed Senate, amended.
Sept. 6, House concurred in Senate amendment.

13. United Spanish War Veterans Memorial

Joint Resolution authorizing the United Spanish War Veterans to erect a memorial in the District of Columbia or its environs. (78 Stat. 992)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Spanish War Veterans are authorized to erect a memorial on public grounds in the District of Columbia, or its environs, in honor and commemoration of the men who served in the war with Spain, the Philippine Insurrection, and the China Relief Expedition (1898–1902).

SEC. 2. (a) The Secretary of the Interior is authorized and directed to select, with the approval of the National Commission of Fine Arts and the National Capital Planning Commission, a suitable site on public grounds in the District of Columbia, or its environs, upon which may be erected the memorial authorized in the first section of this Act: *Provided*, That if the site selected is on public grounds belonging to or under the jurisdiction of the government of the District of Columbia, the approval of the Board of Commissioners of the District of Columbia shall also be obtained.

(b) The design and plans for such memorial shall be subject to the approval of the Secretary of the Interior, the National Commission of Fine Arts, and the National Capital Planning Commission, and the United States or the District of Columbia shall be put to no expense in the erection thereof.

SEC. 3. The authority conferred pursuant to this joint resolution shall lapse unless (1) the erection of such memorial is commenced within five years from the date of enactment of this joint resolution, and (2) prior to its commencement funds are certified available in an amount sufficient, in the judgment of the Secretary of the Interior, to insure completion of the memorial.

SEC. 4. The maintenance and care of the memorial erected under the provisions of this Act shall be the responsibility of the Secretary of the Interior.

Approved October 2, 1964.

Legislative History

House Report No. 1774 (Committee on House Administration).
Senate Report No. 1600 (Committee on Rules and Administration).
Congressional Record, Vol. 110 (1964):
Aug. 17: Considered and passed House.
Sept. 25: Considered and passed Senate.

14. U.S. Park Police Age Limits

An Act relating to age limits in connection with appointments to the United States Park Police. (83 Stat. 116)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of Public Law 89–554 (80 Stat. 419, 5 U.S.C. 3307) the Secretary of the Interior is hereby authorized to determine and fix the minimum and maximum limits of age within which original appointments to the United States Park Police may be made.

Approved September 26, 1969.

Legislative History

House Report No. 91–477 (Committee on Interior and Insular Affairs).
Senate Report No. 91–295 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 115 (1969) :
July 11 : Considered and passed Senate.
Sept. 15 : Considered and passed House.

XII. COMMISSIONS

1. Alcatraz Island

An Act to establish a Federal commission on the disposition of Alcatraz Island. (77 Stat. 247)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a commission to be known as the Commission on the Disposition of Alcatraz Island (in this Act referred to as "the Commission") which shall consist of five members, three of whom shall be appointed by the President of the United States, one by the Speaker of the House of Representatives, and one by the President of the Senate. The three members appointed by the President of the United States shall include a member nominated by the Governor of the State of California and a member nominated by the mayor of San Francisco.

(b) A vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 2. (a) The Commission shall elect a chairman and a vice chairman from among its members.

(b) Three members of the Commission shall constitute a quorum.

SEC. 3. (a) The Commission shall make an investigation and study of possible uses for Alcatraz Island when it is no longer used as a Federal prison.

(b) The Commission shall recommend the use or uses which it regards as most appropriate, shall make an estimate of the cost thereof, and shall recommend how such cost should be borne.

SEC. 4. The Commission shall trasmit the results of its investigation and study, and its recommendations, in a report to the Congress submitted not later than December 31, 1963. In the event that such report is made when the Congress is not in session, it shall be transmitted to the Clerk of the House of Representatives. Six months after the submission of such report, the Commission shall cease to exist.

SEC. 5. Members of the Commission appointed under the authority of this Act shall serve without compensation.

Approved October 16, 1963.

Legislative History

House Report No. 232 (Committee on Judiciary).
Senate Report No. 536 (Committee on Judiciary).
Congressional Record, Vol. 109 (1963) :
May 6 : Considered and passed House.
Oct. 2 : Passed Senate.

2. American Revolution Bicentennial

Joint Resolution to establish the American Revolution Bicentennial Commission, and for other purposes. (80 Stat. 259)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, as this Nation approaches the bicentennial of its birth and the historic events preceding and associated with the American Revolution which are of such major significance in the development of our national heritage of individual liberty, representative government, and the attainment of equal and inalienable rights and which have also had so profund an influence throughout the world, it is appropriate and desirable to provide for the observation and commemoration of this anniversary and these events through local, State, National, and international activities planned, encouraged, developed, and coordinated by a national commission representative of appropriate public and private authorities and organizations.

SEC. 2. (a) There is hereby established a commission to be known as the American Revolution Bicentennial Commission (hereinafter referred to as the "Commission") to plan, encourage, develop, and coordinate the commemoration of the American Revolution bicentennial.

(b) The Commission shall be composed of the following members:

(1) Four Members of the Senate to be appointed by the President of the Senate;

(2) Four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives;

(3) The Secretary of State, the Attorney General, the Secretary of the Interior, the Secretary of Defense, the Secretary of Health, Education, and Welfare, the Librarian of Congress, the Secretary of the Smithsonian Institution, the Archivist of the United States, and the Chairman of the Federal Council on the Arts and the Humanities, all of whom shall be ex officio members of the Commission;

(4) Seventeen members from private life to be appointed by the President, one of whom shall be designated as the Chairman by the President.

(c) Vacancies shall be filled in the same manner in which the original appointments were made.

SEC. 3. (a) It shall be the duty of the Commission to prepare an overall program for commemorating the bicentennial of the American Revolution, and to plan, encourage, develop, and coordinate observances and activities commemorating the historic events that preceded, and are associated with, the American Revolution.

(b) In preparing its plans and program, the Commission shall give due consideration to any related plans and programs developed by State, local, and private groups, and it may designate special committees with representatives from such bodies to plan, develop, and coordinate specific activities.

(c) In all planning, the Commission shall give special emphasis to the ideas associated with the Revolution which have been so important in the development of the United States, in world affairs and in mankind's quest for freedom.

(d) Not later than two years after the date of the enactment of this Act, the Commission shall submit to the President a comprehensive report incorporating its specific recommendations for the commemoration of the bicentennial and related events. This report may recommend activities such as, but not limited to, the following:

(1) the production, publication, and distribution of books, pamphlets, films, and other educational materials focusing on the history, culture, and political thought of the period of the American Revolution;

(2) bibliographical and documentary projects and publications;

(3) conferences, convocations, lectures, seminars, and other programs;

(4) the development of libraries, museums, historic sites, and exhibits, including mobile exhibits;

(5) ceremonies and celebrations commemorating specific events;

(6) programs and activities focusing on the national and international significance of the American Revolution, and its implications for present and future generations;

(7) the issuance of commemorative coins, medals, certificates of recognition, and stamps.

(e) The report of the Commission shall include recommendations for the allocation of financial and administrative responsibility among the public and private authorities and organizations recommended for participation by the Commission. The report shall also include proposals for such legislative enactments and administrative actions as the Commission considers necessary to carry out its recommendations. The President shall transmit the Commission's report to the Congress together with such comments and recommendations for legislation and such report of administrative actions taken by him as he deems appropriate.

SEC. 4. (a) In fulfilling its responsibilities, the Commission is authorized and directed to consult, cooperate with, and seek advice and assistance from appropriate

Federal departments and agencies, State and local public bodies, learned societies, and historical, patriotic, philanthropic, civic, professional, and related organizations. Such Federal departments and agencies are authorized and requested to cooperate with the Commission in planning, encouraging, developing, and coordinating appropriate commemorative activities.

(b) The Secretary of the Interior is authorized and requested to undertake a study of appropriate actions which might be taken to further preserve and develop Revolutionary War historic sites and battlefields, at such time and in such manner as will insure that fitting observances and exhibits may be held at appropriate sites and battlefields during the bicentennial celebration. The Secretary shall submit the results of his study to the Commission, together with his recommendations, in time to afford the Commission an opportunity to review his study, and to incorporate such of its findings and recommendations as the Commission may deem appropriate in the report provided for in section 3(d).

(c) The Chairman of the Federal Council on the Arts and the Humanities, the Chairman of the National Endowment for the Arts, and the Chairman of the National Endowment for the Humanities are authorized and requested to cooperate with the Commission, especially in the encouragement and coordination of scholarly works and presentations focusing on the history, culture, and political thought of the Revolutionary War period.

(d) The Librarian of Congress, the Secretary of the Smithsonian Institution, and the Archivist of the United States are authorized and requested to cooperate with the Commission, especially in the development and display of exhibits and collections, and in the development of bibliographies, catalogs, and other materials relevant to the period of the Revolutionary War.

(e) Each of the officers listed in subsections (c) and (d) of this section shall submit recommendations to the Commission in time to afford the Commission an opportunity to review them, and to incorporate such of the recommendations as the Commision may deem appropriate in the report provided for in section 3(d).

SEC. 5. (a) The Commission is authorized to accept donations of money, property, or personal services.

(b) All books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other materials relating to the Revolutionary War period and donated to the Commission may be deposited for preservation in National, State, or local libraries or museums or be otherwise disposed of by the Commission in consultation with

the Librarian of Congress, the Secretary of the Smithsonian Institution, the Archivist of the United States, and the Administrator of General Services.

SEC. 6. (a) The members of the Commission shall receive no compensation for their services as such. Members from the legislative and executive branches shall be allowed necessary travel expenses as authorized under law for official travel. Those appointed from private life shall be allowed necessary travel expenses as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2).

(b) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable and to appoint such advisory committees as it deems necessary.

(c) The Commission may procure services as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), but at rates not to exceed $75 per diem for individuals.

(d) The Commission, to such extent as it finds to be necessary, may procure supplies, services, and property; make contracts; expend in furtherance of this Act funds appropriated, donated, or received in pursuance of contracts hereunder; and exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this Act.

(e) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the Department of the Interior for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Secretary of the Interior: *Provided*, That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And provided further*, That the Commission shall not be required to prescribe such regulations.

(f) Any property acquired by the Commission remaining upon its termination may be used by the Secretary of the Interior for purposes of the National Park Service, or may be disposed of as excess or surplus property.

SEC. 7. (a) All expenditures of the Commission shall be made from donated funds only.

(b) An annual report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress. A final report shall be made to the Congress no later than December 31, 1983, upon which date the Commission shall terminate.

Approved July 4, 1966.

Legislative History
House Report No. 1672 accompanying H.J. Res. 903 (Committee on the Judiciary).
Senate Report No. 1317 (Committee on the Judiciary).
Congressional Record, Vol. 112 (1966):
June 28: Considered and passed Senate.
June 29: Considered and passed House.

An Act to amend the Act of July 4, 1966 (Public Law 89-491). (81 Stat. 567)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 4, 1966 (80 Stat. 259), is hereby amended as follows:

1. By adding in section 2(b)(3) the words "the Secretary of Commerce," after the words, "the Secretary of Defense,".

2. By deleting in section 3(d) the words "two years after the date of the enactment of this Act," and inserting in lieu thereof "July 4, 1969.".

3. By deleting section 1(a) and inserting in lieu thereof the following:

"SEC. 7. (a) There is authorized to be appropriated not to exceed $450,000 for the period through fiscal year 1969."

Approved December 12, 1967.

Legislative History
House Reports: No. 509 (Committee on the Judiciary) and No. 987 (Committee of Conference).
Senate Report No. 609 (Committee on the Judiciary).
Congressional Record, Vol. 113 (1967):
Aug. 7: Considered and passed House.
Oct. 12: Considered and passed Senate, amended.
Nov. 28: Senate agreed to conference report.
Nov. 29: House agreed to conference report.

An Act to amend the joint resolution establishing the American Revolution Bicentennial Commission. (83 Stat. 132)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint Resolution To Establish the American Revolution Bicentennial Commission, and for other purposes", approved July 4, 1966 (80 Stat. 259), as amended by the Act of December 12, 1967 (81 Stat. 567), is further amended—

(1) by striking out "July 4, 1969" in section 3(d), and inserting in lieu thereof "July 4, 1970"; and

(2) by striking out "fiscal year 1969" in section 7(a), and inserting in lieu thereof "fiscal year 1970".

Approved October 10, 1969.

Legislative History
House Report No. 91–525 (Committee on the Judiciary).
Senate Report No. 91–299 (Committee on the Judiciary).
Congressional Record, Vol. 115 (1969):
July 14: Considered and passed Senate.
Oct. 6: Considered and passed House.

An Act to amend the joint resolution establishing the American Revolution Bicentennial Commission. (84 Stat. 1389)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint resolution to establish the American Revolution Bicentennial Commission, and for other purposes", approved July 4, 1966 (80 Stat. 259), as amended, is further amended—

(1) by adding in section 2(b)(3) the words "the Secretary of Housing and Urban Development and the Secretary of Transportation," after the words "the Secretary of Commerce,";

(2) by deleting in section 6(c) everything after the word "section" and inserting in lieu thereof the words "3109 of title 5, United States Code.";

(3) by adding an additional section 6(g) to read as follows:

"SEC. 6. (g) Whoever, except as authorized under rules and regulations issued by the Commission, knowingly manufactures, reproduces, or uses any logos, symbols, or marks originated under authority of and certified by the Commission for use in connection with the commemoration of the American Revolution Bicentennial, or any facsimile thereof, or in such a manner as suggests any such logos, symbols, or marks, shall be fined not more than $250 or imprisoned not more than six months or both: *Provided*, That this section shall be applicable upon publication in the Federal Register of notification of certification hereunder by the Commission with respect to each such logo, symbol, or mark.";

(4) by deleting section 7(a) and inserting in lieu thereof the following:

"SEC. 7. (a) There is authorized to be appropriated not to exceed $373,000 for the period through fiscal year 1971."

Approved December 7, 1970.

Legislative History
House Report No. 91–1180 accompanying H.R. 16408 (Committee on the Judiciary).
Senate Report No. 91–976 (Committee on the Judiciary).
Congressional Record, Vol. 116 (1970):
June 26, considered and passed Senate.
Oct. 14, considered and passed House, amended, in lieu of H.R. 16408.
Nov. 19, Senate concurred in House amendment.

An Act to amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended. (85 Stat. 86)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress as-

sembled, That section 7(a) of the joint resolution to establish the American Revolution Bicentennial Commission, and for other purposes, approved July 4, 1966 (80 Stat. 261), as amended, is further amended by striking "$373,000" and inserting in lieu thereof "$670,000".

Approved June 30, 1971.

Legislative History
House Report No. 92–269 (Committee on the Judiciary).
Senate Report No. 92–126 (Committee on the Judiciary).
Congressional Record, Vol. 117 (1971) :
May 21, considered and passed Senate.
June 21, considered and passed House.

3. Battle of Lake Erie

An Act to amend the joint resolution establishing the Battle of Lake Erie Sesquicentennial Celebration Commission so as to authorize an appropriation to carry out the provisions thereof. (78 Stat. 225)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the joint resolution entitled "Joint Resolution to establish a Commission to develop and execute plans for the celebration of the one hundred and fiftieth anniversary of the Battle of Lake Erie, and for other purposes", approved October 24, 1962 (Public Law 87–883; 76 Stat. 1245), is amended as follows:

(1) In subsection (a) strike out the colon and the words "*Provided, however*, That all expenditures of the Commission shall be made from donated funds only".

(2) Add the following new subsection:

"(e) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution, but in no event shall the sums hereby authorized to be appropriated exceed a total of $13,553.23."

Approved June 29, 1964.

Legislative History

House Report No. 844 (Committee on the Judiciary).
Senate Report No. 400 (Committee on the Judiciary).
Congressional Record:
Vol. 109 (1963): Aug. 20, considered and passed Senate.
Vol. 110 (1964):
Apr. 6, considered and passed House, amended.
June 22, Senate concurred in House amendment.

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4. Battle of New Orleans

An Act to amend the joint resolution establishing the Battle of New Orleans Sesquicentennial Celebration Commission to authorize an appropriation to enable the Commission to carry out its functions under such joint resolution. (78 Stat. 939)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the joint resolution entitled "Joint resolution to establish the Sesquicentennial Commission for the Celebration of the Battle of New Orleans, to authorize the Secretary of the Interior to acquire certain property within Chalmette National Historical Park, and for other purposes", approved October 9, 1962 (76 Stat. 755), is amended—

(1) in subsection (a) thereof by striking out the colon and the following: "*Provided however*, That all expenditures of the Commission shall be made from donated funds only", and

(2) by adding the following new subsection at the end thereof:

"(d) There are hereby authorized to be appropriated such sums as may be necessary to enable the Commission to carry out its functions under the foregoing provisions of this joint resolution, but in no event shall the sums hereby authorized to be appropriated exceed a total of $25,000."

Approved September 12, 1964.

Legislative History

Senate Report No. 1291 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 110 (1964):
Aug. 3: Considered and passed Senate.
Sept. 1: Considered and passed House.

5. Franklin D. Roosevelt Memorial

An Act to increase the appropriation authorization for the Franklin Delano Roosevelt Memorial Commission, and for other purposes. (79 Stat. 1126)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "To direct the Franklin Delano Roosevelt Memorial Commission to consider possible changes in the winning design for the proposed memorial or the selection of a new design for such memorial", approved October 18, 1962 (76 Stat. 1079), is amended by striking the words "not later than June 30, 1963" following the word "President" in section 2 and inserting a period, and by striking "$25,000" from section 3 and substituting "$125,000".

Approved October 30, 1965.

Legislative History

House Report No. 1043 (Committee on House Administration).
Senate Report No. 867 (Committee on Rules and Administration).
Congressional Record, Vol. 111 (1965):
Oct. 5: Considered and passed House.
Oct. 18: Considered and passed Senate.

An Act to authorize additional funds for the operation of the Franklin Delano Roosevelt Memorial Commission. (84 Stat. 837)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the joint resolution entitled "Joint resolution to establish a commission to formulate plans for a memorial to Franklin Delano Roosevelt", approved August 11, 1955 (69 Stat. 694), is amended to read as follows:

"SEC. 3. In addition to any other funds authorized to be appropriated for the purpose of this joint resolution, there is authorized to be appropriated $75,000 to carry out the provisions of this joint resolution."

Approved September 8, 1970.

Legislative History

House Report No. 91-1305 (Committee on House Administration).
Senate Report No. 91-1131 (Committee on Rules and Administration).
Congressional Record, Vol. 116 (1970):
July 20, considered and passed House.
Aug. 24, considered and passed Senate.

Joint Resolution to authorize the Secretary of the Interior to participate in the planning and design of a national memorial to Franklin Delano Roosevelt, and for other purposes. (86 Stat. 401)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the joint resolution approved August 11, 1955 (69 Stat. 694), providing for the establishment of a Commission to formulate plans for a memorial to Franklin

Delano Roosevelt, is amended by redesignating section 3 as section 4 and inserting the following new section:

"SEC. 3. The Secretary of the Interior is authorized, upon the request of the Commission, to participate in the planning and design of the memorial."

(b) Section 4, as herein redesignated, of such joint resolution is amended to read as follows:

"SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution."

Approved June 30, 1972.

Legislative History

House Report No. 92–1029 (Committee on House Administration).
Senate Report No. 92–911 (Committee on Rules and Administration).
Congressional Record Vol. 118 (1972):
May 15, considered and passed House.
June 23, considered and passed Senate.

6. Golden Spike Centennial

Joint Resolution to establish the Golden Spike Centennial Celebration Commission. (81 Stat. 172)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is established a commission to be known as the Golden Spike Centennial Celebration Commission, which shall be composed of thirteen members as follows:

(1) Four Members of the Senate to be appointed by the President of the Senate;

(2) Four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives and

(3) Five members to be appointed by the President of the United States.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as chairman and executive officer. The members of the Commission shall receive no salary by reason of their services as members, but the executive officer may reimburse them for reasonable and necessary expenses incurred by them in conducting Commission business.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 2. The functions of the Commission shall be to develop and execute suitable plans for the celebration of the one hundredth anniversary of the completion on May 10, 1869, of the first transcontinental railroad across the United States.

SEC. 3. The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions: *Provided*, That no employee whose position would be subject to the Classification Act of 1949, as amended, if said Act were applicable to such position, shall be paid a salary at a rate in excess of the rate payble under said Act for positions of equivalent difficulty or responsibility. Such rates of compensation may be adopted by the Commission as may be authorized by the Classification Act of 1949, as amended, as of the same date such rates are authorized for positions subject to said Act. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee.

SEC. 4 (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with the Golden Spike Centennial Commission established by the Legislature of the State of Utah, and any

other agencies of State and local governments, with patriotic and historical societies, with institutions of learning, and with representatives of the railroads; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this joint resolution. The Commission, to such extent as it finds to be necessary, may procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this joint resolution.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress on or before its termination. The Commission shall terminate upon completion of its duties but in no event later than December 31, 1969.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

(d) Mail matter sent by the Commission as penalty mail or franked mail shall be accepted for mail subject to section 4156 of title 39, United States Code, as amended.

Approved August 21, 1967.

Legislative History

House Report No. 491 (Committee on the Judiciary).
Senate Report No. 184 (Committee on the Judiciary).
Congressional Record, Vol. 113 (1967):
Apr. 14: Considered and passed Senate.
Aug. 7: Considered and passed House.

7. Honokohau National Historical Landmark

An Act to authorize a study of the feasibility and desirability of establishing a unit of the national park system in order to preserve and interpret the site of Honokohau National Historical Landmark in the State of Hawaii, and for other purposes. (86 Stat. 457)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds the site of Honokohau National Historical Landmark in the State of Hawaii encompasses unique and nationally significant cultural, historical, and archeological resources and believes that it may be in the national interest for the United States to preserve and interpret those resources for the education and inspiration of present and future generations. The Congress further believes that it is appropriate that the preservation and interpretation at that site be managed and performed by native Hawaiians, to the extent practical, and that training opportunities be provided such persons in management and interpretation of those cultural, historical, and archeological resources.

SEC. 2. (a) The Secretary of the Interior (hereinafter referred to as the "Secretary") shall study the feasibility and desirability of establishing as a part of the national park system an area, not to exceed one thousand five hundred acres, comprising the site of Honokohau National Historical Landmark and adjacent waters.

(b) As a part of such study other interested Federal agencies, and State and local bodies and officials shall be consulted, and the study shall be coordinated with other applicable planning activities.

SEC. 3. The Secretary shall submit to the President and the Congress within one year after the effective date of this Act, a report of the findings resulting from the study. The report of the Secretary shall contain, but not be limited to, findings with respect to the historic, cultural, archeological, scenic, and natural values of the resources involved and recommendations for preservation and interpretation of those resources, including the role of native Hawaiians relative to the management and performance of that preservation and interpretation and the providing to them of training opportunities in such management and performance.

SEC. 4. (a) There is hereby established a Honokohau Study Advisory Commission. The Commission shall cease to exist at the time of submission of the Secretary's report to the President and the Congress.

(b) The Commission shall be composed of fifteen members, at least ten of whom shall be native Hawaiians, appointed by the Secretary, as follows:

(1) Two members, one of whom will be appointed

from recommendations made by each of the United States Senators representing the State of Hawaii, respectively;

(2) Two members, one of whom will be appointed from recommendations made by each of the United States Representatives for the State of Hawaii, respectively;

(3) Five public members, who shall have knowledge and experience in one or more fields as they pertain to Hawaii, of history, ethnology, anthropology, culture, and folklore and including representatives of the Bishop Museum, the University of Hawaii, and organizations active in the State of Hawaii in the conservation of resources, to be appointed from recommendations made by the Governor of the State of Hawaii;

(4) Five members to be appointed from recommendations made by local organizations representing the native Hawaiian people; and

(5) One member to be appointed from recommendations made by the mayor of the county of Hawaii.

(c) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

(e) The Secretary or his designee shall consult with the Commission with respect to matters relating to the making of the study.

SEC. 5. During the period commencing with enactment of this Act and ending with submission of the Secretary's report to the President and the Congress and any necessary completion of congressional consideration of recommendations included in that report (1) no department or agency of the United States shall, without prior approval of the Secretary, assist by loan, grant, license, or otherwise in the implementation of any project which, in the determination of the Secretary, would unreasonably diminish the value of cultural, historical, archeological, scenic, or natural resources relating to lands or waters having potential to comprise the area referred to in section 2(a) of this Act and (2) the Chief of Engineers, Department of the Army, shall not, without prior approval of the Secretary, undertake or assist by license or otherwise the implementation of any project which, in the determination of the Secretary, would diminish the value of natural resources located within one-quarter

mile of the lands and waters having potential to comprise that area.

SEC. 6. The term "native Hawaiian", as used in this Act, means any descendant of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands previous to the year 1778.

SEC. 7. There are authorized to be appropriated not to exceed $50,000 to carry out the provisions of this Act.

Approved July 11, 1972.

Legislative History

House Report No. 92–985 (Committee on Interior and Insular Affairs).
Senate Report No. 92–944 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972) :
Apr. 17. considered and passed House.
June 30, considered and passed Senate.

8. Lewis and Clark Trail

An Act to establish the Lewis and Clark Trail Commission, and for other purposes. (78 Stat. 7005)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established an advisory and coordinating commission to be known as the "Lewis and Clark Trail Commission" (hereinafter referred to as the "Commission"), which shall be composed of twenty-seven members.

PURPOSE AND FUNCTIONS OF COMMISSION

SEC. 2. In furtherance of the objectives set forth in H. Con. Res. 61, which expressed the sense of the Congress that the route traversed by Captains Meriwether Lewis and William Clark on their expedition of 1804–1806 from Saint Louis, Missouri, to the Pacific Northwest should be identified, marked, and kept available for the inspiration and enjoyment of the American people; in order to advance public awareness and knowledge of the far-reaching and historic significance of the Lewis and Clark Expedition; in order to supplement such awareness with an appreciation of the great resources of the vast region through which the Lewis and Clark Trail extended, and thereby to encourage desirable long-term conservation objectives in the public interest of the people of that region and the Nation as well as the public use and outdoor recreation benefits therefrom, the Commission is authorized to review proposals prepared at the request of the Commission, or by other agencies on their own initiative, to carry out the purposes of this Act. The Commission may make recommendations to agencies of the Federal Government, States, and other public and private agencies, but the functions and responsibilities of the Commission hereunder shall not operate to restrict or inhibit the aforesaid agencies in any operations they may otherwise undertake in carrying out the general objectives referred to in this Act. The Commission is authorized also to render advice in a manner that will encourage the development by State or Federal agencies of a suitable connecting network of roads following the general route of the Lewis and Clark Trail with appropriate markers for such roads.

MEMBERSHIP OF COMMISSION

SEC. 3. The Commission shall comprise the following—

(a) Ten members to serve, subject to their acceptance of membership, on behalf of the States of Missouri, Kansas, Iowa, Nebraska, South Dakota, North Dakota, Mon-

tana, Idaho, Washington, and Oregon; the individual member from each State being the Governor thereof or his designated representative;

(b) Four members, who shall be Members of the House of Representatives, two from each party, to be appointed by the Speaker of the House of Representatives;

(c) Four members, who shall be Members of the Senate, two from each party, to be appointed by the President of the Senate;

(d) Five members, who shall be the Secretaries of the following Departments, or their designated representatives: Interior; Agriculture; Defense; Health, Education, and Welfare; and Commerce;

(e) Four members, who shall be appointed by the J. N. "Ding" Darling Foundation (a nonprofit corporation).

ORGANIZATION OF THE COMMISSION

SEC. 4. (a) The Chairman of the Commission shall be elected for such term as may be determined by the membership thereof. The Secretary of the Interior shall convene the first meeting of the Commission within ninety days following enactment of this Act at such time and place as he may designate;

(b) The Chairman shall designate a Vice Chairman from members of the Commission;

(c) Any vacancy in the membership of the Commission shall be filled in the same manner in which the original appointment was made;

(d) Where any member ceases to serve in the official position from which originally appointed under section 3, his place on the Commission shall be deemed to be vacant;

(e) The Commission is authorized to issue such rules and regulations as it may consider desirable in the conduct of its activities pursuant to this Act.

POWERS AND ADMINISTRATIVE PROVISIONS

SEC. 5. (a) The Commission may hold hearings at such times and places as it deems advisable for purposes of this Act.

(b) Each department, agency, and instrumentality of the executive branch of the Government is authorized to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions. Any Federal agency is hereby authorized to furnish the Commission with suitable office space to carry out its functions.

(c) The head of each Department or agency shall cooperate with the Commission in the performance of its functions and shall provide the Commission with such

technical services and assistance as may be necessary and available.

COMPENSATION OF COMMISSION MEMBERS

SEC. 6. (a) Members of the Commission shall serve without compensation.

(b) Members of the Commission, upon approval of the Chairman, shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

REPORTS AND RECOMMENDATIONS

SEC. 7. Within two years following the approval of this Act, the Commission shall submit a report concerning its activities. Such report shall be submitted, together with any recommendations it may have to the President of the United States, to the President of the Senate, to the Speaker of the House of Representatives, and to other Federal and State agencies named in this Act. The Commission may thereafter from time to time as indicated by circumstances, but at least every two years, submit such additional reports as it may deem appropriate. The final report of the said Commission shall be submitted no later than five years following the approval of this Act, at which time the Commission shall cease to exist. The records and property of the Commission shall be turned over to the Secretary of the Interior for such use or disposition as he shall find to be appropriate.

DONATIONS, EXPENDITURES, ACCOUNTS

SEC. 8. (a) The Commission is authorized to accept donations of personal services or property to assist in carrying out the purposes of this Act. The Commission may secure supplies, services, make contracts, and exercise those powers generally that it deems necessary to enable it to carry out effectively and in the public interest the purposes of this Act.

(b) Expenditures of the Commission shall be paid by an executive officer designated from among its membership, who shall keep complete and accurate records of such expenditures and who shall account for all funds received by the Commission. Such accounts shall be subject to audit by the General Accounting Office of the United States.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 9. There is authorized to be appropriated annually, through the Department of the Interior and

related agencies appropriation Acts, not to exceed the sum of $25,000 to carry out the provisions of this Act.

Approved October 6, 1964.

Legislative History

House Report No. 1878 (Committee on Interior and Insular Affairs).
Senate Report No. 1531 accompanying S. 3116 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 110 (1964):
Sept. 22: Considered and passed House.
Sept. 24: Passed Senate, in lieu of S. 3116.

9. Plymouth-Provincetown Celebration

An Act to establish the Plymouth-Provincetown Celebration Commission. (84 Stat. 1065)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the three hundred and fiftieth anniversary, in 1970, of the landing of the Pilgrims at Provincetown and Plymouth, which led to permanent settlements whose influence on our history, culture, law, and commerce extends through the present day, there is hereby established the Plymouth-Provincetown Celebration Commission (hereafter referred to as the "Commission"), for the purpose of developing suitable plans for such anniversary and conducting celebrations at appropriate times throughout the period beginning September 1, 1970, and ending November 30, 1971.

SEC. 2. (a) The Commission shall be composed of thirteen members as follows:

(1) four Members of the Senate, two from each of the two major political parties, to be appointed by the President pro tempore of the Senate;

(2) four Members of the House of Representatives, two from each of the two major political parties, to be appointed by the Speaker of the House of Representatives; and

(3) five members to be appointed by the President.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman.

(c) The members of the Commission shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Commission.

(d) Within ninety days after the termination of such celebration, the Commission shall furnish a report of its activities, including an accounting of funds received and expended, to the Congress. Upon submission of such report to the Congress, the Commission shall terminate.

SEC. 3. In order to carry out the purposes of this Act, the Commission is authorized—

(1) to appoint and fix the compensation of such personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates;

(2) to obtain the services of experts and consultants, in accordance with the provisions of section

3109 of title 5, United States Code, at rates for individuals not to exceed $100 per diem;

(3) to accept and to utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code;

(4) to solicit and to accept gifts of money or property;

(5) to procure supplies, services, and property, and to make contracts, without regard to the laws and procedures applicable to Federal agencies;

(6) to request the assistance and advice of, and to cooperate with, civic, historic, and patriotic bodies, institutions of learning, and State and local governments;

(7) to request the cooperation and assistance of such Federal departments and agencies as may be appropriate;

(8) to invite the participation of such other nations as may be appropriate, with the assistance and advice of the Department of State; and

(9) to make such expenditures as it may deem advisable from funds appropriated or received as gifts.

SEC. 4. Any property acquired by the Commission remaining upon termination of such celebration is the property of the United States and may be used by the Secretary of the Interior for purposes of the national park system, or may be disposed of as surplus property. The net revenue, after payment of Commission expenses, is the property of the United States and shall be deposited in the Treasury of the United States.

SEC. 5. There is hereby authorized to be appropriated the sum of $100,000 to carry out the purposes of this Act.

Approved October 21, 1970.

Legislative History

House Report No. 91–1501 accompanying H.R. 15008 (Committee on the Judiciary).
Senate Report No. 91–961 (Committee on the Judiciary).
Congressional Record, Vol. 116 (1970):
June 26, considered and passed Senate.
Oct. 5, considered and passed House, amended, in lieu of H.R. 15008.
Oct. 7, Senate concurred in House amendment.

10. Visitor Center, D.C.

An Act to authorize a study of facilities and services to be furnished visitors and students coming to the Nation's Capital. (80 Stat. 1424)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created a Study Commission which shall make a full and complete investigation and study of sites and plans to provide facilities and services for visitors and students coming to the Nation's Capital. Such study may include provision for the following activities and services:

(1) exhibits, lectures, films, and displays for informing, instructing, and orienting visitors respecting the history, growth, development of the Nation, the Nation's Capital, and the organization and operation of the Federal Government in all its branches;

(2) exhibits and displays by the individual States, territories, possessions, and the District of Columbia with respect to their history, resources, scenic attractions, and other appropriate matters;

(3) providing information and assistance to visitors to facilitate their enjoyment and appreciation of the Nation's Capital and its historic and cultural resources;

(4) providing specialized information and assistance to foreign visitors to facilitate and encourage their travel throughout the United States;

(5) providing special services to visiting student groups, including scheduling, registration, and coordination of tours; and

(6) providing auxiliary services such as parking, local transportation, and information centers at strategic locations necessary for the convenience of visitors.

SEC. 2. (a) The Study Commission shall be composed of the Secretary of the Interior, the Administrator of General Services, the Secretary of the Smithsonian Institution, the Chairman of the Council on the Arts and Humanities, the Chairman of the National Capital Planning Commission, the Chairman of the Commission of Fine Arts, six Members of the Senate, three from each party, to be appointed by the President of the Senate, and six Members of the House of Representatives, three from each party, to be appointed by the Speaker of the House of Representatives, and three additional members appointed by the President, at least two of whom shall not be officers of the Federal Government. Non-Federal members shall serve at the pleasure of the President. The Secretary of the Interior shall be the Chairman of the

Study Commission. The Study Commission shall meet at the call of the Chairman.

(b) Members of the Study Commission who are not officers or employees of the Federal or District Government shall be entitled to receive compensation in accordance with section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), and travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–z) for persons in the Government service employed intermittently.

(c) The Director of the National Park Service, in consultation with the Administrator of the General Services Administration shall provide necessary staff and facilities to assist the Commission in carrying out its duties under this Act.

SEC. 3. The Commission shall report the results of its study and investigation to Congress not later than September 15, 1967. Such report shall include its recommendations as to a site or sites for the facilities to be provided together with preliminary plans, specifications, and architectural drawings for such facilities and the estimated cost of the recommended sites and facilities.

SEC. 4. There is authorized to be appropriated not to exceed $60,000 to carry out this Act.

Approved November 7, 1966.

Legislative History

House Report No. 1637 (Committee on Public Works).
Senate Report No. 1745 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 112 (1966):
Aug. 15: Considered in House.
Oct. 7: Considered and passed House.
Oct. 18: Considered and passed Senate, amended.
Oct. 20: House concurred in Senate amendments.

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XIII. MISCELLANEOUS ENACTMENTS

1. Alaska Native Claims

An Act to provide for the settlement of certain land claims of Alaska Natives, and for other purposes. (85 Stat. 688)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Native Claims Settlement Act".

* * * * * * *

SEC. 17(d)(2)(A) The Secretary, acting under authority provided for in existing law, is directed to withdraw from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and from selection under the Alaska Statehood Act, and from selection by Regional Corporations pursuant to section 11, up to, but not to exceed, eighty million acres of unreserved public lands in the State of Alaska, including previously classified lands, which the Secretary deems are suitable for addition to or creation as units of the National Park, Forest, Wildlife Refuge, and Wild and Scenic Rivers Systems: *Provided*, That such withdrawals shall not affect the authority of the State and the Regional and Village Corporations to make selections and obtain patents within the areas withdrawn pursuant to section 11.

* * * * * * *

Approved December 18, 1971.

2. Cherokee Strip

An Act to authorize a study of the feasibility and desirability of establishing a unit of the national park system to commemorate the opening of the Cherokee Strip to homesteading, and for other purposes. (84 Stat. 986)

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 opening of the Cherokee Strip to homesteading, and the historic use of the Chisholm Trail, cattle trails of the old southwest, and other such arteries of commerce which contributed to the expansion of our Nation; and to preserve for the benefit of the American people outstanding examples of the natural prairie scene which existed during this period of expansion and growth, the Secretary of the Interior shall study, investigate, and formulate recommendations on the feasibility and desirability of establishing as a part of the national park system, an area, on lands in the States of Kansas and Oklahoma, associated with the aforesaid events and representative of the terrain and natural environment existing during such times.

SEC. 2. As a part of such study, other interested Federal agencies, and State and local bodies and officials shall be consulted, and the study shall be coordinated with applicable outdoor recreation plans, highway plans, and other planning activities relating to the region.

SEC. 3. The Secretary shall submit to the President and to the Congress of the United States, within one year after the date of this Act, a report of the findings and recommendations of the National Park Service, as approved by him. The report of the Secretary shall contain, but not be limited to, findings with respect to the scenic, scientific, historic, and natural values of the land resources involved, including specifically, recommendations as to scenic, and historic site preservation or marking.

SEC. 4. There are authorized to be appropriated not to exceed $30,000, to carry out the provisions of this Act.

Approved October 16, 1970.

Legislative History

House Report No. 91–1109 (Committee on Interior and Insular Affairs).
Senate Report No. 91–1259 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970):
June 15, considered and passed House.
Oct. 7, considered and passed Senate.

3. Federal Advisory Committees

An Act to authorize the establishment of a system governing the creation and operation of advisory committees in the executive branch of the Federal Government, and for other purposes. (86 Stat. 779)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Advisory Committee Act".

FINDINGS AND PURPOSES

SEC. 2. (a) The Congress finds that there are numerous committees, boards, commissions, councils, and similar groups which have been established to advise officers and agencies in the executive branch of the Federal Government and that they are frequently a useful and beneficial means of furnishing expert advice, ideas, and diverse opinions to the Federal Government.

(b) The Congress further finds and declares that—

(1) the need for many existing advisory committees has not been adequately reviewed;

(2) new advisory committees should be established only when they are determined to be essential and their number should be kept to the minimum necessary;

(3) advisory committees should be terminated when they are no longer carrying out the purposes for which they were established;

(4) standards and uniform procedures should govern the establishment, operation, administration, and duration of advisory committees;

(5) the Congress and the public should be kept informed with respect to the number, purpose, membership, activities, and cost of advisory committees; and

(6) the function of advisory committees should be advisory only, and that all matters under their consideration should be determined, in accordance with law, by the official, agency, or officer involved.

DEFINITIONS

SEC. 3. For the purpose of this Act—

(1) The term "Director" means the Director of the Office of Management and Budget.

(2) The term "advisory committee" means any committee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or other subgroup thereof (hereafter in

this paragraph referred to as "committee"), which is—

(A) established by statute or reorganization plan, or

(B) established or utilized by the President, or

(C) established or utilized by one or more agencies.

in the interest of obtaining advice or recommendations for the President or one or more agencies or officers of the Federal Government, except that such term excludes (i) the Advisory Commission on Intergovernmental Relations, (ii) the Commission on Government Procurement, and (iii) any committee which is composed wholly of full-time officers or employees of the Federal Government.

(3) The term "agency" has the same meaning as in section 551(1) of title 5, United States Code.

(4) The term "Presidential advisory committee" means an advisory committee which advises the President.

APPLICABILITY

SEC. 4. (a) The provisions of this Act or of any rule, order, or regulation promulgated under this Act shall apply to each advisory committee except to the extent that any Act of Congress establishing any such advisory committee specifically provides otherwise.

(b) Nothing in this Act shall be construed to apply to any advisory committee established or utilized by—

(1) the Central Intelligence Agency; or

(2) the Federal Reserve System.

(c) Nothing in this Act shall be construed to apply to any local civic group whose primary function is that of rendering a public service with respect to a Federal program, or any State or local committee, council, board, commission, or similar group established to advise or make recommendations to State or local officials or agencies.

RESPONSIBILITIES OF CONGRESSIONAL COMMITTEES

SEC. 5. (a) In the exercise of its legislative review function, each standing committee of the Senate and House of Representatives shall make a continuing review of the activities of each advisory committee under its jurisdiction to determine whether such advisory committee should be abolished or merged with any other advisory committee, whether the responsibilities of such advisory committee should be revised, and whether such advisory committee performs a necessary function not already being performed. Each such standing committee shall take appropriate action to obtain the enactment of

legislation necessary to carry out the purpose of this subsection.

(b) In considering legislation establishing, or authorizing the establishment of any advisory committee, each standing committee of the Senate and of the House of Representatives shall determine, and report such determination to the Senate or to the House of Representatives, as the case may be, whether the functions of the proposed advisory committee are being or could be performed by one or more agencies or by an advisory committee already in existence, or by enlarging the mandate of an existing advisory committee. Any such legislation shall—

(1) contain a clearly defined purpose for the advisory committee;

(2) require the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee;

(3) contain appropriate provisions to assure that the advice and recommendations of the advisory committee will not be inappropriately influenced by the appointing authority or by any special interest, but will instead be the result of the advisory committee's independent judgment;

(4) contain provisions dealing with authorization of appropriations, the date for submission of reports (if any), the duration of the advisory committee, and the publication of reports and other materials, to the extent that the standing committee determines the provisions of section 10 of this Act to be inadequate; and

(5) contain provisions which will assure that the advisory committee will have adequate staff (either supplied by an agency or employed by it), will be provided adequate quarters, and will have funds available to meet its other necessary expenses.

(c) To the extent they are applicable, the guidelines set out in subsection (b) of this section shall be followed by the President, agency heads, or other Federal officials in creating an advisory committee.

RESPONSIBILITIES OF THE PRESIDENT

SEC. 6. (a) The President may delegate responsibility for evaluating and taking action, where appropriate, with respect to all public recommendations made to him by Presidential advisory committees.

(b) Within one year after a Presidential advisory committee has submitted a public report to the President, the President or his delegate shall make a report to the Congress stating either his proposals for action or his reasons

for inaction, with respect to the recommendations contained in the public report.

(c) The President shall, not later than March 31 of each calendar year (after the year in which this Act is enacted), make an annual report to the Congress on the activities, status, and changes in the composition of advisory committees in existence during the preceding calendar year. The report shall contain the name of every advisory committee, the date of and authority for its creation, its termination date or the date it is to make a report, its functions, a reference to the reports it has submitted, a statement of whether it is an ad hoc or continuing body, the dates of its meetings, the names and occupations of its current members, and the total estimated annual cost to the United States to fund, service, supply, and maintain such committee. Such report shall include a list of those advisory committees abolished by the President, and in the case of advisory committees established by statute, a list of those advisory committees which the President recommends be abolished together with his reasons therefor. The President shall exclude from this report any information which, in his judgment, should be withheld for reasons of national security, and he shall include in such report a statement that such information is excluded.

RESPONSIBILITIES OF THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

SEC. 7. (a) The Director shall establish and maintain within the Office of Management and Budget a Committee Management Secretariat, which shall be responsible for all matters relating to advisory committees.

(b) The Director shall, immediately after the enactment of this Act, institute a comprehensive review of the activities and responsibilities of each advisory committee to determine—

(1) whether such committee is carrying out its purpose;

(2) whether, consistent with the provisions of applicable statutes, the responsibilities assigned to it should be revised;

(3) whether it should be merged with other advisory committees; or

(4) whether is should be abolished.

The Director may from time to time request such information as he deems necessary to carry out his functions under this subsection. Upon the completion of the Director's review he shall make recommendations to the President and to either the agency head or the Congress with respect to action he believes should be taken. Thereafter, the Director shall carry out a similar review annually. Agency heads shall cooperate with the Director in making the reviews required by this subsection.

(c) The Dirctor shall prescribe administrative guidelines and management controls applicable to advisory committees, and, to the maximum extent feasible, provide advice, assistance, and guidance to advisory committees to improve their performance. In carrying out his functions under this subsection, the Director shall consider the recommendations of each agency head with respect to means of improving the performance of advisory committees whose duties are related to such agency.

(d) (1) The Director, after study and consultation with the Civil Service Commission, shall establish guidelines with respect to uniform fair rates of pay for comparable services of members, staffs, and consultants of advisory committees in a manner which gives appropriate recognition to the responsibilities and qualifications required and other relevant factors. Such regulations shall provide that—

(A) no member of any advisory committee or of the staff of any advisory committee shall receive compensation at a rate in excess of the rate specified for GS–18 of the General Schedule under section 5332 of title 5, United States Code; and

(B) such members, while engaged in the performance of their duties away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

(2) Nothing in this subsection shall prevent—

(A) an individual who (without regard to his service with an advisory committee) is a full-time employee of the United States, or

(B) an individual who immediately before his service with an advisory committee was such an employee,

from receiving compensation at the rate at which he otherwise would be compensated (or was compensated) as a full-time employee of the United States.

(e) The Director shall include in budget recommendations a summary of the amounts he deems necessary for the expenses of advisory committees, including the expenses for publication of reports where appropriate.

RESPONSIBILITIES OF AGENCY HEADS

SEC. 8. (a) Each agency head shall establish uniform administrative guidelines and managment controls for advisory committees established by that agency, which shall be consistent with directives of the Director under section 7 and section 10. Each agency shall maintain systematic information on the nature, functions, and operations of each advisory committee within its jurisdiction.

(b) The head of each agency which has an advisory committee shall designate an Advisory Committee Management Officer who shall—

(1) exercise control and supervision over the establishment, procedures, and accomplishments of advisory committees established by that agency;

(2) assemble and maintain the reports, records, and other papers of any such committee during its existence; and

(3) carry out, on behalf of that agency, the provisions of section 552 of title 5, United States Code, with respect to such reports, records, and other papers.

ESTABLISHMENT AND PURPOSE OF ADVISORY COMMITTEES

SEC. 9. (a) No advisory committee shall be established unless such establishment is—

(1) specifically authorized by statute or by the President; or

(2) determined as a matter of formal record, by the head of the agency involved after consultation with the Director, with timely notice published in the Federal Register, to be in the public interest in connection with the performance of duties imposed on that agency by law.

(b) Unless otherwise specifically provided by statute or Presidential directive, advisory committees shall be utilized solely for advisory functions. Determinations of action to be taken and policy to be expressed with respect to matters upon which an advisory committee reports or makes recommendations shall be made solely by the President or an officer of the Federal Government.

(c) No advisory committee shall meet or take any action until an advisory committee charter has been filed with (1) the Director, in the case of Presidential advisory committees, or (2) with the head of the agency to whom any advisory committee reports and with the standing committees of the Senate and to the House of Representatives having legislative jurisdiction of such agency. Such charter shall contain the following information:

(A) the committee's official designation;

(B) the committee's objectives and the scope of its activity;

(C) the period of time necessary for the committee to carry out its purposes;

(D) the agency or official to whom the committee reports;

(E) the agency responsible for providing the necessary support for the committee;

(F) a description of the duties for which the committee is responsible, and, if such duties are not solely

advisory, a specification of the authority for such functions;

(G) the estimated annual operating costs in dollars and man-years for such committee;

(H) the estimated number and frequency of committee meetings;

(I) the committee's termination date, if less than two years from the date of the committee's establishment; and

(J) the date the charter is filed.

A copy of any such charter shall also be furnished to the Library of Congress.

ADVISORY COMMITTEE PROCEDURES

SEC. 10. (a) (1) Each advisory committee meeting shall be open to the public.

(2) Except when the President determines otherwise for reasons of national security, timely notice of each such meeting shall be published in the Federal Register, and the Director shall prescribe regulations to provide for other types of public notice to insure that all interested persons are notified of such meeting prior thereto.

(3) Interested persons shall be permitted to attend, appear before, or file statements with any advisory committee, subject to such reasonable rules or regulations as the Director may prescribe.

(b) Subject to section 552 of title 5, United States Code, the records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents which were made available to or prepared for or by each advisory committee shall be available for public inspection and copying at a single location in the offices of the advisory committee or the agency to which the advisory committee reports until the advisory committee ceases to exist.

(c) Detailed minutes of each meeting of each advisory committee shall be kept and shall contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the advisory committee. The accuracy of all minutes shall be certified to by the chairman of the advisory committee.

(d) Subsections (a) (1) and (a) (3) of this section shall not apply to any advisory committee meeting which the President, or the head of the agency to which the advisory committee reports, determines is concerned with matters listed in section 552(b) of title 5, United States Code. Any such determination shall be in writing and shall contain the reasons for such determination. If such a determination is made, the advisory committee shall issue a report at least annually setting forth a summary of

its activities and such related matters as would be informative to the public consistent with the policy of section 552(b) of title 5, United States Code.

(e) There shall be designated an officer or employee of the Federal Government to chair or attend each meeting of each advisory committee. The officer or employee so designated is authorized, whenever he determines it to be in the public interest, to adjourn any such meeting. No advisory committee shall conduct any meeting in the absence of that officer or employee.

(f) Advisory committees shall not hold any meetings except at the call of, or with the advance approval of, a designated officer or employee of the Federal Government, and in the case of advisory committees (other than Presidential advisory committees), with an agenda approved by such officer or employee.

AVAILABILITY OF TRANSCRIPTS

SEC. 11. (a) Except where prohibited by contractual agreements entered into prior to the effective date of this Act, agencies and advisory committees shall make available to any person, at actual cost of duplication, copies of transcripts of agency proceedings or advisory committee meetings.

(b) As used in this section "agency proceeding" means any proceeding as defined in section 551(12) of title 5, United States Code.

FISCAL AND ADMINISTRATIVE PROVISIONS

SEC. 12. (a) Each agency shall keep records as will fully disclose the disposition of any funds which may be at the disposal of its advisory committees and the nature and extent of their activities. The General Services Administration, or such other agency as the President may designate, shall maintain financial records with respect to Presidential advisory committees. The Comptroller General of the United States, or any of his authorized representatives, shall have access, for the purpose of audit and examination, to any such records.

(b) Each agency shall be responsible for providing support services for each advisory committee established by or reporting to it unless the establishing authority provides otherwise. Where any such advisory committee reports to more than one agency, only one agency shall be responsible for support services at any one time. In the case of Presidential advisory committees, such services may be provided by the General Services Administration.

RESPONSIBILITIES OF LIBRARY OF CONGRESS

SEC. 13. Subject to section 552 of title 5, United States Code, the Director shall provide for the filing with the

Library of Congress of at least eight copies of each report made by every advisory committee and, where appropriate, background papers prepared by consultants. The Librarian of Congress shall establish a depository for such reports and papers where they shall be available to public inspection and use.

TERMINATION OF ADVISORY COMMITTEES

SEC. 14. (a) (1) Each advisory committee which is in existence on the effective date of this Act shall terminate not later than the expiration of the two-year period following such effective date unless—

(A) in the case of an advisory committee established by the President or an officer of the Federal Government, such advisory committee is renewed by the President or that officer by appropriate action prior to the expiration of such two-year period; or

(B) in the case of an advisory committee established by an Act of Congress, its duration is otherwise provided for by law.

(2) Each advisory committee established after such effective date shall terminate not later than the expiration of the two-year period beginning on the date of its establishment unless—

(A) in the case of an advisory committee established by the President or an officer of the Federal Government such advisory committee is renewed by the President or such officer by appropriate action prior to the end of such period; or

(B) in the case of an advisory committee established by an Act of Congress, its duration is otherwise provided for by law.

(b) (1) Upon the renewal of any advisory committee, such advisory committee shall file a charter in accordance with section 9(c).

(2) Any advisory committee established by an Act of Congress shall file a charter in accordance with such section upon the expiration of each successive two-year period following the date of enactment of the Act establishing such advisory committee.

(3) No advisory committee required under this subsection to file a charter shall take any action (other than preparation and filing of such charter) prior to the date on which such charter is filed.

(c) Any advisory committee which is renewed by the President or any officer of the Federal Government may be continued only for successive two-year periods by appropriate action taken by the President or such officer prior to the date on which such advisory committee would otherwise terminate.

EFFECTIVE DATE

SEC. 15. Except as provided in section 7(b), this Act shall become effective upon the expiration of ninety days following the date of enactment.

Approved October 6, 1972.

Legislative History

House Reports: No. 92–1017 (Committee on Government Operations) and No. 92–1403 (Committee on Conference).
Senate Report No. 92–1098 accompanying S. 3529 (Committee on Government Operations).
Congressional Record, Vol. 118 (1972):
May 9, considered and passed House.
Sept. 12, considered and passed Senate, amended, in lieu of S. 3529.
Sept. 19, Senate agreed to conference report.
Sept. 20, House agreed to conference report.

4. Golden Eagle Program

An Act to amend the Land and Water Conservation Fund Act to restore the Golden Eagle Passport Program, and for other purposes. (86 Stat. 459)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 1(b) of the Act of July 15, 1968 (82 Stat. 354) is hereby repealed.

SEC. 2. The Land and Water Conservation Fund Act of 1965 (73 Stat. 897), as amended (16 U.S.C. 4601), is further amended by inserting the following new section and renumbering subsequent sections accordingly:

"ADMISSION AND SPECIAL RECREATION USE FEES: ESTABLISHMENT AND REGULATIONS

"SEC. 4. (a) ADMISSION FEES.—Entrance or admission fees shall be charged only at designated units of the National Park System administered by the Department of the Interior and National Recreation Areas administered by the Department of Agriculture. No admission fees of any kind shall be charged or imposed for entrance into any other Federally owned areas used for outdoor recreation purposes.

"(1) For admission into any such designated area, an annual admission permit (to be known as the 'Golden Eagle Passport') shall be available, for a fee of not more than $10. Any person purchasing the annual permit, and any person accompanying him, in a single, private, noncommercial vehicle shall be entitled to general admission into any admission fee area designated pursuant to this section during the calendar year in which the annual fee is paid, but such permit shall not authorize any use of specialized sites, facilities, equipment, or services for which additional fees are charged pursuant to subsection (b) of this section. The annual permit shall be nontransferable and the unlawful use thereof shall be punishable in accordance with regulations established pursuant to subsection (d). The annual permit shall be available for purchase through the offices of the Secretary of the Interior and the Secretary of Agriculture and through all post offices of the first- and second-class and at such others as the Postmaster General shall direct. The Secretary of the Interior shall transfer to the Postal Service from the receipts thereof such funds as are adequate for the reimbursement of the cost of the service so provided.

"(2) Reasonable admission fees for a single visit at any designated area shall be established by the administering Secretary for persons who choose not to purchase the an-

nual permit or who enter such an area by means other than by private, noncommercial vehicle.

"(3) No admission fee shall be charged for travel by private, noncommercial vehicle over any national parkway or any road or highway established as a part of the National Federal Aid System, as defined in section 101, title 23, United States Code, which is commonly used by the public as a means of travel between two places either or both of which are outside the area. Nor shall any fee be charged for travel by private, noncommercial vehicle over any road or highway to any land in which such person has any property right if such land is within any such designated area. In the Smoky Mountains National Park, unless fees are charged for entrance into said park on main highways and thoroughfares, fees shall not be charged for entrance on other routes into said park or any part thereof.

"(4) The Secretary of the Interior and the Secretary of Agriculture shall establish procedures providing for the issuance of an annual entrance permit (to be known as the 'Golden Age Passport') to any person sixty-two years of age or older applying for such permit. Such permit shall be nontransferable, shall be issued without charge, and shall entitle the bearer and any person accompanying the bearer in a single, private noncommercial vehicle to entry into any admission fee area designated pursuant to this section. No other free permits shall be issued to any person: *Provided*, That no fees of any kind shall be collected from any persons who have a right of access for hunting or fishing privileges under a specific provision of law or treaty or who are engaged in the conduct of official Federal, State, or local Government business and *Provided further*, That for no more than three years after the date of enactment of this Act, visitors to the United States will be granted entrance, without charge, to any designated admission fee area upon presentation of a valid passport.

"(b) SPECIAL RECREATION USE FEES.—Each Federal agency developing, administering, or providing specialized sites, facilities, equipment, or services related to outdoor recreation shall provide for the collection of special recreation use fees for the use of sites, facilities, equipment, or services furnished at Federal expense.

"(1) Daily use fees for overnight occupancy within areas specially developed for such use shall be determined on the basis of the value of the capital improvements offered, the cost of the services furnished, and other pertinent factors. Any person bearing a valid Golden Age Passport issued pursuant to paragraph (4) of subsection (a) of this section shall be entitled upon presentation of such permit to utilize such special recreation facilities

at a rate of fifty per centum of the established daily use fee.

"(2) Special recreation permits for uses such as group activities, recreation events, motorized recreation vehicles, and other specialized recreation uses may be issued in accordance with procedures and at fees established by the agency involved.

"(c) All fees established pursuant to this section shall be fair and equitable, taking into consideration the direct and indirect cost to the Government, the benefits to the recipient, the public policy or interest served, the comparable recreation fees charged by non-Federal public agencies, the economic and administrative feasibility of fee collection and other pertinent factors. Clear notice that an admission fee or special recreation use fee has been established shall be prominently posted at each area and at appropriate locations therein and shall be included in publications distributed at such areas. It is the intent of this Act that comparable fees should be charged by the several Federal agencies for comparable services and facilities.

"(d) In accordance with the provisions of this section, the heads of appropriate departments and agencies may prescribe rules and regulations for areas under their administration for the collection of any entrance fee and/or special recreation use fee, as the case may be. Persons authorized by the heads of such Federal agencies to enforce any such rules or regulations issued under this subsection may, within areas under the administration or authority of such agency head and with or, if the offense is committed in his presence, without a warrant, arrest any person who violates such rules and regulations. Any person so arrested may be tried and sentenced by the United States magistrate specifically designated for that purpose by the court by which he was appointed, in the same manner and subject to the same conditions as provided in title 18, United States Code, section 3401, subsections (b), (c), (d), and (e), as amended. Any violations of the rules and regulations issued under this subsection shall be punishable by a fine of not more than $100.

"(e) Except as otherwise provided by law or as may be required by lawful contracts entered into prior to September 3, 1964, providing that revenues collected at particular Federal areas shall be credited to specific purposes, all fees collected shall be covered into a special account in the Treasury of the United States to be administered in conjunction with, but separate from, the revenues in the Land and Water Conservation Fund. Revenues in the special account shall be available for appropriation, without prejudice to appropriations from

other sources for the same purposes, for any authorized outdoor recreation function of the agency by which the fees were collected: *Provided, however*, That not more than forty per centum of the amount so credited may be appropriated during the five fiscal years following the enactment of this Act for the enhancement of the fee collection system established by this section, including the promotion and enforcement thereof.

"(f) Nothing in this Act shall authorize Federal hunting or fishing licenses or fees or charges for commercial or other activities not related to recreation, nor shall it affect any rights or authority of the States with respect to fish and wildlife, nor shall it repeal or modify any provision of law that permits States or political subdivisions to share in the revenues from Federal lands or any provision of law that provides that any fees or charges collected at particular Federal areas shall be used for or credited to specific purposes or special funds as authorized by that provision of law.

"(g) Periodic reports indicating the number and location of fee collection areas, the number and location of potential fee collection areas, capacity and visitation information, the fees collected, and other pertinent data, shall be coordinated and compiled by the Bureau of Outdoor Recreation and transmitted to the Committees on Interior and Insular Affairs of the United States House of Representatives and United States Senate. Such reports, which shall be transmitted no later than March 31 annually, shall include any recommendations which the Bureau may have with respect to improving this aspect of the land and water conservation fund program."

SEC. 3. (a) The Secretary of the Interior may establish and collect use or royalty fees for the manufacture, reproduction, or use of "The Golden Eagle Insignia", originated by the Department of the Interior and announced in the December 3, 1970, issue of the Federal Register (35 Federal Register 18376) as the official symbol for Federal recreation areas designated for recreation fee collection. Any fees collected pursuant to this subsection shall be covered into the Land and Water Conservation Fund.

(b) Chapter 33 of title 18 of the United States Code is amended by adding the following new section thereto:

"§ 715. 'The Golden Eagle Insignia'

"As used in this section, 'The Golden Eagle Insignia' means the words 'The Golden Eagle' and the representation of an American Golden Eagle (colored gold) and a family group (colored midnight blue) enclosed within a circle (colored white with a midnight blue border) framed by a rounded triangle (colored gold with

a midnight blue border) which was originated by the Department of the Interior as the official symbol for Federal recreation fee areas.

"Whoever, except as authorized under rules and regulations issued by the Secretary of the Interior, knowingly manufactures, reproduces, or uses 'The Golden Eagle Insignia', or any facsimile thereof in such a manner as is likely to cause confusion, or to cause mistake, or to deceive, shall be fined not more than $250 or imprisoned not more than six months, or both.

"The use of any such emblem, sign, insignia, or words which was lawful on the date of enactment of this Act shall not be a violation of this section.

"A violation of this section may be enjoined at the suit of the Attorney General, upon complaint by the Secretary of the Interior."

(c) The analysis of chapter 33 immediately preceding section 701 of title 18 is amended by adding at the end thereon:

"715. 'The Golden Eagle Insignia'."

(d) The rights in "The Golden Eagle Insignia" under this Act, shall terminate if the use by the Secretary of the Interior of "The Golden Eagle Insignia" is abandoned. Nonuse for a continuous period of two years shall constitute abandonment.

Approved July 11, 1972.

Legislative History

House Reports: No. 92-742 accompanying H.R. 6730 (Committee on Interior and Insular Affairs) and No. 92-1164 (Committee of Conference).
Senate Report No. 92-490 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 117 (1971): Nov. 22, considered and passed Senate.
Vol. 118 (1972):
Feb. 7, considered and passed House, amended, in lieu of H.R. 6730.
June 28, House agreed to conference report.
June 29, Senate agreed to conference report.

5. Great Dismal Swamp Study

An Act to authorize the Secretary of the Interior to conduct a study to determine the feasibility and desirability of protecting and preserving the Great Dismal Swamp and the Dismal Swamp Canal. (86 Stat. 793)

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 conduct an investigation and study to determine the feasibility and desirability of protecting and preserving the Great Dismal Swamp and the Dismal Swamp Canal, in the States of North Carolina and Virginia. The Secretary shall consult with other interested Federal agencies, and the State and local bodies and officials involved, and shall coordinate the study with applicable outdoor recreation plans, highway plans, and other planning activities relating to the region. Such investigation study shall be carried out for the purposes of determining (1) the desirability and feasibility of protecting and preserving the ecological, scenic, recreational, historical, and other resource values of the Great Dismal Swamp and the Dismal Swamp Canal, with particular emphasis on the development of the Dismal Swamp Canal for recreational boating purposes, (2) the potential alternative beneficial uses of the water and related land resources involved, taking into consideration appropriate uses of the land for residential, commercial, industrial, agricultural, and transportation purposes, and for public services; and (3) the type of Federal, State, or local program, if any, that is feasible and desirable in the public interest to preserve, develop, and make accessible for public use the values set forth in (1) including alternative means of achieving these values, together with a comparison of the costs and effectiveness of these alternative means.

SEC. 2. Upon the completion of the investigation and study authorized by this Act, but in no event later than two years following the date of enactment of this Act, the Secretary of the Interior shall report to the Congress the results of such investigation and study, together with his recomendations with respect thereto.

SEC. 3. There is authorized to be appropriated not to exceed $50,000 to carry out the provisions of this Act.

Approved October 9, 1972.

Legislative History

House Report No. 92–1426 accompanying H.R. 11369 (Committee on Interior and Insular Affairs).
Senate Report No. 92–948 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972) :
July 18, considered and passed Senate.
Oct. 2, considered and passed House, in lieu of H.R. 11369.

6. Ice Age National Scientific Reserve

An Act to authorize the Secretary of the Interior to cooperate with the State of Wisconsin in the designation and administration of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes. (76 Stat. 1087)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to assure protection, preservation, and interpretation of the nationally significant values of Wisconsin continental glaciation, including moraines, eskers, kames, kettleholes, drumlins, swamps, lakes, and other reminders of the ice age.

SEC. 2. (a) To implement the purpose of this Act, the Secretary of the Interior (hereinafter called the "Secretary"), in cooperation with State and local governmental authorities of Wisconsin, may formulate within two years after this Act takes effect a comprehensive plan for the protection, preservation, and interpretation of outstanding examples of continental glaciation in Wisconsin; but he shall not spend more than $50,000 of Federal funds thereon.

(b) When the comprehensive plan is completed and the Secretary is satisfied that State legislation exists for the preservation of the nationally significant features of the reserve, open to the people of the entire Nation, he shall transmit copies thereof to the President of the Senate and the Speaker of the House of Representatives and may, ninety days thereafter and after consulting with the Governor of the State of Wisconsin, publish notice in the Federal Register of the establishment of the Ice Age National Scientific Reserve and of the boundaries thereof, which boundaries shall comprise lands owned or to be acquired by the State and local governments of Wisconsin in the following areas:

(1) Eastern area (portions of the northern unit of the Kettle Moraine State Forest and Campbellsport drumlin area);

(2) Central area (portions of Devil's Lake State Park);

(3) Northwestern area (portions of Chippewa County);

(4) Related areas (other areas in the State of Wisconsin which the Secretary and the Governor of Wisconsin agree upon as significant examples of continental glaciation).

(c) Any area outside of the national forests that the Secretary and the Governor of Wisconsin agree has significant examples of continental glaciation but is not

described in the original notice may be included in the reserve by the Secretary after notice to the President of the Senate and the Speaker of the House of Representatives and publication in the Federal Register, as hereinbefore provided, and any area that they consider to be no longer desirable as a part of the reserve may be excluded from it by the Secretary in the same manner.

SEC. 3. The Secretary may grant financial assistance to the State of Wisconsin for its acquisition of lands and interests in lands lying within the area designated as the reserve. Any grant made under this section shall be only for lands or interests in land acquired by the State after establishment of the reserve, as provided in section 2, subsection (b), of this Act, and the total of all grants under this section shall not exceed $750,000 or 50 per centum of the fair market value of the lands or interests in land so acquired, including incidental acquisition costs, whichever is less, and shall be subject to terms and conditions prescribed by the Secretary.

SEC. 4. The comprehensive plan presented by the Secretary to the President of the Senate and the Speaker of the House of Representatives may include such recommendations, if any, as he and the Governor of the State of Wisconsin may wish to make with respect to Federal and State participation in the financing of appropriate interpretive and other public facilities and services within the reserve, including facilities and services to be furnished by such private organizations as the Ice Age Park and Trail Foundation, a nonprofit corporation, but no commitment with respect thereto shall be made by the Secretary and no Federal appropriations shall be available for this purpose.

SEC. 5. (a) Whenever the Secretary determines that appropriate management and protection set down in the comprehensive plan are not being afforded the nationally significant values within the reserve or that funds are not being provided on the prescribed matching basis by the State of Wisconsin or other non-Federal sources, he may terminate contributions under this Act.

(b) Any payment made by the Secretary under the provisions of subsection (2) of section 3 of this Act shall be made subject to the understanding and agreement by the State of Wisconsin that the conversion, use, or disposal, for purposes contrary to the purposes of this Act, as determined by the Secretary, of any land acquired by said State with funds supplied in part by the United States pursuant to said subsection, shall result in a right of the United States to compensation therefor from said State in the amount of one-half of the fair market value of the land, exclusive of any improvements thereon, as determined at the time of such conversion, use or disposal.

SEC. 6. There are hereby authorized to be appropriated not to exceed $800,000 to carry out the provisions of this Act.

Approved October 13, 1964.

Legislative History

House Report No. 941 (Committee on Interior and Insular Affairs).
Senate Report No. 1606 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 110 (1964):
Feb. 17, Aug. 3, Sept. 23: Considered and passed House.
Oct. 1: Considered and passed Senate.

An Act to authorize the Secretary of the Interior to provide financial assistance for development and operation costs of the Ice Age National Scientific Reserve in the State of Wisconsin, and for other purposes. (84 Stat. 1083)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of October 13, 1964 (78 Stat. 1087) is amended as follows:

(1) Section 3 is repealed.

(2) Section 4 is amended by deleting everything after the word "nonprofit" and inserting the word "corporation."

(3) Section 5 is amended to read as follows:

"SEC. 5. (a) The Secretary is authorized to provide technical assistance to the State of Wisconsin for planning and development of the reserve in accordance with the comprehensive plan.

"(b) In addition to grants made pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 4601–8), the Secretary is authorized to make grants of not to exceed 25 per centum of the actual cost of each development project within the reserve in accordance with the comprehensive plan: *Provided*, That the maximum amount of such grants for all projects shall not exceed $425,000.

"(c) The Secretary, pursuant to an agreement with the State of Wisconsin, may pay up to 50 per centum of the annual costs of management, protection, maintenance, and rehabilitation of the reserve.

"(d) Whenever the Secretary determines that appropriate management and protection set down in the comprehensive plan are not being afforded the nationally significant values within the reserve or that funds are not being provided on the prescribed matching basis by the State of Wisconsin or other non-Federal sources, he may terminate contributions under this Act."

(4) Section 6 is repealed.

Approved October 21, 1970.

Legislative History

House Report No. 91–903 (Committee on Interior and Insular Affairs).
Senate Report No. 91–1266 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 116 (1970):
Apr. 20, considered and passed House.
Oct. 7, considered and passed Senate.

7. Kansas Historic Sites

An Act to provide for the commemoration of certain historical events in the State of Kansas, and for other purposes. (79 Stat. 588)

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 take appropriate action in accordance with section 2, subsection (g), of the Act of August 21, 1935 (49 Stat. 666, 16 U.S.C. 462), and as hereinafter provided, to commemorate and to mark the sites of certain historical events and the strife that occurred in the State of Kansas prior to and during the period May 30, 1854, to April 12, 1861, and during the Civil War.

SEC. 2. The sites to be marked pursuant to the first section of this Act are particularly those of major historical events in the struggle, commonly termed "Bleeding Kansas", which was significant in leading to the start of the Civil War and of major events in that war. These sites include, without being limited to:

(1) Fort Scott, in the city of Fort Scott, Bourbon County;

(2) sites associated with John Brown in Osawatomie, Miami County;

(3) the Mine Creek Battlefield, in Linn County;

(4) the Marais des Cygnes massacre in Linn County; and

(5) the site of Quantrell's raid at Baxter Springs, in Cherokee County.

The Secretary is further authorized to provide such information and services respecting the sites that are so marked and the events that are so commemorated as will enhance public understanding of their significance and of their relations to each other and to the history of the Nation. Before any site is marked, the owner of the property in question shall have executed an agreement, satisfactory in form and content to the Secretary, on behalf of himself and his successors in interest, to maintain the marker in suitable condition and to allow reasonable public access to the site so marked.

SEC. 3. In order further to commemorate Fort Scott and to promote its preservation as a site of national historic significance, the Secretary is also authorized to render the city of Fort Scott such assistance, in the form of technical advice, grants of funds for land acquisition and development, and other help necessary to display the fort to the public in appropriate fashion: *Provided*, That before any such assistance is rendered by the Secretary, the city of Fort Scott shall have agreed that the site will be operated and maintained as a public historic site.

SEC. 4. There are hereby authorized to be appropriated such sums, but not more than $805,700, as may be necessary for land acquisition, land site rehabilitation and development, and the marking of historic sites pursuant to the provisions of this Act.

Approved August 31, 1965.

Legislative History

House Report No. 265 (Committee on Interior and Insular Affairs).
Senate Report No. 579 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 111 (1965):
May 17: Considered and passed House.
Aug. 13: Considered and passed Senate.

8. National Park System Omnibus

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the national park system, and for other purposes. (86 Stat. 120)

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 limitation 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) Assateague Island National Seashore, Maryland: section 11 of the Act of September 21, 1965 (79 Stat. 824, 827) is amended by changing "$16,250,000" to "$21,050,000 (including such sums, together with interest, as may be necessary to satisfy final judgments rendered against the United States)";

(2) Big Hole National Battlefield, Montana: section 5 of the Act of May 17, 1963 (77 Stat. 18), is amended by changing "$20,000" to "$42,500";

(3) Bighorn Canyon National Recreation Area, Wyoming and Montana: section 5 of the Act of October 15, 1966 (80 Stat. 913) is amended by changing "$355,000" to "$780,000";

(4) Effigy Mounds National Monument, Iowa: section 5 of the Act of May 27, 1961 (75 Stat. 88), is amended by changing "$2,000" to "$14,000";

(5) Fort Donelson National Military Park, Tennessee: section 3 of the Act of September 8, 1960 (74 Stat. 875), is amended by changing "$226,000" to "$454,000";

(6) Lincoln Boyhood National Memorial, Indiana: section 4 of the Act of February 19, 1962 (76 Stat. 9), is amended by changing "$1,000,000" to "$1,320,000" and "$75,000" to "$395,000";

(7) Ozark National Scenic Riverways, Missouri: section 8 of the Act of August 27, 1964 (78 Stat. 608), is amended by changing "$7,000,000" to "$10,804,000"; and

(8) Shiloh National Military Park, Tennessee: section 1 of the Act of July 3, 1926 (44 Stat. 826), is amended by changing "$57,100" to "$150,000".

TITLE II—DEVELOPMENT CEILING INCREASES

SEC. 201. The limitations on appropriations for acquisition and development of units of the national park system contained in the following Acts are amended as follows:

(1) Herbert Hoover National Historic Site, Iowa: section 4 of the Act of August 12, 1965 (79 Stat. 510), is amended by changing "$1,650,000" to "$3,500,000";

(2) Booker T. Washington National Monument, Virginia: section 4 of the Act of April 2, 1956 (70 Stat. 86), is amended by changing "$200,000" to "$600,000";

(3) Johnstown Flood National Memorial, Pennsylvania: section 5 of the Act of August 31, 1964 (78 Stat. 752), is amended by changing "$2,000,000" to "$2,244,600"; and

(4) Wolf Trap Farm Park, Virginia: section 3 of the Act of October 15, 1966 (80 Stat. 950), is amended by changing "$600,000" to "$5,473,000".

SEC. 202. The additional sums authorized to be appropriated for development in the Acts as amended in section 201 are based on March 1971 prices and may be increased or decreased in appropriation Acts by 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 for each area.

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of the Interior is authorized to revise the boundaries of the following units of the national park system:

(1) Adams National Historic Site, Massachusetts: to add approximately 3.68 acres;

(2) Cowpens National Battleground Site, South Carolina: to add approximately 845 acres;

(3) Fort Caroline National Memorial, Florida: to add approximately 12.5 acres;

(4) George Washington Birthplace National Monument, Virginia: to add approximately 62.3 acres.

(5) Glacier National Park, Montana: to add approximately 267.90 acres and to exclude approximately 68.47 acres;

(6) Isle Royale National Park, Michigan: to add approximately 0.52 acre;

(7) Johnstown Flood National Memorial, Pennsylvania: to add approximately 53.6 acres;

(8) Lassen Volcanic Natoinal Park, California: to exclude approvimately 482 acres;

(9) Muir Woods National Monument, California: to add approximately 49.7 acres;

(10) Ozark National Scenic Riverways, Missouri: to add approximately 1,670 acres; and

(11) Petersburg National Battlefield, Virginia: to exclude approximately 257.53 acres.

SEC. 302. The boundary revisions authorized in section 301 shall become effective upon publication in the Federal Register of a map or other description of the lands added or exculded by the Secretary of the Interior.

SEC. 303. Within the boundaries of the areas as revised in accordance with section 301, the Secretary of the Interior is authorized to acquire lands and interest therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subject to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this Act, the Secretary (i) may tender, to the owner or owners of record on the date of enactment of this Act, a revocable permit for the continued use and occupancy of such land or any portion thereof subject to such terms and conditions as he deems necessary or (ii) may acquire any land pursuant to this Act subject to the retention of a right of use and occupancy for a term not to exceed 25 years or for the life of the owner or owners. Lands and interests therein excluded from the areas pursuant to section 301 may be exchanged for non-Federal lands within the boundaries as revised, or they may be transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, as the Secretary of the Interior may deem appropriate. In exercising the authority in this section with respect to lands and interests therein excluded from the areas, the Secretary of the Interior may, on behalf of the United States, retrocede to the appropriate State exclusive or concurrent legislative jurisdiction subject to such terms and conditions as he may deem appropriate, over such lands, to be effective upon acceptance thereof by the State. Any such lands not so exchanged or transferred may be disposed of in accordance with the Federal Property and Administrative Services Act of 1949, as amended.

SEC. 304. For the acquisition of lands and interests in lands which are added to the areas referred to in section 301, there are authorized to be appropriated such sums as may be necessary, but not more than the following amounts:

(1) Adams National Historic Site, $122,000;

(2) George Washington Birthplace National Monument, $57,000;

(3) Glacier National Park, $6,000;

(4) Isle Royale National Park, $31,500;

(5) Johnstown Flood National Memorial, $10,000; and

(6) Muir Woods National Monument, $950,000.

SEC. 305. The authorities in this title are supplementary to any other authorities available to the Secretary of the Interior with respect to the acquisition, development, and administration of the areas referred to in section 301.

TITLE IV—MISCELLANEOUS CHANGES

SEC. 401. The third sentence of section 2 of the Act of August 27, 1964 (78 Stat. 608) is amended to read as follows: "Lands and waters owned by the State of Missouri within such area may be acquired with the consent of the State and, notwithstanding any other provision of law, subject to provision for reversion to such State conditioned upon continued use of the property for National Scenic Riverway."

SEC. 402. For the purposes of the Cowpens National Battleground Site, which is hereby redesignated as the Cowpens National Battlefield, there are authorized to be appropriated not more than $2,363,900 for the acquisition of lands and interests in lands and not more than $3,108,000 for development.

Approved April 11, 1972.

Legislative History

House Reports: No. 92–743 and No. 92–743 Pt. II, accompanying H.R. 10086 (Committee on Interior and Insular Affairs).
Senate Report No. 92–452 (Committee on Interior and Insular Affairs).
Congressional Record:
Vol. 117 (1971): Nov. 19, considered and passed Senate.
Vol. 118 (1972):
Jan. 31, considered and passed House, amended, in lieu of H.R. 10086.
Mar. 14, Senate concurred in House amendment with amendment.
Mar. 29. House concurred in Senate amendment.

9. Pennsylvania Avenue Development Corporation

An Act to establish the Pennsylvania Avenue Development Corporation, to provide for the preparation and carrying out of a development plan for certain areas between the White House and the Capitol, to further the purposes for which the Pennsylvania Avenue National Historic Site was designated, and for other purposes. (86 Stat. 1266)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Pennsylvania Avenue Development Corporation Act of 1972".

SEC. 2. The Congress finds and declares—

(a) that it is in the national interest that the area adjacent to Pennsylvania Avenue between the Capitol and the White House, most of which was designated on September 30, 1965, as a national historic site under the Historic Sites Act of August 21, 1935 (16 U.S.C. 461 et seq.), be developed, maintained, and used in a manner suitable to its ceremonial, physical, and historic relationship to the legislative and executive branches of the Federal Government and to the governmental buildings, monuments, memorials, and parks in or adjacent to the area;

(b) that the area adjacent to Pennsylvania Avenue between the Capitol and the White House, because of its blighted character, imposes severe public, economic and social liabilities upon the District of Columbia as the seat of the government of the United States, thereby impeding its sound growth and development and constituting a serious and growing threat to the public health, safety, morals, and welfare of its inhabitants;

(c) that to insure suitable development, maintenance, and use of the area and the elimination of blight, it is essential that there be developed and carried out as an entirety plans for this area which will specify the uses, both public and private, to which property is to be put, the programming and financing of necessary acquisitions, construction, reconstruction, and other activities;

(d) that such duties and responsibilities can best be developed and carried out by vesting the requisite powers in a Federal corporation which can take maximum advantage of the private as well as the public resources which will be necessary;

(e) that the powers conferred by this Act are for public uses and purposes for which public powers may be employed, public funds may be expended, and the power of eminent domain and the police power may be exercised, and the granting of such powers is necessary in the public interest; and

(f) that the area thus to be developed, maintained, and used in accordance with the provisions of this Act (hereinafter referred to as the development area) shall be the area bounded as follows:

Beginning at a point on the southwest corner of the intersection of Fifteenth Street and E Street Northwest;

thence proceeding easterly along the southerly side of E Street to the southwest corner of the intersection of Thirteenth Street and Pennsylvania Avenue Northwest;

thence southeasterly along the southerly side of Pennsylvania Avenue to a point being the southeast corner of the intersection of Pennsylvania Avenue and Third Street Northwest;

thence northerly along the east side of Third Street to the northeast corner of the intersection of C Street and Third Street Northwest;

thence westerly along the north side of C Street to the northeast corner of the intersection of C Street and Sixth Street Northwest;

thence northerly along the east side of Sixth Street to the northeast corner of the intersection of E Street and Sixth Street Northwest;

thence westerly along the north side of E Street to the northeast corner of the intersection of E Street and Seventh Street Northwest;

thence northerly along the east side of Seventh Street to the northeast corner of the intersection of Seventh Street and F Street Northwest;

thence westerly along the north side of F Street to the northwest corner of the intersection of F Street and Ninth Street Northwest;

thence southerly along the west side of Ninth Street to the northwest corner of the intersection of Ninth Street and E Street Northwest;

thence westerly along the north side of E Street to the northeast corner of the intersection of E Street and Thirteenth Street Northwest;

thence northerly along the east side of Thirteenth Street to the northeast corner of the intersection of F Street and Thirteenth Street Northwest;

thence westerly along the north side of F Street to the northwest corner of the intersection of F Street and Fifteenth Street Northwest;

thence northerly along the west side of Fifteenth Street to the northwest corner of the intersection of Pennsylvania Avenue and Fifteenth Street Northwest;

thence westerly along the southern side of Pennsylvania Avenue to the southeast corner of the

intersection of Pennsylvania Avenue and East Executive Avenue Northwest;

thence southerly along the east side of East Executive Avenue to the intersection of South Executive Place and E Street Northwest;

thence easterly along the south side of E Street to the point of beginning being the southwest corner of the intersection of Fifteenth Street and E Street Northwest.

SEC. 3. (a) There is hereby created a body corporate to be known as the Pennsylvania Avenue Development Corporation (hereinafter referred to as the "Corporation").

(b) The Corporation shall be dissolved upon completion, as determined by the Board of Directors, of its implementation of the development plan provided for in section 5 of this Act. Upon dissolution, assets remaining after all the obligations and indebtedness of the Corporation has been fulfilled and paid or satisfied shall be the assets of the United States.

(c) The powers and management of the Corporation shall be vested in a Board of Directors consisting of fifteen members, as follows:

(1) The Secretary of the Interior;

(2) The Secretary of the Treasury;

(3) The Secretary of Housing and Urban Development;

(4) The Secretary of Transportation;

(5) The Administrator of General Services;

(6) The Commissioner of the District of Columbia;

(7) The Chairman, District of Columbia Council; and

(8) Eight, at least four of whom shall be residents and who are registered voters of the District of Columbia, appointed by the President from private life, who shall have knowledge and experience in one or more fields of history, architecture, city planning, retailing, real estate, construction, or government.

(d) Each member of the Board of Directors specified in paragraphs (1) through (7) of subsection (c) may designate another official to serve on the Board in his stead if unable to serve in person.

(e) Each member of the Board of Directors appointed under paragraph (8) of subsection (c) shall serve for a term of six years from the expiration of his predecessor's term; except that (1) any Director appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of

office of the Directors first taking office shall begin on the date of the enactment of this Act, and shall expire as designated at the time of appointment, two at the end of two years, two at the end of four years, and four at the end of six years. A Director may continue to serve until his successor has qualified.

(f) The President shall designate a Chairman and a Vice Chairman from among the members of the Board of Directors, chosen from private life.

(g) The Chairman, upon his appointment, shall invite to serve on the Board of Directors as nonvoting members the following:

(1) The Chairman of the Commission of Fine Arts;

(2) The Chairman of the National Capital Planning Commission;

(3) The Secretary of the Smithsonian Institution;

(4) The Director of the National Gallery of Art;

(5) The Architect of the Capitol;

(6) The Archivist of the United States;

(7) The Chairman of the District of Columbia, Commission on the Arts; and

(8) The Chairman of the District of Columbia Redevelopment Land Agency.

(h) Members of the Board of Directors who are officers or employees of the Federal or District of Columbia government shall receive no additional compensation by virtue of their membership on the Board. Other members of the Board, when engaged in the activities of the Corporation, shall be entitled to receive compensation at the daily equivalent of the rate for GS–18 of the General Schedule, and travel expenses, including per diem in lieu of subsistence, as authorized by law 5 U.S.C. 5703(b)–(d) and 5707) for persons in the Government service employed intermittently.

(i) The Board of Directors shall meet at the call of the Chairman, who shall require it to meet not less often than once each three months. A majority of the voting members of the Board of Directors (or their designated alternates) shall constitute a quorum.

(j) There shall be established a nonvoting Advisory Board of seven members appointed by the Chairman from among tenants and owners of real property within the development area. The Advisory Board shall meet at least twice annually with the Board of Directors, and shall otherwise offer such advice and assistance as may be of benefit to the Board of Directors during preparation of the development plan.

SEC. 4. (a) The Board of Directors shall have the power to appoint and fix the compensation and duties of the Executive Director and such other officers and em-

ployees of the Corporation as may be necessary for the efficient administration of the Corporation; the Executive Director and two other officers of the Corporation may be appointed and compensated without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service and chapter 51 and subchapter 53 of title 5 of the United States Code.

(b) Administrative services shall be provided by the General Services Administration on a reimbursable basis.

SEC. 5. (a) The development plan for the development area shall include, but not be limited to: (1) the types of uses, both public and private, to be permitted; (2) criteria for the design and appearance of buildings, facilities, open spaces, and other improvements; (3) an estimate of the current values of all properties to be acquired; (4) an estimate of the relocation costs which would be incurred in carrying out the provisions of section 8 of this Act; (5) an estimate of the cost of land preparation for all properties to be acquired; (6) an estimate of the reuse values of the properties to be acquired: (7) a program for the staging of a proposed development, including a detailed description of the portion of the program to be scheduled for completion by 1976; (8) a determination of the marketability of such development; (9) an estimate of the development costs, both public and private; (10) a thorough study of the economic impact of such development, including the impact on the local tax base, the metropolitan area as a whole, and the existing business activities within the development area; and (11) the procedures (including both interim and long-term arrangements) to be used in carrying out and insuring continuing conformance to the development plan.

(b) The development plan provided for in subsection (a) shall be prepared with the Cooperation of the Department of the Interior, the General Services Administration, and the District of Columbia government with the maximum feasible use of their staffs and other resources on a reimbursable basis by the Corporation.

(c) After the development plan has been completed and approved by the Board of Directors of the Corporation, it shall be submitted to the Secretary of the Interior and the Commissioner of the District of Columbia. The Secretary of the Interior, within ninety days, shall notify the Corporation of his approval or recommended modifications from the standpoint of the compatibility of the plan with his responsibilities for the administration, protection, and development of the areas within the Pennsylvania Avenue National Historic Site. The Commissioner of the District of Columbia, within ninety days, shall consult with the National Capital Planning Commission,

shall hold public hearings on the plan, and shall notify the Corporation of his approval or recommended modifications: *Provided*, That in the event that the Secretary of the Interior or the Commissioner of the District of Columbia has not notified the Corporation of his approval or recommended modifications of the plan within ninety days after the date of submission, he shall be deemed to have approved the plan.

(d) In the event the Secretary of the Interior or the Commissioner of the District of Columbia has recommended modifications of the plan, the Corporation within one hundred and twenty days of the original submission of the plan shall consult with them regarding such modifications and shall prepare a development plan which shall be transmitted to the President of the Senate and the Speaker of the House of Representatives.

If the Secretary of the Interior or the Commissioner of the District of Columbia has not approved the development plan, the transmittal shall include a specification of the areas of difference, the modifications suggested by the Secretary of the Interior or the Commissioner of the District of Columbia and the views of the Corporation thereon. Following the expiration of sixty legislative days after the date of such transmittal, the Corporation may proceed with the execution and implementation of the plan unless between the date of transmittal and the end of the sixty legislative day period, either the Senate or the House of Representatives passes a resolution in opposition to the development plan.

(e) Activities under the development plan shall be carried out in accordance with the approved development plan. The Corporation may alter, revise, or amend the plan, but any such alteration, revision, or amendment which is a substantial change from the approved development plan shall take effect only upon compliance with the procedures set forth in subsections (c) and (d) of this section. For the purposes of this subsection, the term "substantial change" shall mean one involving a major alteration in the character or intensity of an existing or proposed use in the development area which in the opinion of the Corporation causes an increase or decrease of 10 per centum or more of the dollar amount of the estimate prepared in accordance with subsection (a)(9) of this section, or one which, in the opinion of the Secretary of the Interior, affects his responsibilities for the administration, protection, and development of the areas within the Pennsylvania Avenue National Historic Site.

(f) To avoid duplication and unnecessary expense the Corporation shall, to the maximum feasible extent in conducting its operations, utilize the services and facilities of other agencies, including the Department of the Interior,

General Servics Administration, the National Capital Planning Commission, the District of Columbia government, and the District of Columbia Redevelopment Land Agency.

SEC. 6. In carrying out its powers and duties, the Corporation—

(1) shall have all necessary and proper powers for the exercise of the authorities vested in it;

(2) shall have succession in its corporate name;

(3) may adopt and use a corporate seal which shall be judicially noticed;

(4) may sue and be sued in its corporate name. All litigation arising out of the activities of the Corporation shall be conducted by the Attorney General;

(5) may adopt, amend, and repeal bylaws, rules and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised;

(6) may acquire lands, improvements, and properties within the development area by purchase, lease, donation, or exchange; may hold, maintain, use, or operate such properties; may sell, lease, or otherwise dispose of such real and personal property and any interest therein as the Corporation deems necessary to carry out the development plan; or may lease, repurchase, or otherwise acquire and hold any property which the Corporation has theretofore sold, leased, conveyed, transferred, or otherwise disposed of: *Provided*, That condemnation proceedings for the acquisition of real property (including interests therein), which may be necessary or appropriate in order to carry out the development plan, shall be conducted in accordance with the procedural provisions of chapter 13, subchapter IV, of title 16 of the District of Columbia Code: *Provided further*, That prior to acquiring any residential property there shall be a finding of assurance of adequate replacement housing consonant with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894);

(7) may enter into and perform such contracts, leases, cooperative agreements, or other transactions with any agency or instrumentality of the United States, the several States, or the District of Columbia or with any person, firm, association, or corporation (including agreements with private utility companies with respect to the relocation of utility lines and other facilities in the development area) as may be deemed necessary or appropriate to the conduct of activities authorized under this Act;

(8) may establish (through covenants, regulations, agreements, or otherwise) such restrictions, standards, and requirements as are necessary to assure development, maintenance, and protection of the development area in accordance with the development plan;

(9) shall seek authority from the Congress to borrow money by issuing marketable obligations, after obtaining proposals from at least three private financial analysts on the feasibility of private versus public financing of the Corporation, which proposals shall be transmitted to the Congress with the development plan as provided in section 5 of this Act.

(10) may borrow money from the Treasury of the United States in such amounts as may be authorized in appropriation Acts, but not to exceed $50,000,000. Such borrowings from the Treasury shall have such maturities, terms, and conditions as may be agreed upon by the Corporation and the Secretary of the Treasury, but the maturities may not be in excess of forty years, and such borrowings may be redeemable at the option of the Corporation before maturity. Such borrowings shall bear interest at a rate determined by the Secretary of the Treasury taking into consideration the average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the obligations of the Corporation. The interest payments on such obligations may be deferred with the approval of the Secretary of the Treasury but any interest payment so deferred shall bear interest. Said obligations shall be issued in amounts and at prices approved by the Secretary of the Treasury. The authority of the Corporation to issue obligations hereunder shall expire June 3, 1980, except that obligations may be issued at any time after the expiration of said period to provide funds necessary for the performance of any contract entered into by the Corporation, prior to the expiration of said period. The Secretary of the Treasury is authorized and directed to purchase any obligations of the Corporation to be issued under this paragraph and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction of the United States the proceeds from the sale of any securities issued under the Second Liberty Loan Bond Act, as amended, and the purposes for which securities may be issued under the Second Liberty Loan Bond Act, as amended, are extended

to include any purchase of the Corporation's obligations under this paragraph;

(11) may invest any funds held in reserve or sinking funds, or any moneys not required for immediate use or disbursement, with the approval of the Secretary of the Treasury, in obligations of the United States Government, or obligations the principal and interest of which are guaranteed by the United States Government: *Provided*, That this authority shall not extend to moneys obtained by borrowing from the Government or through appropriations to the Corporation;

(12) may procure insurance against any loss in connection with its property and other assets and operations;

(13) may contract for and accept any gifts or grants or property or financial or other aid in any form from the Federal Government or any agency or instrumentality thereof, or from any State or any agency or instrumentality thereof, or from any source, and comply subject to the provisions of this Act, with the terms and conditions thereof;

(14) may determine the character of and necessity for its obligations and expenditures, and the manner in which they shall be incurred, allowed, and paid, subject to provisions and laws specifically applicable to wholly owned Government corporations;

(15) may prepare or cause to be prepared plans, specifications, designs, and estimates of cost for the construction, reconstruction, rehabilitation, improvement, alteration, or repair of any project, and from time to time may modify such plans, specifications, designs, or estimates;

(16) may acquire, construct, reconstruct, rehabilitate, improve, alter, or repair or provide for the construction, reconstruction, improvement, alteration, or repair of any project;

(17) may grant options to purchase any project or may renew any leases entered into by it in connection with any of its projects, on such terms and conditions as it may deem advisable;

(18) may manage any project, owned or leased by the Corporation, and may enter into agreements with the District of Columbia government or any agency or instrumentality thereof, or with any person, firm, partnership, or corporation, either public or private, for the purpose of causing any such project to be managed;

(19) may utilize or employ the services of personnel of any agency or instrumentality of the Federal Government or of the District of Columbia, with the

consent of the agency or instrumentality concerned, upon a reimbursable basis, or utilize voluntary or uncompensated personnel;

(20) shall publish and disseminate information and make known to potential users, by advertisement, solicitation, or other means, the availability for development of lands in the development area;

(21) may execute all instruments necessary or appropriate in the exercise of any of its functions under this Act, and may delegate to members of the Board or the Executive Director such of its powers and responsibilities as it deems appropriate and useful for the administration of the Corporation; and

(22) shall be entitled to the use of the United States mails in the same manner as the executive department of the Government, and shall have all the rights, privileges, and immunities of the United States with respect to debts due from insolvent, deceased, or bankrupt debtors.

SEC. 7. (a) Nothing in this Act shall preclude other agencies or instrumentalities of the Federal Government or of the District of Columbia from exercising any lawful powers in the development area consistent with the development plan or the provisions and purposes of this Act; but no such agency or instrumentality shall release, modify, or depart from any feature or detail of the development plan without the prior approval of the Corporation.

(b) After the date of the enactment of this Act, no new construction (including substantial remodeling, conversion, rebuilding, enlargement, extension, or major structural improvement of existing building, but not including ordinary maintenance or remodeling or changes necessary to continue occupancy) shall be authorized or conducted within the development area except upon prior certification by the Corporation that the construction is, or may reasonably be expected to be, consistent with the carrying out of the development plan for the area: *Provided*, That if the development plan for the area does not become effective under the provisions of section 5 within twelve months of the date of enactment of this Act, this subsection shall be of no further force and effect until such time as the development plan does become effective under that section.

SEC. 8. (a) The title to any real property (or interest therein) acquired under the authority of this Act shall be taken by and in the name of the Corporation and proceedings for condemnation or other acquisition of property shall be brought by and in the name of the Corporation.

(b) In the administration of a relocation program or programs pursuant to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, the Corporation may utilize the services of the District of Columbia Redevelopment Land Agency. Costs of such services shall be reimbursed by the Corporation to the District of Columbia Redevelopment Land Agency.

(c) All relocation services performed by or on behalf of the Corporation shall be coordinated with the District of Columbia's central relocation programs.

(d) Owners and tenants of real property whose residence, or retail, wholesale, service or other business is terminated as a result of acquisitions made pursuant to this Act shall be granted a preferential right to lease or purchase from the Corporation or its agent such like real property as may become available for a similar use upon implementation of the development plan. Any such preferential right shall be limited to the parties in interest and shall not be transferable or assignable.

SEC. 9. (a) In effectuating the purposes of this Act, the Corporation:

(1) shall consult and cooperate with District of Columbia officials and community leaders at the earliest practicable time;

(2) shall give primary consideration to local needs and desires and to local and regional goals and policies as expressed in urban renewal, community renewal, and comprehensive land use plans and regional plans; and

(3) shall foster local initiative and participation in connection with the planning and development of its projects.

(b) The Corporation shall comply with all District of Columbia laws, ordinances, codes, and regulations in constructing, reconstructing, rehabiltating, altering, and improving any project: *Provided*, That the provisions of section 428 of title 5 of the District of Columbia Code shall apply to all the constructing, reconstructing, rehabilitating, altering, and improving of all buildings by the Corporation. The construction, reconstruction, rehabilitation, alteration, and improvement of any project by non-Government sources shall be subject to the provisions of the District of Columbia Code and zoning regulations.

SEC. 10. (a) Since the exercise of the powers granted by this Act will be in all respects for the benefit of the people, the Corporation is hereby declared to be devoted to an essential public and governmental function and purpose and shall be exempt from all taxes and special assessments of every kind of the United States and of the District of Columbia.

(b) To the end that the District of Columbia may not suffer undue loss of tax revenue by reason of the provisions of subsection (a), the Corporation, in connection with any real property acquired and owned by the Corporation in carrying out the provisions of this Act shall pay to the District of Columbia government an amount equal to the amount of the real property tax which would have been payable to the District of Columbia government beginning on the date of acquisition of such real property by the Corporation if legal title to such property had been held by a private citizen on such date and during all periods to which such date relates.

SEC. 11. The Corporation shall transmit to the President and the Congress, annually each January and at such other times as it deems desirable, a comprehensive and detailed report of its operations, activities, and accomplishments under this Act.

SEC. 12. (a) The Corporation shall contribute to the civil service retirement and disability fund, on the basis of annual billings as determined by the Civil Service Commission for the excess, if any, of the Government's share of the normal cost of the civil service retirement system applicable to the Corporation's employees and their beneficiaries over the agency contributions required by section 8334(a)(1) of title 5, United States Code.

(b) The Corporation shall include in the annual billings provided for under subsection (a) above, a statement of the fair portion of the cost of the administration of the fund, which shall be paid by the Corporation into the Treasury as miscellaneous receipts.

SEC. 13. The Corporation is authorized to use in the conduct of its business all its funds and other assets and all funds and other assets which have been or may hereafter be transferred to, allocated to, borrowed by, or otherwise acquired by it.

SEC. 14. (a) All general penal statutes relating to the larceny, embezzlement, or conversion of public moneys or property of the United States shall apply to moneys and property of the Corporation.

(b) Any person who, with intent to defraud the Corporation, or to deceive any director, officer, or employee of the Corporation or any officer or employee of the United States, (1) makes any false entry in any book of the Corporation, or (2) makes any false report or statement for the Corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than five years, or both.

(c) Any person who with intent to defraud the Corporation (1) receives any compensation, rebate, or reward, or (2) enters into any conspiracy, collusion, or

agreement, express or implied, shall, on conviction thereof, be fined not more than $5,000 or imprisoned not more than five years, or both.

SEC. 15. Section 101 of the Government Corporation Control Act (31 U.S.C. 846) is amended by inserting "Pennsylvania Avenue Development Corporation;" after "Farmers Home Corporation;".

SEC. 16. If any provisions of this Act or the application thereof to any body, agency, situation, or circumstances is held invalid the remainder of the Act and the application of such provision to other bodies, agencies, situations, or circumstances, shall not be affected thereby.

SEC. 17. There are hereby authorized to be appropriated not to exceed $1,000,000 for the development of the plan to be prepared pursuant to section 5 of this Act. No appropriations shall be made from the Land and Water Conservation Fund established by the Act of September 3, 1964 (78 Stat. 897, as amended, 16 U.S.C. 4601), to effectuate the purposes of this Act.

Approved October 27, 1972.

Legislative history

House Report No. 92-1445 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Oct. 14, 17, considered and passed House.
Oct. 16, 18, considered and passed Senate.
Weekly Compilation of Presidential Documents:
Vol. 8, No. 44, Oct. 21, Presidential statement.
Vol. 8, No. 45, Oct. 30, Presidential statement.

10. Piscataway Park

An Act to amend the Act of October 4, 1961, to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Maryland, and for other purposes. (80 Stat. 319)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to achieve more efficiently the purposes of the Act of October 4, 1961 (75 Stat. 780), the first sentence of section 2(b) of said Act is amended to read as follows: "When the Secretary of the Interior receives a commitment, subject to such conditions as shall be agreeable to him and the potential donor or donors, in accordance with which commitment the property referred to in subsection (a) will be donated to the United States for purposes of this Act, he is authorized to acquire by such means as he finds are in the public interest other land and interests in land lying generally within the area identified as 'Fee Acquisition Area' on the drawing entitled 'Piscataway Park', numbered NCR 69.714–18, and dated January 25, 1966, which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior."

(b) Section 2(b) of said Act is further amended by inserting at the end thereof the following new paragraph:

"With respect to any property acquired within the 'Fee Acquisition Area' except property donated to the United States, the Secretary may convey a freehold or leasehold interest therein, subject to such terms and conditions as assure the Secretary control over the property and its use solely in accordance with the purposes of this Act. When the Secretary exercises his discretion to convey such interest, he shall do so to the highest bidder, in accordance with such regulations as he may prescribe, but such conveyance shall be at not less than the fair market value of the property, as determined by the Secretary. Within the 'Fee Acquisition Area', the Secretary may accept title to any non-Federal property or interest therein and in exchange therefor he may convey to the grantor of such property any federally owned property or interest therein within such area. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor from moneys appropriated to carry out the provisions of this Act or to the Secretary as the circumstances require. The proceeds received from any conveyance under this subsection shall be credited to the Land and Water Conservation Fund in the Treasury of the United States."

(c) The first sentence of section 2(c) of said Act is amended to read as follows: "To further the preservation objective of this Act the Secretary may accept donations of scenic easements in the land within the described area now leased and operated by the Marshall Hall Park, Incorporated, as more specifically described in a deed, recorded in the land records of Charles County, Maryland, in folio 126, liber 131, and the area designated as 'Scenic Protection Area' on the drawing referred to in subsection (b) of this section."

SEC. 2. Section 4 of said Act is amended by striking "$937,600" and substituting "$4,132,000".

Approved July 19, 1966.

Legislative History

House Report No. 1465 (Committee on Interior and Insular Affairs).
Senate Report No. 1347 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 112 (1966):
May 2: Considered and passed House.
June 30: Considered and passed Senate.

An Act to authorize additional funds for acquisition of interests in land within the area known as Piscataway Park in the State of Maryland. (86 Stat. 1063)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of October 4, 1961 (75 Stat. 780, 782), as amended (80 Stat. 319), is further amended by deleting "$4,132,000" and inserting "$5,657,000".

Approved October 23, 1972.

Legislative History

House Report No. 92–1420 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 118 (1972):
Oct. 10, considered and passed House.
Oct. 14, considered and passed Senate.
Weekly Compilation of Presidential Documents. Vol. 8 No. 44: Oct. 28, Presidential statement.

11. Wolf Trap Farm Park

An Act to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Virginia, and for other purposes. (80 Stat. 950)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of establishing in the National Capital area a park for the performing arts and related educational programs, and for recreation use in connection therewith, the Secretary of the Interior is authorized to establish, develop, improve, operate, and maintain the Wolf Trap Farm Park in Fairfax County, Virginia. The park shall encompass the portions of the property formerly known as Wolf Trap Farm and Symphony Hill in Fairfax County, Virginia, to be donated for park purposes to the United States, and such additional lands or interests therein as the Secretary may acquire for purposes of the park by donation or purchase with donated or appropriated funds, the aggregate of which shall not exceed one hundred and forty-five acres.

SEC. 2. The Secretary of the Interior shall administer the park in accordance with the provisions of section 1 of this Act and the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

SEC. 3. There are authorized to be appropriated such sums as may be necessary, but not in excess of $600,000, to carry out the purposes of this Act.

Approved October 15, 1966.

Legislative History

House Report No. 1821 (Committee on Interior and Insular Affairs).
Senate Report No. 1346 (Committee on Interior and Insular Affairs).
Congressional Record, Vol. 112 (1966):
June 30: Considered and passed Senate.
Sept. 19: Considered in House.
Oct. 10: Considered and passed 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. (86 Stat. 120)

Be it enacted by the Senate and House of Representassembled,

* * * * * * *

TITLE II—DEVELOPMENT CEILING INCREASES

SEC. 201. The limitations on appropriations for acquisition and development of units of the national park system contained in the following Acts are amended as follows:

* * * * * * *

(4) Wolf Trap Farm Park, Virginia: section 3 of the Act of October 15, 1966 (80 Stat. 950), is amended by changing "$600,000" to "$5,473,000".

* * * * * * *

SEC. 202. The additional sums authorized to be appropriated for development in the Acts as amended in section 201 are based on March 1971 prices and may be increased or decreased in appropriation Acts by 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 for each area.

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Approved April 11, 1972.

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UNITED STATES DEPARTMENT OF THE INTERIOR
CECIL D. ANDRUS, *Secretary*
NATIONAL PARK SERVICE
RUSSELL E. DICKENSON, *Director*

LAWS RELATING TO THE NATIONAL PARK SERVICE

SUPPLEMENT IV
January 1973 to December 1978

Compiled By
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National Park Service



U. S. GOVERNMENT PRINTING OFFICE
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FOREWORD

This is the fourth supplement to the publication Laws Relating to the National Park Service, first printed in 1933 and supplemented in 1944, 1963, and 1972.

This volume contains laws relating to the National Park Service enacted by the Congress between January, 1973, and December, 1978. Unlike Supplements I, II, and III, laws relating to National Preserves, National Reserves, and an Appendix are included in this compilation.

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I. GENERAL LEGISLATION

1. Administration of National Park System

An Act to amend the Act approved August 18, 1970, providing for improvement in the administration of the National Park System by the Secretary of the Interior and clarifying authorities applicable to the National Park System, and for other purposes. (90 Stat. 1939) (P.L. 94-458)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act approved August 18, 1970 (84 Stat. 825; 16 U.S.C. 1a–1 et seq.), is amended as follows:

(1) In subsection (e), after "within an area of the national park system," insert ", as long as such activity does not jeopardize or unduly interfere with the primary natural or historic resource of the area involved,".

(2) At the end of subsection (g), change the period to a semicolon and add the following new subsections:

"(h) promulgate and enforce regulations concerning boating and other activities on or relating to waters located within areas of the National Park System, including waters subject to the jurisdiction of the United States: *Provided*, That any regulations adopted pursuant to this subsection shall be complementary to, and not in derogation of, the authority of the United States Coast Guard to regulate the use of waters subject to the jurisdiction of the United States;

"(i) provide meals and lodging, as the Secretary deems appropriate, for members of the United States Park Police and other employees of the National Park Service, as he may designate, serving temporarily on extended special duty in areas of the National Park System, and for this purpose he is authorized to use funds appropriated for the expenses of the Department of the Interior.".

SEC. 2. Such Act of August 18, 1970, is further amended by adding the following new sections:

"SEC. 5. Section 11 of the Act of May 26, 1930 (46 Stat. 383; 16 U.S.C. 17j), is amended to read as follows:

" 'SEC. 11. In the administration of the National Park System, the Secretary of the Interior is authorized, under regulations prescribed by him, to pay (a) the traveling expenses of employees, including the costs of packing, crating, and transporting (including draying) their personal property, upon permanent change of station of such employees and (b) the traveling expenses as aforesaid

of dependents of deceased employees (i) to the nearest housing reasonably available and of a standard not less than that which is vacated, and to include compensation for not to exceed sixty days rental cost thereof, in the case of an employee who occupied Government housing and the death of such employee requires that housing to be promptly vacated, and (ii) to the nearest port of entry in the conterminous forty-eight States in the case of an employee whose last permanent station was outside the conterminous forty-eight States.'.

"SEC. 6. Notwithstanding any other provision of law, the Secretary of the Interior may relinquish to a State, or to a Commonwealth, territory, or possession of the United States, part of the legislative jurisdiction of the United States over National Park System lands or interests therein in that State, Commonwealth, territory, or possession: *Provided*, That prior to consummating any such relinquishment, the Secretary shall submit the proposed agreement to the Committees on Interior and Insular Affairs of the United States Congress, and shall not finalize such agreement until sixty calendar days after such submission shall have elapsed. Relinquishment of legislative jurisdiction under this section may be accomplished (1) by filing with the Governor (or, if none exists, with the chief executive officer) of the State, Commonwealth, territory, or possession concerned a notice of relinquishment to take effect upon acceptance thereof, or (2) as the laws of the State, Commonwealth, territory, or possession may otherwise provide. The Secretary shall diligently pursue the consummation of arrangements with each State, Commonwealth, territory, or possession within which a unit of the National Park System is located to the end that insofar as practicable the United States shall exercise concurrent legislative jurisdiction within units of the National Park System.

"SEC. 7. Notwithstanding subsection 5901(a) of title 5, United States Code (80 Stat. 508), as amended, the uniform allowance for uniformed employees of the National Park Service may be up to $400 annually.

"SEC. 8. The Secretary of the Interior is directed to investigate, study, and continually monitor the welfare of areas whose resources exhibit qualities of national significance and which may have potential for inclusion in the National Park System. At the beginning of each fiscal year, the Secretary shall transmit to the Speaker of the House of Representatives and to the President of the Senate, comprehensive reports on each of those areas upon which studies have been completed. On this same date, and accompanying such reports, the Secretary shall transmit a listing, in generally descending order of importance or merit, of not less than twelve such areas which appear to be of national significance and which may have potential for inclusion in the National Park System. Threats to resource values, and cost escalation factors shall be considered in listing the order of impor-

tance or merit. Such listing may be comprised of any areas heretofore submitted under terms of this section, and which at the time of listing are not included in the National Park System. The Secretary is also directed to transmit annually to the Speaker of the House of Representatives and to the President of the Senate, at the beginning of each fiscal year, a complete and current list of all areas included on the Registry of Natural Landmarks and those areas of national significance listed on the National Register of Historic places which areas exhibit known or anticipated damage or threats to the integrity of their resources, along with notations as to the nature and severity of such damage or threats. Each report and annual listing shall be printed as a House document.

"SEC. 9. Section 3 of the Act of August 21, 1935 (49 Stat. 666, 667; 16 U.S.C. 461, 463), is amended to read as follows:

" 'SEC. 3. (a) A general advisory board to be known as the National Park System Advisory Board is hereby established, to be composed of not to exceed eleven persons, citizens of the United States, to include but not be limited to representatives competent in the fields of history, archaeology, architecture, and natural science, who shall be appointed by the Secretary for a term not to exceed four years. The Secretary shall take into consideration nominations for appointees from public and private, professional, civic, and educational societies, associations, and institutions. The members of such board shall receive no salary but may be paid expenses incidental to travel when engaged in discharging their duties as members. It shall be the duty of such board to advise the Secretary on matters relating to the National Park System, to other related areas, and to the administration of this Act, including but not limited to matters submitted to it for consideration by the Secretary, but it shall not be required to recommend as to the suitability or desirability of surplus real and related personal property for use as an historic monument.

" '(b) The National Park System Advisory Board shall continue to exist until January 1, 1990. In all other respects, it shall be subject to the provisions of the Federal Advisory Committee Act.'.

"SEC. 10. (a) The arrest authority relating to the National Park Service is hereby amended in the following respects:

"(1) Section 3 of the Act of March 3, 1897 (29 Stat. 621; 16 U.S.C. 415), as supplemented; relating to certain arrest authority relative to national military parks, is hereby repealed;

"(2) The first paragraph of that portion designated 'GENERAL EXPENSES—FOREST SERVICE' of the Act of March 3, 1905 (33 Stat. 872; 16 U.S.C. 10, 559), as amended, relating in part to arrest authority relative to laws and regulations ap-

plicable to forest reserves and national parks, is amended by deleting the words 'and national park service', 'and national parks', and 'or national parks';

"(3) Section 2 of the Act of March 2, 1933 (47 Stat. 1420; 16 U.S.C. 10a), as amended, relating to certain arrest authority for certain employees of the National Park Service, is hereby repealed; and

"(4) The second paragraph of section 6 of the Act of October 8, 1964 (78 Stat. 1041; 16 U.S.C. 460n–5), as amended, relating to certain arrest authority relative to the Lake Mead National Recreation Area, is hereby repealed.

"(b) In addition to any other authority conferred by law, the Secretary of the Interior is authorized to designate, pursuant to standards prescribed in regulations by the Secretary, certain officers or employees of the Department of the Interior who shall maintain law and order and protect persons and property within areas of the National Park System. In the performance of such duties, the officers or employees, so designated, may—

"(1) carry firearms and make arrests without warrant for any offense against the United States committed in his presence, or for any felony cognizable under the laws of the United States if he has reasonable grounds to believe that the person to be arrested has committed or is committing such felony, provided such arrests occur within that system or the person to be arrested is fleeing therefrom to avoid arrest;

"(2) execute any warrant or other process issued by a court or officer of competent jurisdiction for the enforcement of the provisions of any Federal law or regulation issued pursuant to law arising out of an offense committed in that system or, where the person subject to the warrant or process is in that system, in connection with any Federal offense; and

"(3) conduct investigations of offenses against the United States committed in that system in the absence of investigation thereof by any other Federal law enforcement agency having investigative jurisdiction over the offense committed or with the concurrence of such other agency.

"(c) The Secretary of the Interior is hereby authorized to—

"(1) designate officers and employees of any other Federal agency or law enforcement personnel of any State or political subdivision thereof, when deemed economical and in the public interest and with the concurrence of that agency or that State or subdivision, to act as special policemen in areas of the National Park System when supplemental law enforcement personnel may be needed, and to exercise the powers and authority provided by paragraphs (1), (2), and (3) of subsection (b) of this section;

"(2) cooperate, within the National Park System, with any State or political subdivision thereof in the enforcement of supervision of the laws or ordinances of that State or subdivision; and

"(3) provide limited reimbursement, to a State or its political subdivisions, in accordance with such regulations as he may prescribe, where the State has ceded concurrent legislative jurisdiction over the affected area of the system, for expenditures incurred in connection with its activities within that system which were rendered pursuant to paragraph (1) of this subsection.

"(4) the authorities provided by this subsection shall supplement the law enforcement responsibilities of the National Park Service, and shall not authorize the delegation of law enforcement responsibilities of the agency to State and local governments.

"(d) (1) Except as otherwise provided in this subsection, a law enforcement officer of any State or political subdivision thereof designated to act as a special policeman under subsection (c) of this section shall not be deemed a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including, but not limited to, those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal benefits.

"(2) For purposes of the tort claim provisions of title 28, United States Code, a law enforcement officer of any State or political subdivision thereof shall, when acting as a special policeman under subsection (c) of this section, be considered a Federal employee.

"(3) For purposes of subchapter I of chapter 81 of title 5, United States Code, relating to compensation to Federal employees for work injuries, a law enforcement officer of any State or political subdivision thereof shall, when acting as a special policeman under subsection (c) of this section be deemed a civil service employee of the United States within the meaning of the term 'employee' as defined in section 8101 of title 5, and the provisions of that subchapter shall apply.

"(e) Nothing contained in this Act shall be construed or applied to limit or restrict the investigative jurisdiction of any Federal law enforcement agency other than the National Park Service, and nothing shall be construed or applied to affect any right of a State or a political subdivision thereof to exercise civil and criminal jurisdiction within the National Park System.

"SEC. 11. Section 101(a) of title I of Public Law 89–655 (80 Stat. 915; 16 U.S.C. 470a), is amended by adding thereto a new paragraph to read as follows:

" '(4) to withhold from disclosure to the public, information relating to the location of sites or objects listed on the National Register whenever he deter-

mines that the disclosure of specific information would create a risk of destruction or harm to such sites or objects.'.

"SEC. 12. (a) Not later than January 15 of each calendar year, the Secretary of the Interior shall transmit to the Committees on Interior and Insular Affairs a detailed program for the development of facilities, structures, or buildings for each unit of the National Park System consistent with the general management plans required in subsection (b) of this section.

"(b) General management plans for the development of each unit of the National Park System, including the areas within the national capital region, shall be prepared by the Director of the National Park Service and transmitted to the Committees on Interior and Insular Affairs. Such plans shall include:

"(1) the facilities which the Director finds necessary to accommodate the health, safety, and recreation needs of the visiting public, including such facilities as he may deem appropriate to provide in accordance with the provisions of the Act of October 9, 1965 (79 Stat. 969);

"(2) the location and estimated cost of all such facilities; and

"(3) the projected need for any additional facilities required for such unit.

"(c) The Secretary of the Interior shall hereafter transmit to the Committees on Interior and Insular Affairs all proposed awards of concession leases and contracts involving a gross annual business of $100,000 or more, or exceeding five years in duration (including renewals thereof), and all proposed rules and regulations relating thereto, sixty days before such awards are made or such rules and regulations are promulgated. The Act of July 14, 1956 (70 Stat. 543) is hereby repealed.".

Approved October 7, 1976.

Legislative History:

House Report No. 94-1569 accompanying H.R. 11887 (Comm. on Interior and Insular Affairs).
Senate Report No. 94-1190 (Comm. on Interior and Insular Affairs)
Congressional Record, Vol. 122 (1976):
Sept. 17, considered and passed Senate.
Sept. 21, considered and passed House, amended, in lieu of H.R. 11887.
Sept. 23, Senate agreed to House amendment.

2. Clean Air Act Amendments

An Act to amend the Clean Air Act, and for other purposes. (91 Stat. 685) (P.L. 95-95)

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

TITLE I—AMENDMENTS RELATING TO TITLE I OF THE CLEAN AIR ACT

* * * * * * *

SEC. 116. (a) Section 118 of the Clean Air Act, relating to control of pollution from Federal facilities, is amended—

(1) by striking "(a)" after "118", and

(2) by striking out "shall comply with Federal, State, interstate, and local requirements respecting control and abatement of air pollution to the same extent that any person is subject to such requirements" and inserting in lieu thereof "and each officer, agent, or employee thereof, shall be subject to, and comply with, all Federal, State, interstate, and local requirements, administrative authority, and process and sanctions respecting the control and abatement of air pollution in the same manner, and to the same extent as any nongovernmental entity. The preceding sentence shall apply (A) to any requirement whether substantive or procedural (including any recordkeeping or reporting requirement, any requirement respecting permits and any other requirement whatsoever), (B) to the exercise of any Federal, State, or local administrative authority, and (C) to any process and sanction, whether enforced in Federal, State, or local courts or in any other manner. This subsection shall apply notwithstanding any immunity of such agencies, officers, agents, or employees under any law or rule of law. No officer, agent, or employee of the United States shall be personally liable for any civil penalty for which he is not otherwise liable.".

(b) Section 118 of such Act is amended by striking out "The President may exempt" and inserting in lieu thereof:

"(b) The President may exempt".

(c) Section 118(b) of such Act, as amended by subsection (b) of this Act, is amended by inserting the following immediately before the last sentence thereof: "In addition to any such exemption of a particular emission source, the President may, if he determines it to be in the paramount interest of the United States to do so, issue regulations exempting from compliance with the requirements of this section any weaponry, equipment,

aircraft, vehicles, or other classes or categories of property which are owned or operated by the Armed Forces of the United States (including the Coast Guard) or by the National Guard of any State and which are uniquely military in nature. The President shall reconsider the need for such regulations at three-year intervals.".

SEC. 160. The purposes of this part are as follows:

"(1) to protect public health and welfare from any actual or potential adverse effect which in the Administrator's judgment may reasonably be anticipated to occur from air pollution or from exposures to pollutants in other media, which pollutants originate as emissions to the ambient air), notwithstanding attainment and maintenance of all national ambient air quality standards;

"(2) to preserve, protect, and enhance the air quality in national parks, national wilderness areas, national monuments, national seashores, and other areas of special national or regional natural, recreational, scenic, or historic value;

"(3) to insure that economic growth will occur in a manner consistent with the preservation of existing clear air resources;

"(4) to assure that emissions from any source in any State will not interfere with any portion of the applicable implementation plan to prevent significant deterioration of air quality for any other State; and

"(5) to assure that any decision to permit increased air pollution in any area to which this section applies is made only after careful evaluation of all the consequences of such a decision and after adequate procedural opportunities for informed public participation in the decisionmaking process.

SEC. 161. In accordance with the policy of section 101(b)(1), each applicable implementation plan shall contain emission limitations and such other measures as may be necessary, as determined under regulations promulgated under this part, to prevent significant deterioration of air quality in each region (or portion thereof) identified pursuant to section 107(d) (1) (D) or (E).

"INITIAL CLASSIFICATIONS

SEC. 162. (a) Upon the enactment of this part, all—

"(1) international parks,

"(2) national wilderness areas which exceed 5,000 acres in size,

"(3) national memorial parks which exceed 5,000 acres in size, and

"(4) national parks which exceed six thousand acres in size and which are in existence on the date of enactment of the Clean Air Act Amendments of 1977 shall be class I areas and may not be redesig-

nated. All areas which were redesignated as class I under regulations promulgated before such date of enactment shall be class I areas which may be redesignated as provided in this part.

"(b) All areas in such State identified pursuant to section 107(d) (1) (D) or (E) which are not established as class I under subsection (a) shall be class II areas unless redesignated under section 164.

SEC. 163. (a) In the case of sulfur oxide and particulate matter, each applicable implementation plan shall contain measures assuring that maximum allowable increases over baseline concentrations of, and maximum allowable concentrations of, such pollutant shall not be exceeded. In the case of any maximum allowable increase (except an allowable increase specified under 165 (d) (2) (C) (iv) for a pollutant based on concentrations permitted under national ambient air quality standards for any period other than an annual period, such regulations shall permit such maximum allowable increase to be exceeded during one such period per year.

"(b) (1) For any class I area, the maximum allowable increase in concentrations of sulfur dioxide and particulate matter over the baseline concentration of such pollutants shall not exceed the following amounts:

"Pollutant	Maximum allowable increase (in micrograms per cubic meter)
Particulate matter:	
Annual geometric mean	5
Twenty-four-hour maximum	10
Sulfur dioxide:	
Annual arithmetic mean	2
Twenty-four-hour maximum	5
Three-hour maximum	25

"(2) For any class II area, the maximum allowable increase in concentrations of sulfur dioxide and particulate matter over the baseline concentration of such pollutants shall not exceed the following amounts:

"Pollutant	Maximum allowable increase (in micrograms per cubic meter)
Particulate matter:	
Annual geometric mean	19
Twenty-four-hour maximum	37
Sulfur dioxide:	
Annual arithmetic mean	20
Twenty-four-hour maximum	91
Three-hour maximum	512

"(3) For any class III area, the maximum allowable increase in concentrations of sulfur dioxide and particulate matter over the baseline concentration of such pollutants shall not exceed the following amounts:

"Pollutant	Maximum allowable increase (in micrograms per cubic meter)
Particulate matter:	
Annual geometric mean	37
Twenty-four-hour maximum	75
Sulfur dioxide:	
Annual arithmetic mean	40
Twenty-four-hour maximum	182
Three-hour maximum	700

"(4) The maximum allowable concentration of any air pollutant in any area to which this part applies shall not exceed a concentration for such pollutant for each period of exposure equal to—

"(A) the concentration permitted under the national secondary ambient air quality standard, or

"(B) the concentration permitted under the national primary ambient air quality standard,

whichever concentration is lowest for such pollutant for such period of exposure.

"(c) (1) In the case of any State which has a plan approved by the Administrator for purposes of carrying out this part, the Governor of such State may, after notice and opportunity for public hearing, issue orders or promulgate rules providing that for purposes of determining compliance with the maximum allowable increases in ambient concentrations of an air pollutant, the following concentrations of such pollutant shall not be taken into account:

"(A) concentrations of such pollutant attributable to the increase in emissions from stationary sources which have converted from the use of petroleum products, or natural gas, or both, by reason of an order which is in effect under the provisions of sections 2 (a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any subsequent legislation which supersedes such provisions) over the emissions from such sources before the effective date of such order.

"(B) the concentrations of such pollutant attributable to the increase in emissions from stationary sources which have converted from using natural gas by reason of a natural gas curtailment pursuant to a natural gas curtailment plan in effect pursuant to the Federal Power Act over the emissions from such sources before the effective date of such plan,

"(C) concentrations of particulate matter attributable to the increase in emissions from construction or other temporary emission-related activities, and

"(D) the increase in concentrations attributable to new sources outside the United States over the concentrations attributable to existing sources which are included in the baseline concentration determined in accordance with section 169(4).

"(2) No action taken with respect to a source under paragraph (1) (A) or (1) (B) shall apply more than five years after the effective date of the order referred to in paragraph (1) (A) or the plan referred to in paragraph (1) (B), whichever is applicable. If both such order and plan are applicable, no such action shall apply more than five years after the later of such effective dates.

"(3) No action under this subsection shall take effect unless the Governor submits the order or rule providing for such exclusion to the Administrator and the Admin-

istrator determines that such order or rule is in compliance with the provisions of this subsection.

SEC. 164. (a) Except as otherwise provided under subsection (c), a State may redesignate such areas as it deems appropriate as class I areas. The following areas may be redesignated only as class I or II:

"(1) an area which exceeds ten thousand acres in size and is a national monument, a national primitive area, a national preserve, a national recreation area, a national wild and scenic river, a national wildlife refuge, a national lakeshore or seashore, and

"(2) a national park or national wilderness area established after the date of enactment of this Act which exceeds ten thousand acres in size.

Any area (other than an area referred to in paragraph (1) or (2) or an area established as class I under the first sentence of section 162(a)) may be redesignated by the State as class III if—

"(A) such redesignation has been specifically approved by the Governor of the State, after consultation with the appropriate Committees of the legislature if it is in session or with the leadership of the legislature if it is not in session (unless State law provides that such redesignation must be specifically approved by State legislation) and if general purpose units of local government representing a majority of the residents of the area so redesignated enact legislation (including for such units of local government resolutions where appropriate) concurring in the State's redesignation;

"(B) such redesignation will not cause, or contribute to, concentrations of any air pollutant which exceed any maximum allowable increase or maximum allowable concentration permitted under the classification of any other area; and

"(C) such redesignation otherwise meets the requirements of this part.

Subparagraph (A) of this paragraph shall not apply to area redesignations by Indian tribes.

"(b) (1) (A) Prior to redesignation of any area under this part, notice shall be afforded and public hearings shall be conducted in areas proposed to be redesignated and in areas which may be affected by the proposed redesignation. Prior to any such public hearing a satisfactory description and analysis of the health, environmental, economic, social, and energy effects of the proposed redesignation shall be prepared and made available for public inspection and prior to any such redesignation, the description and analysis of such effects shall be reviewed and examined by the redesignating authorities.

"(B) Prior to the issuance of notice under subparagraph (A) respecting the redesignation of any area under

this subsection, if such area includes any Federal lands, the State shall provide written notice to the appropriate Federal land manager and afford adequate opportunity (but not in excess of 60 days) to confer with the State respecting the intended notice of redesignation and to submit written comments and recommendations with respect to such intended notice of redesignation. In redesignating any area under this section with respect to which any Federal land manager has submitted written comments and recommendations, the State shall publish a list of any inconsistency between such redesignation and such recommendations and an explanation of such inconsistency (together with the reasons for making such redesignation against the recommendation of the Federal land manager).

"(C) The Administrator shall promulgate regulations not later than six months after date of enactment of this part, to assure, insofar as practicable, that prior to any public hearing on redesignation of any area, there shall be available for public inspection any specific plans for any new or modified major emitting facility which may be permitted to be constructed and operated only if the area in question is designated or redesignated as class III.

"(2) The Administrator may disapprove the redesignation of any area only if he finds, after notice and opportunity for public hearing, that such redesignation does not meet the procedural requirements of this section. If any such disapproval occurs, the classification of the area shall be that which was in effect prior to the redesignation which was disapproved.

"(c) Lands within the exterior boundaries of reservations of federally recognized Indian tribes may be redesignated only by the appropriate Indian governing body. Such Indian governing body shall be subject in all respect to the provisions of subsection (e).

"(d) The Federal Land Manager shall review all national monuments, primitive areas, and national preserves, and shall recommend any appropriate areas for redesignation as class I where air quality related values are important attributes of the area. The Federal Land Manager shall report such recommendations, within supporting analysis, to the Congress and the affected States within one year after enactment of this section. The Federal Land Manager shall consult with the appropriate States before making such recommendations.

"(e) If any State affected by the redesignation of area by an Indian tribe or any Indian tribe affected by the redesignation of an area by a State disagrees with such redesignation of any area, or if a permit is proposed to be issued for any new major emitting facility proposed for construction in any State which the Governor of an affected State or governing body of an affected Indian tribe determines will cause or contribute to a cumulative change in air quality in excess of that allowed in this

part within the affected State or tribal reservation, the Governor or Indian ruling body may request the Administrator to enter into negotiations with the parties involved to resolve such dispute. If requested by any State or Indian tribe involved, the Administrator shall make a recommendation to resolve the dispute and protect the air quality related values of the lands involved. If the parties involved do not reach agreement, the Administrator shall resolve the dispute and his determination, or the results of agreements reached through other means, shall become part of the applicable plan and shall be enforceable as part of such plan. In resolving such disputes relating to area redesignation, the Administrator shall consider the extent to which the lands involved are of sufficient size to allow effective air quality management or have air quality related values of such an area.

SEC. 165. (a) No major emitting facility on which construction is commenced after the date of the enactment of this part, may be constructed in any area to which this part applies unless—

"(1) a permit has been issued for such proposed facility in accordance with this part setting forth emission limitations for such facility which conform to the requirements of this part:

"(2) the proposed permit has been subject to a review in accordance with this section, the required analysis has been conducted in accordance with regulations promulgated by the Administrator, and a public hearing has been held with opportunity for interested persons including representatives of the Administrator to appear and submit written or oral presentations on the air quality impact of such source, alternatives thereto, control technology requirements, and other appropriate considerations;

"(3) the owner or operator of such facility demonstrates that emissions from construction or operation of such facility will not cause, or contribute to, air pollution in excess of any (A) maximum allowable increase or maximum allowable concentration for any pollutant in any area to which this part applies more than one time per year, (B) national ambient air quality standard in any air quality control region, or (C) any other applicable emission standard or standard of performance under this Act;

"(4) the proposed facility is subject to the best available control technology for each pollutant subject to regulation under this Act emitted from, or which results from, such facility;

"(5) the provisions of subsection (d) with respect to protection of class I areas have been complied with for such facility;

"(6) there has been an analysis of any air quality impacts projected for the area as a result of growth associated with such facility;

"(7) the person who owns or operates, or proposes to own or operate, a major emitting facility for which a permit is required under this part agrees to conduct such monitoring as may be necessary to determine the effect which emissions from any such facility may have, or is having, on air quality in any area which may be affected by emissions from such source; and

"(8) in the case of a source which proposes to construct in a class III area, emissions from which would cause or contribute to exceeding the maximum allowable increments applicable in a class II area and where no standard under section 111 of this Act has been promulgated subsequent to enactment of the Clean Air Act Amendments of 1977, for such source category, the Administrator has approved the determination of best available technology as set forth in the permit.

"(b) The demonstration pertaining to maximum allowable increases required under subsection (a) (3) shall not apply to maximum allowable increases for class II areas in the case of an expansion or modification of a major emitting facility which is in existence on the date of enactment of the Clean Air Act Amendments of 1977, whose actual allowable emissions of air pollutants, after compliance with subsection (a) (4), will be less than fifty tons per year and for which the owner or operator of such facility demonstrates that emissions of particulate matter and sulfur oxides will not contribute to ambient air quality levels in excess of the national secondary ambient air quality standard for either of such pollutants.

"(c) Any completed permit application under section 110 for a major emitting facility in any area to which this part applies shall be granted or denied not later than one year after the date of filing of such completed application.

"(d) (1) Each State shall transmit to the Administrator a copy of each permit application relating to a major emitting facility received by such State and provide notice to the Administrator of every action related to the consideration of such permit.

"(2) (A) The Administrator shall provide notice of the permit application to the Federal Land Manager and the Federal official charged with direct responsibility for management of any lands within a class I area which may be affected by emissions from the proposed facility.

"(B) The Federal Land Manager and the Federal official charged with direct responsibility for management of such lands shall have an affirmative responsibility to protect the air quality related values (including visibility) of any such lands within a class I area and to consider, in consultation with the Administrator, whether a proposed major emitting facility will have an adverse impact on such values.

"(C) (i) In any case where the Federal official charged with direct responsibility for management of any lands within a class I area or the Federal Land Manager of such lands, or the Administrator, or the Governor of an adjacent State containing such a class I area files a notice alleging that emissions from a proposed major emitting facility may cause or contribute to a change in the air quality in such area and identifying the potential adverse impact of such change, a permit shall not be issued unless the owner or operator of such facility demonstrates that emissions of particulate matter and sulfur dioxide will not cause or contribute to concentrations which exceed the maximum allowable increases for a class I area.

"(ii) In any case where the Federal Land Manager demonstrates to the satisfaction of the State that the emissions from such facility will have an adverse impact on the air quality-related values (including visibility) of such lands, notwithstanding the fact that the change in air quality resulting from emissions from such facility will not cause or contribute to concentrations which exceed the maximum allowable increases for a class I area, a permit shall not be issued.

"(iii) In any case where the owner or operator of such facility demonstrates to the satisfaction of the Federal Land Manager, and the Federal Land Manager so certifies, that the emissions from such facility will have no adverse impact on the air quality related values of such lands (including visibility), notwithstanding the fact that the change in air quality resulting from emissions from such facility will cause or contribute to concentrations, which exceed the maximum allowable increases for class I areas, the State may issue a permit.

"(iv) In the case of a permit issued pursuant to clause (iii), such facility shall comply with such emission limitations under such permit as may be necessary to assure that emissions of sulfur oxides and particulates from such sources together with all other sources, will not exceed the following maximum allowable increases over the baseline concentration for such pollutants:

"Pollutant	Maximum allowable increase (in micrograms per cubic meter)
Particulate matter:	
Annual geometric mean	19
Twenty-four-hour maximum	37
Sulfur dioxide:	
Annual arithmetic mean	20
Twenty-four-hour maximum	91
Three-hour maximum	325

"(D) (i) In any case where the owner or operator of a proposed major emitting facility who has been denied a certification under subparagraph (C) (iii) demonstrates to the satisfaction of the Governor, after notice and public hearing, and the Governor finds, that the facility cannot be constructed by reason of any maximum allowable in-

crease for sulfur dioxide for periods of twenty-four hours or less applicable to any class I area and, in the case of Federal mandatory class I areas, that a variance under this clause will not adversely affect the air quality related values of the area (including visibility), the Governor, after consideration of the Federal Land Manager's recommendation (if any) and subject to his concurrence, may grant a variance from such maximum allowable increase. If such variance is granted, a permit may be issued to such source pursuant to the requirements of this subparagraph.

"(ii) In any case in which the Governor recommends a variance under this subparagraph in which the Federal Land Manager does not concur, the recommendations of the Governor and the Federal Land Manager shall be transmitted to the President. The President may approve the Governor's recommendation if he finds that such variance is in the national interest. No Presidential finding shall be reviewable in any court. The variance shall take effect if the President approves the Governor's recommendations. The President shall approve or disapprove such recommendation within ninety days after his receipt of the recommendations of the Governor and the Federal Land Manager.

"(iii) In the case of a permit issued pursuant to this subparagraph, such facility shall comply with such emission limitations under such permit as may be necessary to assure that emissions of sulfur oxides from such source, together with all other sources, will exceed the otherwise applicable maximum allowable increases for a period of exposure of twenty-four hours or less on not more than eighteen days during any annual period and that during such day such emissions will not exceed the following maximum allowable increases over the baseline concentration for such pollutant:

MAXIMUM ALLOWABLE INCREASE
(in micrograms per cubic meter)

Period of exposure	Low terrain areas	High terrain areas
24-hr maximum	36	62
3-hr maximum	130	221

"(e) (1) The review provided for in subsection (a) shall be preceded by an analysis in accordance with regulations of the Administrator, promulgated under this subsection, which may be conducted by the State (or any general purpose unit of local government) or by the major emitting facility applying for such permit, of the ambient air quality at the proposed site and in areas which may be affected by emissions from such facility for each pollutant subject to regulation under this Act which will be emitted from such facility.

"(2) Effective one year after date of enactment of this part, the analysis required by this subsection shall include continuous air quality monitoring data gathered for purposes of determining whether emissions from such facility will exceed the maximum allowable increases or the maximum allowable concentration permitted under this part. Such data shall be gathered over a period of one calendar year preceding the date of application for a permit under this part unless the State, in accordance with regulations promulgated by the Administrator, determines that a complete and adequate analysis for such purposes may be accomplished in a shorter period. The results of such analysis shall be available at the time of the public hearing on the application for such permit.

"(3) The Administrator shall within six months after the date of enactment of this part promulgate regulations respecting the analysis required under this subsection which regulations—

"(A) shall not require the use of any automatic or uniform buffer zone or zones,

"(B) shall require an analysis of the ambient air quality, climate and meteorology, terrain, soils and vegetation, and visibility at the site of the proposed major emitting facility and in the area potentially affected by the emissions from such facility for each pollutant regulated under this Act which will be emitted from, or which results from the construction or operation of, such facility, the size and nature of the proposed facility, the degree of continuous emission reduction which could be achieved by such facility, and such other factors as may be relevant in determining the effect of emissions from a proposed facility on any air quality control region,

"(C) shall require the results of such analysis shall be available at the time of the public hearing on the application for such permit, and

"(D) shall specify with reasonable particularity each air quality model or models to be used under specified sets of conditions for purposes of this part.

Any model or models designated under such regulations may be adjusted upon a determination, after notice and opportunity for public hearing, by the Administrator that such adjustment is necessary to take into account unique terrain or meteorological characteristics of an area potentially affected by emissions from a source applying for a permit required under this part.

SEC. 166. (a) In the case of the pollutants hydrocarbons, carbon monoxide, photochemical oxidants, and nitrogen oxides, the Administrator shall conduct a study and not later than two years after the date of enactment of this part, promulgate regulations to prevent the significant deterioration of air quality which would result from the emissions of such pollutants. In the case of pollutants for which national ambient air quality stand-

ards are promulgated after the date of the enactment of this part, he shall promulgate such regulations not more than 2 years after the date of promulgation of such standards.

"(b) Regulations referred to in subsection (a) shall become effective one year after the date of promulgation. Within 21 months after such date of promulgation such plan revision shall be submitted to the Administrator who shall approve or disapprove the plan within 25 months after such date or promulgation in the same manner as required under section 110.

"(c) Such regulations shall provide specific numerical measures against which permit applications may be evaluated, a framework for stimulating improved control technology, protection of air quality values, and fulfill the goals and purposes set forth in section 101 and section 160.

"(d) The regulations of the Administrator under subsection (a) shall provide specific measures at least as effective as the increments established in section 163 to fulfill such goals and purposes, and may contain air quality increments, emission density requirements, or other measures.

"(e) With respect to any air pollutant for which a national ambient air quality standard is established other than sulfur oxides or particulate matter, an area classification plan shall not be required under this section if the implementation plan adopted by the State and submitted for the Administrator's approval or promulgated by the Administrator under section 110(c) contains other provisions which when considered as a whole, the Administrator finds will carry out the purposes in section 160 at least as effectively as an area classification plan for such pollutant. Such other provisions referred to in the preceding sentence need not require the establishment of maximum allowable increases with respect to such pollutant for any area to which this section applies.

SEC. 167. The Administrator shall, and a State may, take such measures, including issuance of an order, or seeking injunctive relief, as necessary to prevent the construction of a major emitting facility which does not conform to the requirements of this part, or which is proposed to be constructed in any area included in the list promulgated pursuant to paragraph (1) (D) or (E) of subsection (d) of section 107 of this Act and which is not subject to an implementation plan which meets the requirements of this part.

SEC. 168. (a) Until such time as an applicable implementation plan is in effect for any area, which plan meets the requirements of this part to prevent significant deterioration of air quality with respect to any air pollutant, applicable regulations under this Act prior to enactment of this part shall remain in effect to prevent significant deterioration of air quality in any such area

for any such pollutant except as otherwise provided in subsection (b).

"(b) If any regulation in effect prior to enactment of this part to prevent significant deterioration of air quality would be inconsistent with the requirements of section 162(a), section 163(b) or section 164(a), then such regulations shall be deemed amended so as to conform with such requirements. In the case of a facility on which construction was commenced in accordance with this definition after June 1, 1975, and prior to the enactment of the Clean Air Act Amendments of 1977, the review and permitting of such facility shall be in accordance with the regulations for the prevention of significant deterioration in effect prior to the enactment of the Clean Air Act Amendments of 1977.

SEC. 169. For purposes of this part—

"(1) The term 'major emitting facility' means any of the following stationary sources of air pollutants which emit, or have the potential to emit, one hundred tons per year or more of any air pollutant from the following types of stationary sources: fossil-fuel fired steam electric plants of more than two hundred and fifty million British thermal units per hour heat input, coal cleaning plants (thermal dryers), kraft pulp mills, Portland Cement plants, primary zinc smelters, iron and steel mill plants, primary aluminum ore reduction plants, primary copper smelters, municipal incinerators capable of charging more than two hundred and fifty tons of refuse per day, hydrofluoric, sulfuric, and nitric acid plants, petroleum refineries, lime plants, phosphate rock processing plants, coke oven batteries, sulfur recovery plants, carbon black plants (furnace process), primary lead smelters, fuel conversion plants, sintering plants, secondary metal production facilities, chemical process plants, fossil-fuel boilers of more than two hundred and fifty million British thermal units per hour heat input, petroleum storage and transfer facilities with a capacity exceeding three hundred thousand barrels, taconite ore processing facilities, glass fiber processing plants, charcoal production facilities. Such term also includes any other source with the potential to emit two hundred and fifty tons per year or more of any air pollutant. This term shall not include new or modified facilities which are nonprofit health or education institutions which have been exempted by the State.

"(2) (A) The term 'commenced' as applied to construction of a major emitting facility means that the owner or operator has obtained all necessary preconstruction approvals or permits required by Federal, State, or local air pollution emissions and air quality laws or regulations and either has (i) begun,

or caused to begin, a continuous program of physical on-site construction of the facility or (ii) entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of construction of the facility to be completed within a reasonable time.

"(B) The term 'necessary preconstruction approvals or permits' means those permits or approvals, required by the permitting authority as a precondition to undertaking any activity under clauses (i) or (ii) of subparagraph (A) of this paragraph.

"(3) The term 'best available control technology' means an emission limitation based on the maximum degree of reduction of each pollutant subject to regulation under this Act emitted from or which results from any major emitting facility, which the permitting authority, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such facility through application of production processes and available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of each such pollutant. In no event shall application of 'best available control technology' result in emissions of any pollutants which will exceed the emissions allowed by any applicable standard established pursuant to section 111 or 112 of this Act.

"(4) The term 'baseline concentration' means, with respect to a pollutant, the ambient concentration levels which exist at the time of the first application for a permit in an area subject to this part, based on air quality data available in the Environmental Protection Agency or a State air pollution control agency and on such monitoring data as the permit applicant is required to submit. Such ambient concentration levels shall take into account all projected emissions in, or which may affect, such area from any major emitting facility on which construction commenced prior to January 6, 1975, but which has not begun operation by the date of the baseline air quality concentration determination. Emissions of sulfur oxides and particulate matter from any major emitting facility on which construction commenced after January 6, 1975, shall not be included in the baseline and shall be counted against the maximum allowable increases in pollutant concentrations established under this part.".

(b) Within one year from the date of enactment of this Act the Administrator shall report to the Congress on the consequences of that portion of the definition of "major emitting facility" under the amendment made by subsection (a) which applies to facilities with the poten-

tial to emit two hundred and fifty tons per year or more. Such study shall examine the type of facilities covered, the air quality benefits of including such facilities, and the administrative aspect of regulating such facilities.

(c) Not later than one year after the date of enactment of this Act, the Administrator shall publish a guidance document to assist the States in carrying out their functions under part C of title I of the Clean Air Act (relating to prevention of significant deterioration of air quality) with respect to pollutants, other than sulfur oxides and particulates, for which national ambient air quality standards are promulgated. Such guidance document shall include recommended strategies for controlling photochemical oxidants on a regional or multistate basis for the purpose of implementing part C and section 110 of such Act.

(d) Not later than two years after the date of enactment of this Act, the Administrator shall complete a study and report to the Congress on the progress made in carrying out part C of title I of the Clean Air Act (relating to significant deterioration of air quality) and the problems associated with carrying out such section, including recommendations for legislative changes necessary to implement strategies for controlling photochemical oxidants on a regional or multistate basis.

SEC. 128. (a) Part C of title I of the Clean Air Act, is amended by adding the following new section after section 168:

SEC. 169A. (a) (1) Congress hereby declares as a national goal the prevention of any future, and the remedying of any existing, impairment of visibility in mandatory class I Federal areas which impairment results from manmade air pollution.

"(2) Not later than six months after the date of the enactment of this section, the Secretary of the Interior in consultation with other Federal land managers shall review all mandatory class I Federal areas and identify those where visibility is an important value of the area. From time to time the Secretary of the Interior may revise such identifications. Not later than one year after such date of enactment, the Administrator shall, after consultation with the Secretary of the Interior, promulgate a list of mandatory class I Federal areas in which he determines visibility is an important value.

"(3) Not later than eighteen months after the date of enactment of this section, the Administrator shall complete a study and report to Congress on available methods for implementing the national goal set forth in paragraph (1). Such report shall include recommendations for—

"(A) methods for identifying, characterizing, determining, quantifying, and measuring visibility impairment in Federal areas referred to in paragraph (1), and

"(B) modeling techniques (or other methods) for determining the extent to which manmade air pollution may reasonably be anticipated to cause or contribute to such impairment, and

"(C) methods for preventing and remedying such manmade air pollution and resulting visibility impairment.

Such report shall also identify the classes or categories of sources and the types of air pollutants which, alone or in conjunction with other sources or pollutants, may reasonably be anticipated to cause or contribute significantly to impairment of visibility.

"(4) Not later than twenty-four months after the date of enactment of this section, and after notice and public hearing, the Administrator shall promulgate regulations to assure (A) reasonable progress toward meeting the national goal specified in paragraph (1), and (B) compliance with the requirements of this section.

"(b) Regulations under subsection (a) (4 shall—

"(1) provide guidelines to the States, taking into account the recommendations under subsection (a) (3) on appropriate techniques and methods for implementing this section (as provided in subparagraphs (A) through (C) of such subsection (a) (3)), and

"(2) require each applicable implementation plan for a State in which any area listed by the Administrator under subsection (a) (2) is located (or for a State the emissions from which may reasonably be anticipated to cause or contribute to any impairment of visibility in any such area) to contain such emission limits, schedules of compliance and other measures as may be necessary to make reasonable progress toward meeting the national goal specified in subsection (a), including—

"(A) except as otherwise provided pursuant to subsection (c), a requirement that each major stationary source which is in existence on the date of enactment of this section, but which has not been in operation for more than fifteen years as of such date, and which, as determined by the State (or the Administrator in the case of a plan promulgated under section 110(c)) emits any air pollutant which may reasonably be anticipated to cause or contribute to any impairment of visibility in any such area, shall procure, install, and operate, as expeditiously as practicable (and maintain thereafter) the best available retrofit technology, as determined by the State (or the Administrator in the case of a plan promulgated under section 110(c)) for controlling emissions from such source for the purpose of eliminating or reducing any such impairment, and

"(B) a long-term (ten to fifteen years) strategy for making reasonable progress toward meeting the national goal specified in subsection (a).

In the case of a fossil-fuel fired generating powerplant

having a total generating capacity in excess of 750 megawatts, the emission limitations required under this paragraph shall be determined pursuant to guidelines, promulgated by the Administrator under paragraph (1).

"(c) (1) The Administrator may, by rule, after notice and opportunity for public hearing, exempt any major stationary source from the requirement of subsection (b) (2) (A), upon his determination that such source does not or will not, by itself or in combination with other sources, emit any air pollutant which may reasonably be anticipated to cause or contribute to a significant impairment of visibility in any mandatory class I Federal area.

"(2) Paragraph (1) of this subsection shall not be applicable to any fossil-fuel fired powerplant with total design capacity of 750 megawatts or more, unless the owner or operator of any such plant demonstrates to the satisfaction of the Administrator that such powerplant is located at such distance from all areas listed by the Administrator under subsection (a) (2) that such powerplant does not or will not, by itself or in combination with other sources, emit any air pollutant which may reasonably be anticipated to cause or contribute to significant impairment of visibility in any such area.

"(3) An exemption under this subsection shall be effective only upon concurrence by the appropriate Federal land manager or managers with the Administrator's determination under this subsection.

"(d) Before holding the public hearing on the proposed revision of an applicable implementation plan to meet the requirements of this section, the State (or the Administrator, in the case of a plan promulgated under section 110(c)) shall consult in person with the appropriate Federal land manager or managers and shall include a summary of the conclusions and recommendations of the Federal land managers in the notice to the public.

"(e) In promulgating regulations under this section, the Administrator shall not require the use of any automatic or uniform buffer zone or zones.

"(f) For purposes of section 304(a) (2), the meeting of the national goal specified in subsection (a) (1) by any specific date or dates shall not be considered a 'nondiscretionary duty' of the Administrator.

"(g) For the purpose of this section—

"(1) in determining reasonable progress there shall be taken into consideration the costs of compliance, the time necessary for compliance, and the energy and nonair quality environmental impacts of compliance, and the remaining useful life of any existing source subject to such requirements;

"(2) in determining best available retrofit technology the State (or the Administrator in determining emission limitations which reflect such technology) shall take into consideration the costs of compliance, the energy and nonair quality envi-

ronmental impacts of compliance, any existing pollution control technology in use at the source, the remaining useful life of the source, and the degree of improvement in visibility which may reasonably be anticipated to result from the use of such technology;

"(3) the term 'manmade air pollution' means air pollution which results directly or indirectly from human activities;

"(4) the term 'as expeditiously as practicable means as expeditiously as practicable but in no event later than five years after the date of approval of a plan revision under this section (or the date of promulgation of such a plan revision in the case of action by the Administrator under section 110(c) for purposes of this section);

"(5) the term 'mandatory class I Federal areas' means Federal areas which may not be designated as other than class I under this part;

"(6) the terms 'visibility impairment' and 'impairment of visibility' shall include reduction in visual range and atmospheric discoloration; and

"(7) the term 'major stationary source' means the following types of stationary sources with the potential to emit 250 tons or more of any pollutant: fossil-fuel fired steam electric plants of more than 250 million British thermal units per hour heat input, coal cleaning plants (thermal dryers), kraft pulp mills, Portland Cement plants, primary zinc smelters, iron and steel mill plants, primary aluminum ore reduction plants, primary copper smelters, municipal incinerators capable of charging more than 250 tons of refuse per day, hydrofluoric, sulfuric, and nitric acid plants, petroleum refineries, lime plants, phosphate rock processing plants, coke oven batteries, sulfur recovery plants, carbon black plants (furnace process), primary lead smelters, fuel conversion plants, sintering plants, secondary metal production facilities, chemical process plants, fossil-fuel boilers of more than 250 million British thermal units per hour heat input, petroleum storage and transfer facilities with a capacity exceeding 300,000 barrels, taconite ore processing facilities, glass fiber processing plants, charcoal production facilities.".

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Approved August 7, 1977.

Legislative History:

House Reports: No. 95-294 (Comm. on Interstate and Foreign Commerce) and No. 95-564 (Comm. of Conference).

Senate Report No. 95-127 accompanying S. 252 (Comm. on Environment and Public Works).

Congressional Record, Vol. 123 (1977):
May 24-26, considered and passed House.
June 8, 10, considered and passed Senate, amended.
Aug. 4, House and Senate agreed to conference report.

Weekly Compilation of Presidential Documents, Vol. 13, No. 33:
Aug. 8, Presidential statement.

3. Historic Property Preservation Program

An Act to amend the Act of October 15, 1966 (80 Stat. 915), as amended, establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes. (87 Stat. 139) (P.L. 93-54)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of October 15, 1966 (80 Stat. 915), as amended (16 U.S.C. 470) is further amended in the following respects:

(a) Section 108 is amended by deleting the first sentence and inserting in lieu thereof the following: "To carry out the provisions of this title, there are authorized to be appropriated not more than $15,600,000 in fiscal year 1974, $20,000,000 in fiscal year 1975, and $24,400,000 in fiscal year 1976."

(b) Section 206 is amended by deleting all of subsection (c) and inserting in lieu thereof the following:

"(c) For the purposes of this section there are authorized to be appropriated not more than $100,000 in fiscal year 1974, $100,000 in fiscal year 1975, and $125,000 in fiscal year 1976: *Provided*, That effective January 1, 1974, no appropriation is authorized and no payment shall be made to the Centre in excess of 25 per centum of the total annual assessment of such organization."

(c) Section 201 is amended by inserting the following new subsection:

"(g) The Council shall continue in existence until December 31, 1985."

(d) Section 101(b) (1) is amended by deleting "and American Samoa." and inserting "American Samoa, and the Trust Territory of the Pacific Islands."

Approved July 1, 1973.

Legislative History:

House Report No. 93-269 accompanying H.R. 7127 (Comm. on Interior and Insular Affairs).
Senate Report No. 93-164 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 119 (1973):
May 22, considered and passed Senate.
June 19, considered and passed House, amended, in lieu of H.R. 7127.
June 21, Senate concurred in House amendment.

4. Historical and Archeological Data Preservation

An Act to amend the Act of June 27, 1960 (74 Stat. 220), relating to the preservation of historical and archeological data. (88 Stat. 174) (P.L. 93-291)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as the result of the construction of a dam", approved June 27, 1960 (74 Stat. 220; 16 U.S.C. 469), is amended as follows:

(1) In section 1, after "result of" insert "(1)" and delete "agency." and insert "agency or (2) any alteration of the terrain caused as a result of any Federal construction project or federally licensed activity or program."

(2) In section 2, change "SEC. 2. (a)", to "SEC. 2."; after "Secretary of the Interior" insert "(hereafter referred to as the Secretary)", and delete all of subsection (b).

(3) Add the following new sections:

"SEC. 3. (a) Whenever any Federal agency finds, or is notified, in writing, by an appropriate historical or archeological authority, that its activities in connection with any Federal construction project or federally licensed project, activity, or program may cause irreparable loss or destruction of significant scientific, prehistorical, historical, or archeological data, such agency shall notify the Secretary, in writing, and shall provide the Secretary with appropriate information concerning the project, program, or activity. Such agency may request the Secretary to undertake the recovery, protection, and preservation of such data (including preliminary survey, or other investigation as needed, and analysis and publication of the reports resulting from such investigation), or it may, with funds appropriated for such project, program, or activity, undertake such activities. Copies of reports of any investigations made pursuant to this section shall be submitted to the Secretary, who shall make them available to the public for inspection and review.

"(b) Whenever any Federal agency provides financial assistance by loan, grant, or otherwise to any private person, association, or public entity, the Secretary, if he determines that significant scientific, prehistorical, historical, or archeological data might be irrevocably lost or destroyed, may with funds appropriated expressly for this purpose conduct, with the consent of all persons, associations, or public entities having a legal interest in the property involved, a survey of the affected site and undertake the recovery, protection, and preservation of such data (including analysis and publication). The Secretary shall, unless otherwise mutually agreed to in writing, compensate any person, association, or public

entity damaged as a result of delays in construction or as a result of the temporary loss of the use of private or any nonfederally owned lands.

"SEC. 4. (a) The Secretary, upon notification, in writing, by any Federal or State agency or appropriate historical or archeological authority that scientific, prehistorical, historical, or archeological data is being or may be irrevocably lost or destroyed by any Federal or federally assisted or licensed project, activity, or program, shall, if he determines that such data is significant and is being or may be irrevocably lost or destroyed and after reasonable notice to the agency responsible for funding or licensing such project, activity, or program, conduct or cause to be conducted a survey and other investigation of the areas which are or may be affected and recover and preserve such data (including analysis and publication) which, in his opinion, are not being, but should be, recovered and preserved in the public interest.

"(b) No survey or recovery work shall be required pursuant to this section which, in the determination of the head of the responsible agency, would impede Federal or federally assisted or licensed projects or activities undertaken in connection with any emergency, including projects or activities undertaken in anticipation of, or as a result of, a natural disaster.

"(c) The Secretary shall initiate the survey or recovery effort within sixty days after notification to him pursuant to subsection (a) of this section or within such time as may be agreed upon with the head of the agency responsible for funding or licensing the project, activity, or program in all other cases.

"(d) The Secretary shall, unless otherwise mutually agreed to in writing, compensate any person, association, or public entity damaged as a result of delays in construction or as a result of the temporary loss of the use of private or nonfederally owned land."

(4) In section 2, change "SEC. 2. (c)" to "SEC. 5. (a)" and change "instigating agency" to "agency responsible for funding or licensing the project" and delete "agency," and insert "agency and the survey and recovery programs shall terminate at a time mutually agreed upon by the Secretary and the head of such agency unless extended by mutual agreement.".

(5) Delete subsection 2(d).

(6) In section 2, change "SEC. 2. (e)" to "SEC. 5. (b)".

(7) In section 5, add the following new subsection:

"(c) The Secretary shall coordinate all Federal survey and recovery activities authorized under this Act and shall submit an annual report at the end of each fiscal year to the Interior and Insular Affairs Committees of the United States Congress indicating the scope and effectiveness of the program, the specific projects surveyed and the results produced, and the costs incurred by the Federal Government as a result thereof.".

(8) Redesignate "SEC. 3." as "SEC. 6." and change paragraphs (2) and (3) to read as follows:

"(2) obtain the services of experts and consultants or organizations thereof in accordance with section 3109 of title 5, United States Code; and

"(3) accept and utilize funds made available for salvage archeological purposes by any private person or corporation or transferred to him by any Federal agency.".

(9) Delete all of section 4 and insert the following:

"SEC. 7. (a) To carry out the purposes of this Act, any Federal agency responsible for a construction project may assist the Secretary and/or it may transfer to him such funds as may be agreed upon, but not more than 1 per centum of the total amount authorized to be appropriated for such project, except that the 1 per centum limitation of this section shall not apply in the event that the project involves $50,000 or less: *Provided*, That the costs of such survey, recovery, analysis, and publication shall be considered nonreimbursable project costs.

"(b) For the purposes of subsection 3(b), there are authorized to be appropriated such sums as may be necessary, but not more than $500,000 in fiscal year 1974; $1,000,000 in fiscal year 1975; $1,500,000 in fiscal year 1976; $1,500,000 in fiscal year 1977; and $1,500,000 in fiscal year 1978.

"(c) For the purposes of subsection 4(a), there are authorized to be appropriated not more than $2,000,000 in fiscal year 1974; $2,000,000 in fiscal year 1975; $3,000,000 in fiscal year 1976; $3,000,000 in fiscal year 1977; and $3,000,000 in fiscal year 1978.".

Approved May 24, 1974.

Legislative History:

House Report No. 93-992 accompanying H.R. 296 (Comm. on Interior and Insular Affairs).
Senate Report No. 93-163 (Comm. on Interior and Insular Affairs).
Congressional Record:
Vol. 119 (1973): May 22, considered and passed Senate.
Vol. 120 (1974): May 6, considered and passed House, amended, in lieu of H.R. 296.
May 9, Senate agreed to House amendments.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE VI—MISCELLANEOUS PROVISIONS

* * * * * * *

PRESERVATION OF HISTORICAL AND ARCHAEOLOGICAL DATA

SEC. 603. (a) The Act of June 27, 1960 (74 Stat. 220) as amended May 24, 1974 (88 Stat. 174, 176; 16 U.S.C. 469) is amended as follows:

(b) In section 7(b), delete the "and" following "1977;", change the period at the end of the sentence to a semicolon; and add the following words: "$500,000 in fiscal year 1979; $1,000,000 in fiscal year 1980; $1,500,000 in fiscal year 1981; $1,500,000 in fiscal year 1982; and $1,500,000 in fiscal year 1983.".

(c) In section 7(c), delete the "and" following "1977;", change the period at the end of the sentence to a semicolon, and add the following words: "$3,000,000 in fiscal year 1979; $3,000,000 in fiscal year 1980; $3,500,000 in fiscal year 1981; $3,500,000 in fiscal year 1982; and $4,000,000 in fiscal year 1983.".

(d) Add the following new subsection "(d)" to section 7:

"(d) Beginning fiscal year 1979, sums appropriated for purposes of section 7 shall remain available until expended.".

* * * * * * *

Approved November 10, 1978.

5. Insular Areas

An Act to authorize appropriations for certain insular areas of the United States, and for other purposes. (92 Stat. 487) (P.L. 95–348)

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

GUAM

SEC. 1. (a) (1) For grants to the government of Guam for the rehabilitation, upgrading, and construction of public facilities, there is hereby authorized to be appropriated to the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") $13,868,000 for fiscal year 1979, and $20,000,000 thereafter, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs from October 1978 price levels as indicated by engineering cost indexes applicable to the types of construction involved.

(2) The Secretary may place such stipulations as he deems appropriate on the use of funds appropriated pursuant to subsection (a) (1) hereof.

(3) Grants provided pursuant to this Act and not obligated or expended by the government of Guam during any fiscal year will remain available for obligation or expenditure by such government in subsequent fiscal years for the purposes for which the funds were appropriated.

(4) Funds provided under paragraph (a) (1) may be used by Guam as the matching share for Federal programs and services.

(5) Authorizations of moneys to be appropriated under this subsection shall be effective on October 1, 1978.

(6) The Secretary is directed to prepare and transmit to the Congress no later than July 1, 1979, an analysis of the capital infrastructure needs of Guam for the 1985–1990 timeframe. The analysis shall detail the nature and type of infrastructure needed, the adequacy of the existing infrastructure, the estimated costs of improvement, extension, rehabilitation, or replacement of the existing infrastructure to meet the projected demands, the capability of local government to fund such costs and the options available, and shall provide a series of alternatives for Federal support for that portion of the infrastructure which cannot be financed by local government.

(b) The government of Guam in carrying out the purposes of this Act or Public Law 95–134, may utilize, to the extent practicable, the available services and facilities of agencies and instrumentalities of the Federal Government on a reimbursable basis. Such amounts may be credited to the appropriation or fund which provided

the services and facilities. Agencies and instrumentalities of the Federal Government may, when practicable, make available to the government of Guam upon request of the Secretary such services and facilities as they are equipped to render or furnish, and they may do so without reimbursement if otherwise authorized by law.

(c) Section 30 of the Organic Act of Guam (64 Stat. 384), as amended, is further amended by adding at the end thereof the following: "Beginning as soon as the government of Guam enacts legislation establishing a fiscal year commencing on October 1 and ending on September 30, the Secretary of the Treasury, prior to the commencement of any fiscal year, shall remit to the government of Guam the amount of duties, taxes, and fees which the governor of Guam, with the concurrence of the government comptroller of Guam, has estimated will be collected in or derived from Guam under this section during the next fiscal year, except for those sums covered directly upon collection into the treasury of Guam. The Secretary of the Treasury shall deduct from or add to the amounts so remitted the difference between the amount of duties, taxes, and fees actually collected during the prior fiscal year and the amount of such duties, taxes, and fees as estimated and remitted at the beginning of that prior fiscal year, including any deductions which may be required as a result of the operation of Public Law 94–395 (90 Stat. 1199) or Public Law 88–170, as amended (82 Stat. 863).".

(d) Section 205 of the Act entitled "An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes" (Public Law 95–134) is amended by striking out "$25,000,000: *Provided*" and inserting in lieu thereof "$35,000,000: *Provided*, That $10,000,000 of such sums is not authorized to be appropriated prior to October 1, 1978. Health care needs shall include goods and services provided to maintain and operate the Medical Center of the Marianas: *Provided further*".

TRUST TERRITORY OF THE PACIFIC ISLANDS

"SEC. 2. (a) There is hereby authorized to be approated $15,000,000 for the Bikini people evacuated from Bikini Atoll, Trust Territory of the Pacific Islands, as a result of United States nuclear tests commencing in 1946, and their descendants. Of this $15,000,000:

(1) $12,000,000 is authorized for the relocation and resettlement of the Bikini people within the Marshall Islands; and

(2) to compensate the Bikini people for any radiological damage to their atoll an additional $3,000,000 shall be held in trust pursuant to the trust agreement established by Public Law 94–34, with

the proceeds to be distributed in accordance with the provisions thereof.

(b) None of the funds authorized pursuant to subsection (a) (2) above shall be available for payment of any attorneys fees or associated expenses.

(c) The Secretary of the Interior shall prepare and submit to Congress by July 1, 1979, a progress report on his efforts to establish a permanent location for the displaced people of Bikini Island. Such report shall review: alternative actions taken to provide the people of Bikini with temporary homes; political and social consequences of the relocation of these people on Kili Island; and the Secretary's attempt to locate, acquire, and develop a permanent location for the settlement of these people. Such report shall also suggest probable economic, social, political, and cultural consequences which may result from the permanent settlement of these people in various alternative locations and inform the Congress of additional plans adopted by the Secretary, together with any recommendations he may have for legislation necessary to implement those plans, to provide further assistance to the people of Bikini.

NORTHERN MARIANA ISLANDS

SEC. 3. (a) There is hereby authorized to be appropriated for expenditure after October 1, 1978, not more than $12,000,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs from October 1978 price levels as indicated by engineering cost indexes applicable to the types of construction involved, to assist in the acquisition and construction of a powerplant for the Northern Mariana Islands together with upgrading, rehabilitation, or replacement of distribution facilities.

(b) (1) The government of the Northern Marianas in carrying out the purposes of this Act, Public Law 95–134, or Public Law 94–241, may utilize, to the extent practicable, the available services and facilities of agencies and instrumentalities of the Federal Government on a reimbursable basis. Such amounts may be credited to the appropriation or fund which provided the services and facilities. Agencies and instrumentalities of the Federal Government may, when practicable, make available to the government of the Northern Marianas, upon request of the Secretary, such services and facilities as they are equipped to render or furnish, and they may do so without reimbursement if otherwise authorized by law.

(2) Any funds made available to the Northern Mariana Islands under grant-in-aid programs by section 502 of the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America (Public Law 94–241), or pursuant to any other Act of Congress enacted after March

24, 1976, are hereby authorized to remain available until expended.

(3) Any amount authorized by the Covenant described in paragraph (2) or by any other Act of Congress enacted after March 24, 1976, which authorizes appropriations for the Northern Mariana Islands, but not appropriated for a fiscal year is authorized to be available for appropriation in succeeding fiscal years.

(c) Notwithstanding the provisions of the Food Stamp Act of 1977, the Secretary of Agriculture is authorized, upon the request of the Governor of the Northern Mariana Islands, acting pursuant to legislation enacted in accordance with sections 5 and 7 of article II of the Constitution of the Northern Mariana Islands, and for the period during which such legislation is effective, (1) to implement a food stamp program in part or all of the Northern Mariana Islands with such income and household standards of eligibility, deductions, and allotment values as the Secretary determines, after consultation with the Governor, to be suited to the economic and social circumstances of such islands: *Provided*, That in no event shall such income standards of eligibility exceed those in the forty-eight contiguous States, and (2) to distribute or permit a distribution of federally donated foods in any part of the Northern Mariana Islands for which the Governor has not requested that the food stamp program be implemented. This authority shall remain in effect through September 30, 1981, and shall not apply to section 403 of Public Law 95–135.

(d) The Secretary of the Treasury is authorized and directed, upon the request of the Governor of the Northern Mariana Islands, acting pursuant to legislation enacted in accordance with sections 5 and 7 of article II of the Constitution of the Northern Mariana Islands, without reimbursement or other cost to the government of the Northern Mariana Islands, to administer and enforce the provisions of section 601, 603, or 604 of the Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America (Public Law 94–241; 90 Stat. 263, 269) and in order to administer and enforce the collection of any payroll tax or other tax measured by income which may be in force in the Northern Mariana Islands pursuant to section 602 of such Covenant. This authority shall continue until such time as the Governor of the Northern Mariana Islands, acting pursuant to legislation enacted in accordance with sections 5 and 7 of article II of the Constitution of the Northern Mariana Islands, requests the Secretary of the Treasury to discontinue the administration and enforcement of such taxes. The administration and enforcement of such taxes by the government of the Northern Mariana Islands shall begin on January 1 of the year following the year in which such Northern Mariana Islands law is enacted.

VIRGIN ISLANDS

SEC. 4. (a) There is hereby authorized to be appropriated to the Secretary not to exceed $5,000,000 of which not more than $1,000,000 may be appropriated for fiscal year 1979 to be paid to the government of the Virgin Islands for the purpose of promoting economic development in the Virgin Islands. The Secretary shall prescribe the types of programs for which such sums may be used.

(b) (1) There is authorized to be appropriated for construction of hospital facilities in the Virgin Islands not more than $52,000,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs from October 1978 price levels as indicated by engineering cost indexes applicable to the types of construction involved.

(2) Grants provided pursuant to this section and not obligated or expended by the government of the Virgin Islands during any fiscal year will remain available for obligation or expenditure by such government in subsequent fiscal years for the purposes for which the funds were appropriated.

(3) Funds provided under paragraph (b) (1) may be used by the Virgin Islands as the matching share for Federal programs and services.

(4) Authorizations of moneys to be appropriated under this subsection shall be effective on October 1, 1978.

(c) (1) Section 9(c) of the Revised Organic Act of the Virgin Islands (68 Stat. 497) is amended by deleting the period at the end thereof and inserting "or such other date as the Legislature of the Virgin Islands may determine.".

(2) Beginning as soon as the government of the Virgin Islands enacts legislation establishing a fiscal year commencing on October 1 and ending on September 30, the Secretary of the Treasury, prior to the commencement of any fiscal year, shall remit to the government of the Virgin Islands the amount of duties, taxes, and fees which the Governor of the Virgin Islands, with the concurrence of the government comptroller of the Virgin Islands, has estimated will be collected in or derived from the Virgin Islands under the Revised Organic Act of the Virgin Islands during the next fiscal year, except for those sums covered directly upon collection into the treasury of the Virgin Islands. There shall be deducted from or added to the amounts so remitted, as may be appropriate, at the beginning of the fiscal year, the difference between the amount of duties, taxes, and fees actually collected during the prior fiscal year and the amount of such duties, taxes, and fees as estimated and remitted at the beginning of that prior fiscal year, including any deductions which may be required as a result of the operation of Public Law 94–392 (90 Stat. 1195).

(3) Subsection 28(a) of the Revised Organic Act of the Virgin Islands is amended by deleting the phrase "less the cost of collecting all of said duties, taxes, and fees,".

(d) There are hereby authorized to be appropriated to the Secretary such sums as may be necessary, but not to exceed $20,000,000 per annum, for fiscal years 1979, 1980, and 1981 for grants to the government of the Virgin Islands to offset any anticipated deficit during such fiscal years. The Secretary is authorized and directed, after consultation with the Governor of the Virgin Islands, to impose such conditions and requirements, on these grants as he deems advisable. Not later than July 1, 1979, the Secretary shall submit to the Congress a report on the financial condition of the Virgin Islands. The report shall:

(1) identify, the specific sources of revenues, both Federal and local, available to the government of the Virgin Islands;

(2) chart the revenues derived from each source and what, if any, increases could be occasioned in the amount of such revenues by actions of the Virgin Islands Government;

(3) describe the extent to which changes in actual revenues were occasioned by actions of the Federal Government or by circumstances beyond the control of the Virgin Islands Government;

(4) analyze expenditures to determine what economies, if any, could be obtained and identify the actions which could be taken by the Virgin Islands Government to obtain such economies;

(5) review the long term debt structure of the Virgin Islands Government, including, but not limited to, whether such debt was incurred for purposes authorized by law, the total amount of such debt, the relation of the total debt ceiling, and the impact retirement of the debt will have on the future economic situation of the Virgin Islands;

(6) detail and discuss various alternatives available to the government of the Virgin Islands and the Federal Government to revise and improve the process of supporting the necessary expenditures of the Virgin Islands Government; and

(7) include his recommendations for any changes he deems advisable in the present Federal-territorial economic relationship.

AMERICAN MEMORIAL PARK

SEC. 5. (a) The Secretary, acting through the Director of the National Park Service, is authorized and directed to develop, maintain, and administer the existing American Memorial Park (hereinafter in this section referred to as the "park"), located at Tanapag Harbor

Reservation, Saipan. The park shall be administered for the primary purpose of honoring the dead in the World War II Mariana Islands campaign.

(b) The Secretary is authorized and directed to the maximum extent feasible to employ and train residents of the Mariana Islands to develop, maintain, and administer the park.

(c) Other points in the Northern Mariana Islands relevant to the park may be identified, established, and marked by the Secretary in agreement with the Governor of the Northern Marianas.

(d) The Secretary shall provide for interpretative activities at the park, for which he is authorized to seek the assistance of appropriate historians to interpret the historical aspects of the park. To the greatest extent possible, interpretative activities shall be conducted in the following four languages: English, Chamorro, Carolinian, and Japanese.

(e) Notwithstanding any provision of law to the contrary, no fee or charge may be imposed for entrance or admission into the American Memorial Park.

(f) The Secretary shall transfer administration of the park to the government of the Northern Mariana Islands at such time as the Governor, acting pursuant to legislation enacted in accordance with sections 5 and 7 or article II of the Constitution on the Northern Mariana Islands, requests such a transfer. All improvements, including real and personal property, shall thereupon be transferred without cost to the government of the Northern Mariana Islands and thereafter the full cost of development, administration, and maintenance for the park shall be borne by the government of the Northern Mariana Islands, except as provided in subsection (g) of this section.

(g) For the development, maintenance, and operation of the park (but not for any acquisition of land or interests in lands), there is hereby authorized to be appropriated not to exceed $3,000,000 effective October 1, 1978. Amounts appropriated pursuant to this subsection shall remain available until expended.

(h) Nothing contained in this Act is intended to alter or diminish the authority to exercise the five year option contained in article VIII of Public Law 94-241.

WAR IN THE PACIFIC NATIONAL HISTORICAL PARK

SEC. 6. (a) In order to commemorate the bravery and sacrifice of those participating in the campaigns of the Pacific theater of World War II and to conserve and interpret outstanding natural, scenic, and historic values and objects on the island of Guam for the benefit and enjoyment of present and future generations, the War in the Pacific National Historical Park (hereinafter in

this section referred to as the "park") is hereby established.

(b) The boundaries of the park shall be as generally depicted on the drawing entitled "Boundary Map, War in the Pacific National Historical Park, Guam" numbered P–24–80,000–B and dated March 1978, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior. Following ninety days notice to the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate, the Secretary may make minor revisions of the boundary of the park by publication of a revised map in the Federal Register.

(c) Within the boundaries of the park, the Secretary may acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer.

(d) Other points on the island of Guam relevant to the park may be identified, established, and marked by the Secretary in agreement with the Governor of Guam.

(e) The Secretary shall administer property acquired in accordance with the laws generally applicable to the management of units of the National Park System.

(f) The Secretary is authorized to seek the assistance of appropriate historians to interpret the historical aspects of the park. To the greatest extent possible, interpretative activities will be conducted in the following three languages: English, Chamorro, and Japanese.

(g) The Secretary is authorized to enter into negotiations with the Secretary of Defense for the berthing and interpretation of a naval vessel of World War II vintage which shall be accessible to the public on the island of Guam.

(h) Within two years from the date of enactment of this Act, the Secretary shall develop and transmit to the committees named in subsection (b) a general management plan for the national historical park consistent with the purposes of this section. Within five years from the date of enactment, the Secretary, through the Director of the National Park Service, shall conduct and transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives a study of additional areas and sites associated with the Pacific campaign of World War II. The study shall contain a description and evaluation of each area or site, and an estimated cost of acquisition, development, and maintenance of the area or site, if appropriate, together with such additional authority as may be needed to enable him to implement his recommendations. The Secretary shall concentrate his study within Guam and the Northern Mariana Islands, but shall also investigate addi-

tional areas and sites within the Trust Territory of the Pacific Islands to the extent possible, and may include other areas and sites in the Pacific area if practicable.

(i) The Secretary is authorized and directed, to the maximum extent feasible, to employ and train residents of Guam or of the Northern Mariana Islands to develop, maintain, and administer the park.

(j) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed for entrance or admission into the War in the Pacific National Historical Park.

(k) For the purposes of the park established under this section, effective October 1, 1978, there are authorized to be appropriated such sums as may be necessary, but not to exceed $16,000,000 for the acquisition of lands or interests in lands and $500,000 for development.

VIRGIN ISLANDS NATIONAL PARK

SEC. 7. (a) (1) The first paragraph of section 1 of the Act of October 5, 1962 (76 Stat. 746; 16 U.S.C. 398c), is amended by adding a comma after the words "adjoining lands, submerged lands, and waters" and inserting "and Hassel Island located in Saint Thomas Harbor and adjoining lands, submerged lands, and waters,".

(2) Such section 1 is further amended by inserting immediately before the last paragraph, the following:

"HASSEL ISLAND

"The area known as Hassel Island in Saint Thomas Harbor consisting of approximately 135 acres, together with such adjoining lands, submerged lands, and waters as the Secretary of the Interior deems appropriate, but the boundaries shall not, in any event, extend beyond 100 yards from the mean high water mark of the island.".

(b) Section 2 of such Act is amended by—

(1) inserting "(a)" after "SEC. 2.";

(2) adding at the end of the first sentence the following: "In acquiring such lands, up to 6.6 acres, the Secretary may, when agreed upon by the landowner involved, defer payment or schedule payments over a period of ten years and pay interest on the unpaid balance at a rate not exceeding the current prevailing commercial rate.", and

(3) adding the following at the end thereof:

"(b) The Secretary is authorized and directed to the maximum extent feasible to employ and train residents of the Virgin Islands to develop, maintain, and administer the Virgin Islands National Park.

"(c) Subject to continued protection and use of Hassel Island for park and recreation purposes, and such other conditions as the Secretary may deem appropriate, the Territory of the Virgin Islands may, within, but not after,

five years after the date of the enactment of this subsection, by duly enacted legislation acquire all interests of the United States in Hassel Island by reimbursing the United States in an amount equal to the amount actually expended by the United States for the acquisition of lands and interests in lands and for the costs of construction of permanent improvements, if any.

"(d) (1) Except for property deemed necessary by the Secretary of the Interior for visitor facilities or administration of the park, any owner or owners of improved property on Hassel Island on the date of its acquisition, may retain for themselves a right of use and occupancy of the property for noncommercial residential purposes for twenty-five years or, in lieu thereof, for a term ending at the death of the owner or the owner's spouse, whichever is later. The owner shall elect the term to be reserved. 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. The authority of the Secretary to acquire the property commonly known as the Royal Mail (hotel) by condemnation shall be suspended for ten years from the date of enactment if such owner or owners agree, in writing, within ninety days after the enactment of this subsection to grant to the United States the right to purchase such property at a purchase price, mutually agreed upon by the Secretary and the landowner, which does not exceed the fixed value of said property on July 1, 1978.

"(2) As used in subsection (d) (1), 'improved property' means a single-family dwelling, the construction of which began before January 1, 1977, together with such lands as are in the same ownership and appurtenant buildings located thereon.

"(3) The Secretary may terminate a right of use and occupancy retained pursuant to subsection (d) (1) upon his determination that such use and occupancy is being, or may be, exercised in a manner inconsistent with the purposes for which they were included within the park and upon tender to the holder of such right of the amount equal to the value of that portion of the right which remains unexpired on the date of termination.".

(4) Section 3 is amended by inserting "(a)" immediately after "SEC. 3." and by adding the following new subsection at the end thereof:

"(b) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed for entrance or admission into the Virgin Islands National Park.".

(5) Section 4 is amended to read as follows:

"SEC. 4. Effective October 1, 1978, there are authorized to be appropriated such sums as may be necessary for the acquisition of lands and interests in lands within the Virgin Islands National Park. For purposes of this sec-

tion, acquisitions of land on Hassel Island shall be deemed to be acquisitions qualifying for payment under the provisions of paragraph (2) of the Act of June 10, 1977 (Public Law 95–42; 91 Stat. 210). In addition to such sums as may have heretofore been appropriated for development of public facilities within the Virgin Islands National Park, effective October 1, 1978, there are authorized to be appropriated not more than $1,000,000 for restoration and rehabilitation of historic structures and for development of public facilities on Hassel Island, and not more than $500,000 as a grant to the Territory of the Virgin Islands for its use in furthering projects undertaken pursuant to the Land and Water Conservation Fund Act, the Historic Preservation Act, or other comparable programs upon the transfer of title to the United States of all properties held by the territory on Hassel Island.".

(6) Section 2(c) of the Act entitled "An Act to authorize the establishment of the Virgin Islands National Park, and for other purposes" (70 Stat. 940; 16 U.S.C. 398) is amended by adding the following sentence at the end thereof: "Notwithstanding the acreage limitations and boundary designations contained in this section, the Secretary is authorized to accept through donation, or purchase from a willing seller, the real and personal property located on Lots 251–252 Estate Contant Enighed, Parcels 86B and 86AA Cruz Bay Quarter.".

AUTHORIZATIONS TO REMAIN AVAILABLE

SEC. 8. Any amount authorized by this Act or by the Act entitled "An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes" (Public Law 95–134; 91 Stat. 1159) but not appropriated for a fiscal year is authorized to be available for appropriation in succeeding fiscal years.

TECHNICAL AMENDMENTS

SEC. 9. Section 501 of the Act entitled "An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes" (Public Law 95–134; 91 Stat. 1159) is amended—

(1) by inserting ", notwithstanding any provision of law to the contrary," after "it is hereby declared to be the policy of the Congress"; and

(2) in subsection (a) by striking out "Notwithstanding any provision of law to the contrary, any" and inserting in lieu thereof "Any".

EFFECTIVE DATE

SEC. 10. Authorizations of moneys to be appropriated under this Act shall be effective on October 1, 1978.

Approved August 18, 1978.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95-1112 accompanying H.R. 12481 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 95-784 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 124 (1978):
May 8, H.R. 12481 considered in House.
May 10, considered and passed Senate.
June 5, H.R. 12481 considered and passed House; proceedings vacated and S. 2821, amended, passed in lieu.
June 7, proceedings vacated, S. 2821 reconsidered and passed House, amended.
Aug. 3, Senate concurred in House amendment with an amendment.
Aug. 4, House concurred in Senate amendment.

6. Land and Water Conservation Fund Act Amendments

An Act to amend certain provisions of the Land and Water Conservation Fund Act of 1965 relating to the collection of fees in connection with the use of Federal areas for outdoor recreation purposes. (87 Stat. 178) (P.L. 93-81)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 4(b) of the Land and Water Conservation Fund Act of 1965, as amended (78 Stat. 897; 16 U.S.C. 4601-5), is amended to read as follows:

"(b) SPECIAL RECREATION USE FEES.—Each Federal agency developing, administering, or providing specialized sites, facilities, equipment, or services related to outdoor recreation shall provide for the collection of special recreation use fees for the use of sites, facilities, equipment, or services furnished at Federal expense: *Provided*, That in no event shall there be a charge for the day use or recreational use of those facilities or combination of those facilities or areas which virtually all visitors might reasonably be expected to utilize, such as, but not limited to, picnic areas, boat ramps where no mechanical or hydraulic equipment is provided, drinking water, wayside exhibits, roads, trails, overlook sites, visitors' centers, scenic drives, and toilet facilities. No fee may be charged for access to or use of any campground not having the following—flush restrooms, showers reasonably available, access and circulatory roads, sanitary disposal stations reasonably available, visitor protection control, designated tent or trailer spaces, refuse containers and potable water."

SEC. 2. Section 4(a) (2) of the Land and Water Conservation Fund Act of 1965, as amended (78 Stat. 879; 16 U.S.C. 4601-5), is amended to read as follows:

"Reasonable admission fees for a single visit at any designated area shall be established by the administering Secretary for persons who choose not to purchase the annual permit or who enter such an area by means other than by private, noncommercial vehicle. A 'single visit' means that length of time a visitor remains within the exterior boundary of a designated fee area beginning from the day he first enters the area until he leaves, except that on the same day such admission fee is paid, the visitor may leave and reenter without the payment of an additional admission fee to the same area."

Approved August 1, 1973.

Legislative History:

House Report No. 93-212 (Comm. on Public Works).
Senate Reports: No. 93-250 (Comm. on Public Works) and No. 93-312 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 119 (1973):
May 22, considered and passed House.
July 17, considered and passed Senate, amended.
July 19, House concurred in Senate amendments.

An Act to amend the Land and Water Conservation Fund Act, as amended, to provide for collection of special recreation use fees at additional campgrounds, and for other purposes. (88 Stat. 192) (P.L. 93-303)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That section 4 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (16 U.S.C. 460-6a), is further amended as follows;

(a) The heading of the section is revised to read:

"ADMISSION AND USE FEES; ESTABLISHMENT AND REGULATIONS".

(b) The second sentence of section 4(a) is amended to read: "No admission fees of any kind shall be charged or imposed for entrance into any other federally owned areas which are operated and maintained by a Federal agency and used for outdoor recreation purposes."

(c) Subsection (a) (1) is revised to read:

"(1) For admission into any such designated area, an annual admission permit (to be known as the Golden Eagle Passport) shall be available, for a fee of not more than $10. The permittee and any person accompanying him in a single, private, noncommercial vehicle, or alternatively, the permittee and his spouse, children, and parents accompanying him where entry to the area is by any means other than private, noncommercial vehicle, shall be entitled to general admission into any area designated pursuant to this subsection. The annual permit shall be valid during the calendar year for which the annual fee is paid. The annual permit shall not authorize any uses for which additional fees are charged pursuant to subsections (b) and (c) of this section. The annual permit shall be nontransferable and the unlawful use thereof shall be punishable in accordance with regulations established pursuant to subsection (e). The annual permit shall be available for purchase at any such designated area."

(d) Subsection (a) (2) is revised by deleting in the first sentence "or who enter such an area by means other than by private, noncommercial vehicle".

(e) Subsection (a) (4) is amended by revising the first two sentences to read: "The Secretary of the Interior and the Secretary of Agriculture shall establish procedures providing for the issuance of a lifetime admission permit (to be known as the 'Golden Age Passport') to any citizen of, or person domiciled in, the United States sixty-two years of age or older applying for such permit. Such permit shall be nontransferable, shall be issued without charge, and shall entitle the permittee and any person accompanying him in a single, private, noncommercial vehicle, or alternatively, the permittee and his spouse and children accompanying him where entry to the area

is by any means other than private, noncommercial vehicle, to general admission into any area designated pursuant to this subsection."

(f) In subsection (b) the first paragraph is revised to read:

"(b) RECREATION USE FEES.—Each Federal agency developing, administering, providing or furnishing at Federal expense, specialized outdoor recreation sites, facilities, equipment, or services shall, in accordance with this subsection and subsection (d) of this section, provide for the collection of daily recreation use fees at the place of use or any reasonably convenient location: *Provided*, That in no event shall there be a charge by any such agency for the use, either singly or in any combination, of drinking water, wayside exhibits, roads, overlook sites, visitors' centers, scenic drives, toilet facilities, picnic tables, or boat ramps: *Provided, however*, That a fee shall be charged for boat launching facilities only where specialized facilities or services such as mechanical or hydraulic boat lifts or facilities are provided: *And provided further*, That in no event shall there be a charge for the use of any campground not having the following—tent or trailer spaces, drinking water, access road, refuse containers, toilet facilities, personal collection of the fee by an employee or agent of the Federal agency operating the facility, reasonable visitor protection, and simple devices for containing a campfire (where campfires are permitted). At each lake or reservoir under the jurisdiction of the Corps of Engineers, United States Army, where camping is permitted, such agency shall provide at least one primitive campground, containing designated campsites, sanitary facilities, and vehicular access, where no charge shall be imposed. Any Golden Age Passport permittee shall be entitled upon presentation of such permit to utilize such special recreation facilities at a rate of 50 per centum of the established use fee."

(g) In subsection (b) paragraph "(1)" is deleted, the paragraph designation "2" is redesignated as subsection "(c) RECREATION PERMITS.—"; and subsequent subsections are redesignated accordingly.

(h) In new subsection (d) the second sentence is revised to read: "Clear notice that a fee has been established pursuant to this section shall be prominently posted at each area and at appropriate locations therein and shall be included in publications distributed at such areas."

(i) In new subsection (e) the first sentence is revised to read: "In accordance with the provisions of this section, the heads of appropriate departments and agencies may prescribe rules and regulations for areas under their administration for the collection of any fee established pursuant to this section."

(j) In new subsection (f) the first sentence is revised to read as follows:

"(f) Except as otherwise provided by law or as may be required by lawful contracts entered into prior to September 3, 1964, providing that revenues collected at particular Federal areas shall be credited to specific purposes, all fees which are collected by any Federal agency shall be covered into a special account in the Treasury of the United States to be administered in conjunction with, but separate from, the revenues in the Land and Water Conservation Fund: *Provided*, That the head of any Federal agency, under such terms and conditions as he deems appropriate, may contract with any public or private entity to provide visitor reservation services; and any such contract may provide that the contractor shall be permitted to deduct a commission to be fixed by the agency head from the amount charged the public for providing such services and to remit the net proceeds therefrom to the contracting agency."

SEC. 2. Section 6(e) (1) of title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (16 U.S.C. 4601), is further amended by adding at the end thereof the following:

"Whenever a State provides that the owner of a single-family residence may, at his option, elect to retain a right of use and occupancy for not less than six months from the date of acquisition of such residence and such owner elects to retain such a right, such owner shall be deemed to have waived any benefit 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 those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act.".

SEC. 3. Section 9 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (16 U.S.C. 4601–10a), is further amended by deleting in the first sentence "section 6(a) (1)" and substituting "section 7(a) (1)".

Approved June 7, 1974.

Legislative History:

House Report No. 93–1076 (Comm. on Interior and Insular Affairs).
Senate Report No. 93–745 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 120 (1974):
Mar. 29, considreed and passed Senate.
June 4, considered and passed House, amended.
June 5, Senate concurred in House amendments.

An Act to amend the Land and Water Conservation Fund Act of 1965, as amended, to establish the National Historic Preservation Fund, and for other purposes. (90 Stat. 1313) (P.L. 94–422)

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

TITLE I—LAND AND WATER CONSERVATION FUND

SEC. 101. The Land and Water Conservation Fund Act of 1965 (78 Stat. 987), as amended (16 U.S.C. 4601–4 et seq.), is further amended as follows:

(1) Amend section 2 to read as follows:

"SEC. "2. SEPARATE FUND.—During the period ending September 30, 1989, there shall be covered into the land and water conservation fund in the Treasury of the United States, which fund is hereby established and is hereinafter referred to as the 'fund', the following revenues and collections:

"(a) SURPLUS PROPERTY SALES.—All proceeds (except so much thereof as may be otherwise obligated, credited, or paid under authority of those provisions of law set forth in section 485(b) (e), title 40, United States Code, or the Independent Offices Appropriation Act, 1963 (76 Stat. 725) or in any later appropriation Act) hereafter received from any disposal of surplus real property and related personal property under the Federal Property and Administrative Services Act of 1949, as amended, notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury. Nothing in this Act shall affect existing laws or regulations concerning disposal of real or personal surplus property to schools, hospitals, and States and their political subdivisions.

"(b) MOTORBOAT FUELS TAX.—The amounts provided for in section 201 of this Act.

"(c) (1) OTHER REVENUES.—In addition to the sum of the revenues and collections estimated by the Secretary of the Interior to be covered into the fund pursuant to this section, as amended, there are authorized to be appropriated annually to the fund out of any money in the Treasury not otherwise appropriated such amounts as are necessary to make the income of the fund not less than $300,000,000 for fiscal year 1977, $600,000,000 for fiscal year 1978, $750,000,000 for fiscal year 1979, and $900,000,000 for fiscal year 1980 and for each fiscal year thereafter through September 30, 1989.

"(2) To the extent that any such sums so appropriated are not sufficient to make the total annual income of the fund equivalent to the amounts provided in clause (1), an amount sufficient to cover the remainder thereof shall be credited to the fund from revenues due and payable to the United States for deposit in the Treasury as miscellaneous receipts under the Outer Continental Shelf Lands Act, as amended (43 U.S.C. 1331 et seq.): *Provided*, That notwithstanding the provisions of section 3 of this Act, moneys covered into the fund under this paragraph shall remain in the fund until appropriated by the Congress to carry out the purpose of this Act."

(2) Amend section 5 to read as follows:

"ALLOCATION OF LAND AND WATER CONSERVATION FUND FOR STATE AND FEDERAL PURPOSES

"SEC. 5. ALLOCATION.—There shall be submitted with the annual budget of the United States a comprehensive statement of estimated requirements during the ensuing fiscal year for appropriations from the fund. Not less than 40 per centum of such appropriations shall be available for Federal purposes.".

(3) Amend section 6 to read as follows:

"FINANCIAL ASSISTANCE TO STATES

"SEC. 6. GENERAL AUTHORITY; PURPOSES.—(a) The Secretary of the Interior (hereinafter referred to as the 'Secretary') is authorized to provide financial assistance to the States from moneys available for State purposes. Payments may be made to the States by the Secretary as hereafter provided, subject to such terms and conditions as he considers appropriate and in the public interest to carry out the purposes of this Act, for outdoor recreation: (1) planning, (2) acquisition of land, waters, or interests in land or waters, or (3) development.

"(b) APPORTIONMENT AMONG STATES; NOTIFICATION.—Sums appropriated and available for State purposes for each fiscal year shall be apportioned among the several States by the Secretary, whose determination shall be final, in accordance with the following formula:

"(1) Forty per centum of the first $225,000,000; thirty per centum of the next $275,000,000; and twenty per centum of all additional appropriations shall be apportioned equally among the several States; and

"(2) At any time, the remaining appropriation shall be apportioned on the basis of need to individual States by the Secretary in such amounts as in his judgment will best accomplish the purposes of this Act. The determination of need shall include among other things a consideration of the proportion which the population of each State bears to the total population of the United States and of the use of outdoor recreation resources of individual States by persons from outside the State as well as a consideration of the Federal resources and programs in the particular States.

"(3) The total allocation to an individual State under paragraphs (1) and (2) of this subsection shall not exceed 10 per centum of the total amount allocated to the several States in any one year.

"(4) The Secretary shall notify each State of its apportionments; and the amounts thereof shall be available thereafter for payment to such State for planning, acquisition, or development projects as

hereafter prescribed. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given and for two fiscal years thereafter shall be reapportioned by the Secretary in accordance with paragraph (2) of this subsection, without regard to the 10 per centum limitation to an individual State specified in this subsection.

"(5) For the purposes of paragraph (1) of this subsection, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands (when such islands achieve Commonwealth status) shall be treated collectively as one State, and shall receive shares of such apportionment in proportion to their populations. The above listed areas shall be treated as States for all other purposes of this title.

"(c) MATCHING REQUIREMENTS.—Payments to any State shall cover not more than 50 per centum of the cost of planning, acquisition, or development projects that are undertaken by the State. The remaining share of the cost shall be borne by the State in a manner and with such funds or services as shall be satisfactory to the Secretary. No payment may be made to any State for or on account of any cost or obligation incurred or any service rendered prior to the date of approval of this Act.

"(d) COMPREHENSIVE STATE PLAN REQUIRED; PLANNING PROJECTS.—A comprehensive statewide outdoor recreation plan shall be required prior to the consideration by the Secretary of financial assistance for acquisition or development projects. The plan shall be adequate if, in the judgment of the Secretary, it encompasses and will promote the purposes of this Act: *Provided*, That no plan shall be approved unless the Governor of the respective State certifies that ample opportunity for public participation in plan development and revision has been accorded. The Secretary shall develop, in consultation with others, criteria for public participation, which criteria shall constitute the basis for the certification by the Governor. The plan shall contain—

"(1) the name of the State agency that will have authority to represent and act for the State in dealing with the Secretary for purposes of this Act;

"(2) an evaluation of the demand for and supply of outdoor recreation resources and facilities in the State;

"(3) a program for the implementation of the plan; and

"(4) other necessary information, as may be determined by the Secretary.

The plan shall take into account relevant Federal resources and programs and shall be correlated so far as practicable with other State, regional, and local plans. Where there exists or is in preparation for any particular

State a comprehensive plan financed in part with funds supplied by the Housing and Home Finance Agency, any statewide outdoor recreation plan prepared for purposes of this Act shall be based upon the same population, growth, and other pertinent factors as are used in formulating the Housing and Home Finance Agency financed plans.

"The Secretary may provide financial assistance to any State for projects for the preparation of a comprehensive statewide outdoor recreation plan when such plan is not otherwise available or for the maintenance of such plan.

"(e) PROJECTS FOR LAND AND WATER ACQUISITION; DEVELOPMENT.—In addition to assistance for planning projects, the Secretary may provide financial assistance for planning projects, the Secretary may provide financial assistance to any State for the following types of projects or combinations thereof if they are in accordance with the State comprehensive plan:

"(1) ACQUISITION OF LAND AND WATERS.—For the acquisition of land, waters, or interests in land or waters (other than land, waters, or interests in land or waters acquired from the United States for less than fair market value), but not including incidental costs relating to acquisition.

"Whenever a State provides that the owner of a single-family residence may, at his option, elect to retain a right of use and occupancy for not less than six months from the date of acquisition of such residence and such owner elects to retain such a right, such owner shall be deemed to have waived any benefits 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 those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act.

"(2) DEVELOPMENT.—For development of basic outdoor recreation facilities to serve the general public, including the development of Federal lands under lease to States for terms of twenty-five years or more: *Provided*, That no assistance shall be available under this Act to enclose or shelter facilities normally used for outdoor recreation activities, but the Secretary may permit local funding, and after the date of enactment of this proviso not to exceed 10 per centum of the total amount allocated to a State in any one year to be used for sheltered facilities for swimming pools and ice skating rinks in areas where the Secretary determines that the severity of climatic conditions and the increased public use thereby made possible justifies the construction of such facilities.

"(f) REQUIREMENTS FOR PROJECT APPROVAL; CONDITION.—(1) Payments may be made to States by the Secretary

only for those planning, acquisition, or development projects that are approved by him. No payment may be made by the Secretary for or on account of any project with respect to which financial assistance has been given or promised under any other Federal program or activity, and no financial assistance may be given under any other Federal program or activity for or on account of any project with respect to which such assistance has been given or promised under this Act. The Secretary may make payments from time to time in keeping with the rate of progress toward the satisfactory completion of individual projects: *Provided*, That the approval of all projects and all payments, or any commitments relating thereto, shall be withheld until the Secretary receives appropriate written assurance from the State that the State has the ability and intention to finance its share of the cost of the particular project, and to operate and maintain by acceptable standards, at State expense, the particular properties or facilities acquired or developed for public outdoor recreation use.

"(2) Payments for all projects shall be made by the Secretary to the Governor of the State or to a State official or agency designated by the Governor or by State law having authority and responsibility to accept and to administer funds paid hereunder for approved projects. If consistent with an approved project, funds may be transferred by the State to a political subdivision or other appropriate public agency.

"(3) No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

"(4) No payment shall be made to any State until the State has agreed to (1) provide such reports to the Secretary, in such form and containing such information, as may be reasonably necessary to enable the Secretary to perform his duties under this Act, and (2) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting for Federal funds paid to the State under this Act.

"(5) Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources,

and such other records as will facilitate an effective audit.

"(6) The Secretary, and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this Act.

"(7) Each State shall evaluate its grant programs annually under guidelines set forth by the Secretary and shall transmit such evaluation to the Secretary, together with a list of all projects funded during that fiscal year, including, but not limited to, a description of each project, the amount of Federal funds employed in such project, the source of other funds, and the estimated cost of completion of the project. Such evaluation and the publication of same shall be eligible for funding on a 50–50 matching basis. The results of the evaluation shall be annually reported on a fiscal year basis to the Bureau of Outdoor Recreation, which agency shall forward a summary of such reports to the Committees on Interior and Insular Affairs of the United States Congress. Such report to the committees shall also include an analysis of the accomplishments of the fund for the period reported, and may also include recommendations as to future improvements for the operation of the Land and Water Conservation Fund program.

"(8) With respect to property acquired or developed with assistance from the fund, discrimination on the basis of residence, including preferential reservation or membership systems, is prohibited except to the extent that reasonable differences in admission and other fees may be maintained on the basis of residence.

"(g) COORDINATION WITH FEDERAL AGENCIES.—In order to assure consistency in policies and actions under this Act, with other related Federal programs and activities (including those conducted pursuant to title VII of the Housing Act of 1961 and section 701 of the Housing Act of 1954) and to assure coordination of the planning, acquisition, and development assistance to States under this section with other related Federal programs and activities, the President may issue such regulations with respect thereto as he deems desirable and such assistance may be provided only in accordance with such regulations.".

(4) Amend section 7 to read as follows:

"SEC. 7. (a) Moneys appropriated from the fund for Federal purposes shall, unless otherwise allotted in the appropriation Act making them available, be allotted by the President to the following purposes and subpurposes:

"(1) For the acquisition of land, waters, or interests in land or waters as follows:

"NATIONAL PARK SYSTEM; RECREATION AREAS.—Within the exterior boundaries of areas of the National Park

System now or hereafter authorized or established and of areas now or hereafter authorized to be administered by the Secretary of the Interior for outdoor recreation purposes.

"NATIONAL FOREST SYSTEM.—Inholdings within (a) wilderness areas of the National Forest System, and (b) other areas of national forests as the boundaries of those forests exist on the effective date of this Act, or purchase units approved by the National Forest Reservation Commission subsequent to the date of this Act, all of which other areas are primarily of value for outdoor recreation purposes: *Provided*, That lands outside of but adjacent to an existing national forest boundary, not to exceed three thousand acres in the case of any one forest, which would comprise an integral part of a forest recreational management area and may also be acquired with moneys appropriated from this fund: *Provided further*, That except for areas specifically authorized by Act of Congress, not more than 15 per centum of the acreage added to the National Forest System pursuant to this section shall be west of the 100th meridian.

"NATIONAL WILDLIFE REFUGE SYSTEM.—Acquisition for (a) endangered species and threatened species authorized under section 5(a) of the Endangered Species Act of 1973; (b) areas authorized by section 2 of the Act of September 28, 1962, as amended (16 U.S.C. 460k–1); (c) national wildlife refuge areas under section 7(a) (5) of the Fish and Wildlife Act of 1956 (16 U.S.C. 742f(5)) except migratory waterfowl areas which are authorized to be acquired by the Migratory Bird Conservation Act of 1929, as amended (16 U.S.C. 715–715s); (d) any areas authorized for the National Wildlife Refuge System by specific Acts.

"(2) For payment into miscellaneous receipts of the Treasury as a partial offset for those capital costs, if any, of Federal water development projects hereafter authorized to be constructed by or pursuant to an Act of Congress which are allocated to public recreation and the enhancement of fish and wildlife values and financed through appropriations to water resource agencies.

"(b) ACQUISITION RESTRICTION.—Appropriations from the fund pursuant to this section shall not be used for acquisition unless such acquisition is otherwise authorized by law.".

(5) Amend section 8 to read as follows:

"SEC. 8. Moneys derived from the sources listed in section 2 of this Act shall not be available for publicity purposes: *Provided, however*, That in each case where significant acquisition or development is initiated, appropriate standardized temporary signing shall be lo-

cated on or near the affected site, to the extent feasible, so as to indicate the action taken is a product of funding made available through the Land and Water Conservation Fund. Such signing may indicate the per centum and dollar amounts financed by Federal and non-Federal funds, and that the source of the funding includes moneys derived from Outer Continental Shelf receipts. The Secretary shall prescribe standards and guidelines for the usage of such signing to assure consistency of design and application.".

(6) Add the following new section:

"SEC. 12. Within one year of the date of enactment of this section, the Secretary is authorized and directed to submit to the Committees on Interior and Insular Affairs of the Senate and House of Representatives a comprehensive review and report on the needs, problems, and opportunities associated with urban recreation in highly populated regions, including the resources potentially available for meeting such needs. The report shall include site specific analyses and alternatives, in a selection of geographic environments representative of the Nation as a whole, including, but not limited to, information on needs, local capabilities for action, major site opportunities, trends, and a full range of options and alternatives as to possible solutions and courses of action designed to preserve remaining open space, ameliorate recreational deficiency, and enhance recreational opportunity for urban populations, together with an analysis of the capability of the Federal Government to provide urban-oriented environmental education programs (including, but not limited to, cultural programs in the arts and crafts) within such options. The Secretary shall consult with, and request the views of, the affected cities, counties, and States on the alternatives and courses of action identified.".

TITLE II—NATIONAL HISTORIC PRESERVATION FUND

SEC. 201. The Act of October 15, 1966 (80 Stat. 915), as amended (16 U.S.C. 470), is amended as follows:

(1) Amend section 102 to read as follows:

"SEC. 102. (a) No grant may be made under this Act—

"(1) unless application therefor is submitted to the Secretary in accordance with regulations and procedures prescribed by him;

"(2) unless the application is in accordance with the comprehensive statewide historic preservation plan which has been approved by the Secretary after considering its relationship to the comprehensive statewide outdoor recreation plan prepared pur-

suant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897);

"(3) for more than 50 per centum of the total cost involved, as determined by the Secretary and his determination shall be final;

"(4) unless the grantee has agreed to make such reports, in such form and containing such information as the Secretary may from time to time require;

"(5) unless the grantee has agreed to assume, after completion of the project, the total cost of the continued maintenance, repair, and administration of the property in a manner satisfactory to the Secretary; and

"(6) until the grantee has complied with such further terms and conditions as the Secretary may deem necessary or advisable.

"(b) The Secretary may in his discretion waive the requirements of subsection (a), paragraphs (2) and (5) of this section for any grant under this Act to the National Trust for Historic Preservation in the United States, in which case a grant to the National Trust may include funds for the maintenance, repair, and administration of the property in a manner satisfactory to the Secretary.

"(c) The Secretary may in his discretion waive the requirements of paragraph (3) of subsection (a) of this section for the purposes of making grants for the preparation of statewide historic preservation plans and surveys and project plans. Any grant made pursuant to this subsection may not exceed 70 per centum of the cost of a project, and the total of such grants made pursuant to this subsection in any one fiscal year may not exceed one-half of the funds appropriated for that fiscal year pursuant to section 108 of this Act.

"(d) No State shall be permitted to utilize the value of real property obtained before the date of approval of this Act in meeting the remaining cost of a project for which a grant is made under this Act.".

(2) Amend section 103(a) by deleting "*Provided, however*, That the amount granted to any one State shall not exceed 50 per centum of the total cost of the comprehensive statewide historic survey and plan for that State, as determined by the Secretary,".

(3) Amend section 106 by inserting after the words "included in" the phrase "or eligible for inclusion in".

(4) Amend section 108 to read as follows:

"SEC. 108. To carry out the provisions of this Act, there is hereby established the Historic Preservation Fund (hereafter referred to as the 'fund') in the Treasury of the United States.

"There shall be covered into such fund $24,400,000 for fiscal year 1977, $100,000,000 for fiscal year 1978, $100,000,000 for fiscal year 1979, $150,000,000 for fiscal

year 1980, and $150,000,000 for fiscal year 1981, from revenues due and payable to the United States under the Outer Continental Shelf Lands Act (67 Stat. 462, 469), as amended (43 U.S.C. 338), and/or under the Act of June 4, 1920 (41 Stat. 813), as amended (30 U.S.C. 191), notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury. Such moneys shall be used only to carry out the purposes of this Act and shall be available for expenditure only when appropriated by the Congress. Any moneys not appropriated shall remain available in the fund until appropriated for said purposes: *Provided*, That appropriations made pursuant to this paragraph may be made without fiscal year limitation.".

(5) Amend section 201 to read as follows:

"SEC. 201. (a) There is established as an independent agency of the United States Government an Advisory Council on Historic Preservation (hereinafter referred to as the 'Council') which shall be composed of twenty-nine members as follows:

"(1) The Secretary of the Interior;

"(2) The Secretary of Housing and Urban Development;

"(3) The Secretary of Commerce;

"(4) The Administrator of the General Services Administration;

"(5) The Secretary of the Treasury;

"(6) The Attorney General;

"(7) The Secretary of Agriculture;

"(8) The Secretary of Transportation;

"(9) The Secretary of State;

"(10) The Secretary of Defense;

"(11) The Secretary of Health, Education, and Welfare;

"(12) The Chairman of the Council on Environmental Quality;

"(13) The Chairman of the Federal Council on the Arts and Humanities;

"(14) The Architect of the Capitol;

"(15) The Secretary of the Smithsonian Institution;

"(16) The Chairman of the National Trust for Historic Preservation;

"(17) The President of the National Conference of State Historic Preservation Officers; and

"(18) Twelve appointed by the President from outside the Federal Government. In making these appointments, the President shall give due consideration to the selection of officers of State and local governments and individuals who are significantly interested and experienced in the matters to be considered by the Council.

"(b) Each member of the Council specified in paragraphs (1) through (17) of subsection (a) may designate

another officer of his department, agency, or organization to serve on the Council in his stead.

"(c) Each member of the Council appointed under paragraph (18) of subsection (a) shall serve for a term of five years from the expiration of his predecessor's term; except that the members first appointed under that paragraph shall serve for terms of from one to five years, as designated by the President at the time of appointment, in such manner as to insure that the terms of not less than one nor more than two of them will expire in any one year.

"(d) A vacancy in the Council shall not affect its powers, but shall be filled in the same manner as the original appointment (and for the balance of the unexpired term).

"(e) The Chairman and the Vice Chairman of the Council shall be designated by the President. During the absence or disability of the Chairman or when the office is vacant, the Vice Chairman shall act in the place of the Chairman.

"(f) Fifteen members of the Council shall constitute a quorum.".

(6) Amend section 204 by deleting the term "(10)" in the first sentence and inserting in lieu thereof the term "(17)", and by striking the term "(11)" in the second sentence and inserting in lieu thereof the term "(18)".

(7) Amend section 205 to read as follows:

"SEC. 205. (a) There shall be an Executive Director of the Council who shall be appointed in the competitive service by the Chairman with the concurrence of the Council. The Executive Director shall report directly to the Council and perform such functions and duties as the Council may prescribe.

"(b) The Council shall have a General Counsel, who shall be appointed by the Executive Director. The General Counsel shall report directly to the Executive Director and serve as the Council's legal advisor. The Executive Director shall appoint such other attorneys as may be necessary to assist the General Counsel, represent the Council in courts of law whenever appropriate, assist the Department of Justice in handling litigation concerning the Council in courts of law, and perform such other legal duties and functions as the Executive Director and the Council may direct.

"(c) The Executive Director of the Council may appoint and fix the compensation of such officers and employees in the competitive service as are necessary to perform the functions of the Council at rates not to exceed that now or hereafter prescribed for the highest rate for grade 15 of the General Schedule under section 5332 of title 5, United States Code: *Provided, however*, That the Executive Director, with the concurrence of the Chairman, may appoint and fix the compensation of not to exceed five employees in the competitive service at rates not to exceed that now or hereafter prescribed for the

highest rate of grade 17 of the General Schedule under section 5332 of title 5, United States Code.

"(d) The Executive Director shall have power to appoint and fix the compensation of such additional personnel as may be necessary to carry out its duties, without regard to the provisions of the civil service laws and the Classification Act of 1949.

"(e) The Executive Director of the Council is authorized to procure expert and consultant services in accordance with the provisions of section 3109 of title 5, United States Code.

"(f) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel and procurement) shall be provided the Council by the Department of the Interior, for which payments shall be made in advance, or by reimbursement, from funds of the Council in such amounts as may be agreed upon by the Chairman of the Council in such amounts as may be agreed upon by the Chairman of the Council and the Secretary of the Interior: *Provided*, That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Council employee, and regulations of said Secretary for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Council: *And provided further*, That the Council shall not be required to prescribe such regulations.

"(g) The members of the Council specified in paragraphs (1) through (16) of section 201(a) shall provide the Council, with or without reimbursement as may be agreed upon by the Chairman and the members, with such funds, personnel, facilities, and services under their jurisdiction and control as may be needed by the Council to carry out its duties, to the extent that such funds, personnel, facilities, and services are requested by the Council and are otherwise available for that purpose. To the extent of available appropriations, the Council may obtain, by purchase, rental, donation, or otherwise, such additional property, facilities, and services as may be needed to carry out its duties.".

(8) Amend section 206(c) to read as follows:

"(c) For the purposes of this section there are authorized to be appropriated not more than $175,000 per year for fiscal years 1977, 1978, and 1979: *Provided*, That no appropriation is authorized and no payment shall be made to the Centre in excess of 25 per centum of the total annual assessment of such organization.".

(9) Add the following new sections:

"SEC. 207. So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, held, used, programed, or available or to be made available by the Department

of the Interior in connection with the functions of the Council, as the Director of the Office of Management and Budget shall determine, shall be transferred from the Department to the Council within 60 days of the effective date of this Act.

"SEC. 208. Any employee in the competitive service of the United States transferred to the Council under the provisions of this section shall retain all the rights, benefits, and privileges pertaining thereto held prior to such transfer.

"SEC. 209. The Council is exempt from the provisions of the Federal Advisory Committee Act (86 Stat. 770), and the provisions of the Administrative Procedure Act (80 Stat. 381) shall govern the operations of the Council.

"SEC. 210. Whenever the Council transmits any legislative recommendations, or testimony, or comments on legislation to the President or the Office of Management and Budget, it shall concurrently transmit copies thereof to the House Committee on Interior and Insular Affairs and the Senate Committee on Interior and Insular Affairs. No officer or agency of the United States shall have any authority to require the Council to submit its legislative recommendations, or testimony, or comments on legislation to any officer or agency of the United States for approval, comments, or review, prior to the submission of such recommendations, testimony, or comments to the Congress. In instances in which the Council voluntarily seeks to obtain the comments or review of any officer or agency of the United States, the Council shall include a description of such actions in its legislative recommendations, testimony, or comments on legislation which it transmits to the Congress.

"SEC. 211. The Council is authorized to promulgate such rules and regulations as it deems necessary to govern the implementation of section 106 of this Act.

"SEC. 212. (a) The Council shall submit its budget annually as a related agency of the Department of the Interior. To carry out the provisions of this title, there are authorized to be appropriated not more than $1,500,000 in fiscal year 1977, $1,750,000 in fiscal year 1978, and $2,000,000 in fiscal year 1979.

"(b) Whenever the Council submits any budget estimate or request to the President or the Office of Management and Budget, it shall concurrently transmit copies of that estimate or request to the House and Senate Appropriations Committees and the House Committee on Interior and Insular Affairs and the Senate Committee on Interior and Insular Affairs.".

SEC. 202. Section 5316 of title 5 of the United States Code is amended by adding at the end thereof the following new paragraph:

"(135) Executive Director, Advisory Council on Historic Preservation.".

TITLE III—STATES OIL SHALE FUNDS

SEC. 301. Section 35 of the Act of February 25, 1920 (41 Stat. 450), as amended (30 U.S.C. 191), is further amended by striking the period at the end of the proviso and inserting in lieu thereof the language as follows: ": *And provided further*, That all moneys paid to any State from sales, bonuses, royalties, and rentals of oil shale in public lands may be used by such State and its subdivisions for planning, construction, and maintenance of public facilities, and provision of public services, as the legislature of the State may direct, giving priority to those subdivisions of the State socially or economically impacted by the development of the resource.".

Approved September 28, 1976.

Legislative History:

House Reports: No. 94–1021 accompanying H.R. 12234 (Comm. on Interior and Insular Affairs) and No. 94–1468 (Comm. of Conference).
Senate Report No. 94–367 (Comm. on Interior and Insular Affairs).
Congressional Record:
Vol. 121 (1975): Oct. 29, considered and passed Senate.
Vol. 122 (1976): May 5, considered and passed House, amended, in lieu of H.R. 12234.
Sept. 10, House agreed to conference report.
Sept. 13, Senate agreed to conference report.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS:
Vol. 12, No. 40 (1976): Sept. 28, Presidential statement.

An Act to amend the Land and Water Conservation Fund Act of 1965, and for other purposes. (91 Stat. 210) (P.L. 95–42)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Land and Water Conservation Fund Act of 1965 (78 Stat. 987), as amended (16 U.S.C. 4601–4 et seq.), is further amended as follows:

(1) Section 2(c) (1) is amended by deleting $600,000,000 for fiscal year 1978, $750,000,000 for fiscal year 1979, and $900,000,000 for fiscal year 1980" and inserting in lieu thereof "and $900,000,000 for fiscal year 1978".

(2) Section 5 is amended by adding the following at the end thereof: "Those appropriations from the fund up to and including $600,000,000 in fiscal year 1978 and up to and including $750,000,000 in fiscal year 1979 shall continue to be allocated in accordance with this section. There shall be credited to a special account within the fund $300,000,000 in fiscal year 1978 and $150,000,000 in fiscal year 1979 from the amounts authorized by section 2 of this Act. Amounts credited to this account shall remain in the account until appropriated. Appropriations from the special account shall be available only with respect to areas existing and authorizations enacted prior to the convening of the Ninety-fifth Congress, for acquisition of lands, waters, or interests in lands or waters within the exterior boundaries, as aforesaid, of—

"(1) the national park system;

"(2) national scenic trails;

"(3) the national wilderness preservation system;

"(4) federally administered components of the National Wild and Scenic Rivers System; and

"(5) national recreation areas administered by the Secretary of Agriculture.".

(3) Section 7(a) is amended by adding the following new paragraph:

"(3) Appropriations allotted for the acquisition of land, waters, or interests in land or waters as set forth under the headings 'NATIONAL PARK SYSTEM; RECREATION AREAS' and 'NATIONAL FOREST SYSTEM' in paragraph (1) of this subsection shall be available therefor notwithstanding any statutory ceiling on such appropriations contained in any other provision of law enacted prior to the convening of the Ninety-fifth Congress; except that for any such area expenditures may not exceed a statutory ceiling during any one fiscal year by 10 per centum of such ceiling or $1,000,000, whichever is greater. The Secretary of the Interior shall, prior to the expenditure of funds which would cause a statutory ceiling to be exceeded by $1,000,000 or more, and with respect to each expenditure of $1,000,000 or more in excess of such a ceiling, provide written notice of such proposed expenditure not less than thirty calendar days in advance to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.".

(4) Section 7(b) is amended by changing the period at the end thereof to a colon and adding the following: "*Provided, however*, That appropriations from the fund may be used for preacquisition work in instances where authorization is imminent and where substantial monetary savings could be realized.".

(5) Section 7 is amended by adding the following new subsection:

"(c) BOUNDARY CHANGES: DONATIONS.—Whenever the Secretary of the Interior determines that to do so will contribute to, and is necessary for, the proper preservation, protection, interpretation, or management of an area of the national park system, he may, following timely notice in writing to the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate of his intention to do so, and by publication of a revised boundary map or other description in the Federal Register, (i) make minor revisions of the boundary of the area, and moneys appropriated from the fund shall be available for acquisition of any lands, waters, and interests therein added to the area by such boundary revision subject to such statutory limitations, if any, on methods of acquisition and appropriations thereof as may be specifically applicable to such area: *Provided, however*, That such authority shall expire ten years from the date

of enactment of the authorizing legislation establishing such boundaries; and (ii) acquire by donation, purchase with donated funds, transfer from any other Federal agency, or exchange, lands, waters, or interests therein adjacent to such area, except that in exercising his authority under this clause (ii) the Secretary may not alienate property administered as part of the national park system in order to acquire lands by exchange, the Secretary may not acquire property without the consent of the owner, and the Secretary may acquire property owned by a State or political subdivision thereof only by donation. Prior to making a determination under this subsection, the Secretary shall consult with the duly elected governing body of the county, city, town, or other jurisdiction or jurisdictions having primary taxing authority over the land or interest to be acquired as to the impacts of such proposed action, and he shall also take such steps as he may deem appropriate to advance local public awareness of the proposed action. Lands, waters, and interests therein acquired in accordance with this subsection shall be administered as part of the area to which they are added, subject to the laws and regulations applicable thereto.".

SEC. 2. (a) (1) For the purpose of improving the effectiveness and efficiency of the management of the Roosevelt National Forest, Colorado, and coordinating the acquisition of lands within the forest which are suitable for such management with the acquisition of lands for parks and recreation purposes pursuant to subsection (b) of this section, the Secretary of Agriculture is authorized to acquire those privately owned lands within the boundaries of the forest which are suitable for national forest purposes and which were adversely affected by the Big Thompson flood of July 31, 1976, and such other adjacent private lands within the boundaries of the forest as are available and suitable for national forest purposes.

(2) Lands identified for acquisition pursuant to paragraph (1) of this subsection which lie within the Big Thompson/North Fork Floodways, designated pursuant to the National Flood Insurance Act of 1968 (82 Stat. 572), as amended, shall be acquired at the fair market value of such lands (not including any improvements thereon) immediately prior to the occurrence of the flood: *Provided*, That such lands shall (i) be unimproved, or (ii) include structures which have sustained damage amounting to 50 per centum or more of their market value.

(3) Lands identified for acquisition pursuant to paragraph (1) of this subsection which are not lands described in paragraph (2) of this subsection shall be acquired at no less than appraised fair market value based on an appraisal of each parcel of such lands ap-

proved by the Secretary of Agriculture under the authority of section 11 of the Act of August 3, 1956 (70 Stat. 1034, U.S.C. 428a(a)).

(4) Moneys appropriated to carry out this subsection shall be available until expended or until January 1, 1980, whichever is earlier.

(b) Notwithstanding any other provision of law, in the case of lands acquired for the Big Thompson/North Fork Canyons Recreational Lands Acquisition Project in Larimer County, Colorado, for which financial assistance is authorized under section 6(e) (1) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 987, as amended; 16 U.S.C. 4601–4 et seq.), if such lands are located within the Big Thompson/North Fork Floodways and are (i) unimproved or (ii) include structures which have sustained damage amounting to 50 per centum or more of their market value such assistance may be provided for an amount equal to the market value of such lands (not including any improvements thereon) immediately prior to the occurrence of the Big Thompson flood of July 31, 1976.

Approved June 10, 1977.

Legislative History:

HOUSE REPORT No. 95–156 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 95–162 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 123 (1977):
April 4, considered and passed House.
May 18, considered and passed Senate, amended.
May 25, House concurred in certain Senate amendments; concurred with amendment in another.
May 26, Senate concurred in House amendment.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 13, No. 25:
June 11, Presidential statement.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE VI—MISCELLANEOUS PROVISIONS

* * * * * * *

LAND AND WATER CONSERVATION FUND ACCOMPLISHMENTS REPORTING DATE

SEC. 606. (a) The first sentence of section 6(f) (7) of the Land and Water Conservation Fund Act (78 Stat. 897) is amended by inserting ", so as to be received by the Secretary no later than December 31," after the word "transmit".

(b) The third sentence of such section 6(f) (7) of such Act is amended by striking out the period and inserting in lieu therof "by no later than March 1 of each year.".

* * * * * * *

Approved November 10, 1978.

7. Mining within the National Park System

An Act to provide for the regulation of mining activity within, and to repeal the application of mining laws to, areas of the National Park System, and for other purposes. (90 Stat. 1342) (P.L. 94-429)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds and declares that—

(a) the level of technology of mineral exploration and development has changed radically in recent years and continued application of the mining laws of the United States to those areas of the National Park System to which it applies, conflicts with the purposes for which they were established; and

(b) all mining operations in areas of the National Park System should be conducted so as to prevent or minimize damage to the environment and other resource values, and, in certain areas of the National Park System, surface disturbance from mineral development should be temporarily halted while Congress determines whether or not to acquire any valid mineral rights which may exist in such areas.

SEC. 2. In order to preserve for the benefit of present and future generations the pristine beauty of areas of the National Park System, and to further the purposes of the Act of August 25, 1916, as amended (16 U.S.C. 1) and the individual organic Acts for the various areas of the National Park System, all activities resulting from the exercise of valid existing mineral rights on patented or unpatented mining claims within any area of the National Park System shall be subject to such regulations prescribed by the Secretary of the Interior as he deems necessary or desirable for the preservation and management of those areas.

SEC. 3. Subject to valid existing rights, the following Acts are amended or repealed as indicated in order to close these areas to entry and location under the Mining Law of 1872:

(a) the first proviso of section 3 of the Act of May 22, 1902 (32 Stat. 203; 16 U.S.C. 123), relating to Crater Lake National Park, is amended by deleting the words "and to the location of mining claims and the working of same";

(b) section 4 of the Act of February 26, 1917 (39 Stat. 938; 16 U.S.C. 350), relating to Mount McKinley National Park, is hereby repealed;

(c) section 2 of the Act of January 26, 1931 (46 Stat. 1043; 16 U.S.C. 350a), relating to Mount McKinley National Park, is hereby repealed;

(d) the Act of June 13, 1933 (48 Stat. 139; 16 U.S.C. 447), relating to Death Valley National Monument, is hereby repealed;

(e) the Act of June 22, 1936 (49 Stat. 1817), relating to Glacier Bay National Monument, is hereby repealed;

(f) section 3 of the Act of August 18, 1941 (55 Stat. 631; 16 U.S.C. 450y–2), relating to Coronado National Memorial is amended by replacing the semicolon in subsection (a) with a period and deleting the prefix "(a)", the word "and" immediately preceding subsection (b), and by repealing subsection (b); and (g) The Act of October 27, 1941 (55 Stat. 745; 16 U.S.C. 450z), relating to Organ Pipe Cactus National Monument, is hereby repealed.

SEC. 4. For a period of four years after the date of enactment of this Act, holders of valid mineral rights located within the boundaries of Death Valley National Monument, Mount McKinley National Park, and Organ Pipe Cactus National Monument shall not disturb for purposes of mineral exploration or development the surface of any lands which had not been significantly disturbed for purposes of mineral extraction prior to February 29, 1976: *Provided*, That if the Secretary finds that enlargement of the existing excavation of an individual mining operation is necessary in order to make feasible continued production therefrom at an annual rate not to exceed the average annual production level of said operation for the three calendar years 1973, 1974, and 1975, the surface of lands contiguous to the existing excavation may be disturbed to the minimum extent necessary to effect such enlargement, subject to such regulations as may be issued by the Secretary under section 2 of this Act. For purposes of this section, each separate mining excavation shall be treated as an individual mining operation.

SEC. 5. The requirements for annual expenditures on mining claims imposed by Revised Statute 2324 (30 U.S.C. 28) shall not apply to any claim subject to section 4 of this Act during the time such claim is subject to such section.

SEC. 6. Within two years after the date of enactment of this Act, the Secretary of the Interior shall determine the validity of any unpatented mining claims within Glacier Bay National Monument, Death Valley and Organ Pipe Cactus National Monuments and Mount McKinley National Park and submit to the Congress recommendations as to whether any valid or patented claims should be acquired by the United States, including the estimated acquisition costs of such claims, and a discussion of the environmental consequences of the extraction of minerals from these lands. The Secretary shall also study and within two years submit to Congress his recommendations for modifications or adjustments to the existing boundaries of the Death Valley National Monument and the Glacier Bay National Monument to exclude significant mineral deposits and to decrease possible acquisition costs.

SEC. 7. Within four years after the date of enactment of this Act, the Secretary of the Interior shall determine the validity of any unpatented mining claims within Crater Lake National Park, Coronado National Memorial, and Glacier Bay National Monument, and submit to the Congress recommendations as to whether any valid or patented claims should be acquired by the United States.

SEC. 8. All mining claims under the Mining Law of 1872, as amended and supplemented (30 U.S.C. chapters 2, 12A, and 16 and sections 161 and 162) which lie within the boundaries of units of the National Park System shall be recorded with the Secretary of the Interior within one year after the effective date of this Act. Any mining claim not so recorded shall be conclusively presumed to be abandoned and shall be void. Such recordation will not render valid any claim which was not valid on the effective date of this Act, or which becomes invalid thereafter. Within thirty days following the date of enactment of this Act, the Secretary shall publish notice of the requirement for such recordation in the Federal Register. He shall also publish similar notices in newspapers of general circulation in the areas adjacent to those units of the National Park System listed in section 3 of this Act.

SEC. 9. (a) Whenever the Secretary of the Interior finds on his own motion or upon being notified in writing by an appropriate scientific, historical, or archeological authority, that a district, site, building, structure, or object which has been found to be nationally significant in illustrating natural history or the history of the United States and which has been designated as a natural or historical landmark may be irreparably lost or destroyed in whole or in part by any surface mining activity, including exploration for or removal or production of minerals or materials, he shall notify the person conducting such activity and submit a report thereon, including the basis for his finding that such activity may cause irreparable loss or destruction of a national landmark, to the Advisory Council on Historic Preservation, with a request for advice of the Council as to alternative measures that may be taken by the United States to mitigate or abate such activity.

(b) The Council shall within two years from the effective date of this section submit to the Congress a report on the actual or potential effects of surface mining activities on natural and historical landmarks and shall include with its report its recommendations for such legislation as may be necessary and appropriate to protect natural and historical landmarks from activities, including surface mining activities, which may have an adverse impact on such landmarks.

SEC. 10. If any provision of this Act is declared to be invalid, such declaration shall not affect the validity of any other provision hereof.

SEC. 11. The holder of any patented or unpatented mining claim subject to this Act who believes he has suffered a loss by operation of this Act, or by orders or regulations issued pursuant thereto, may bring an action in a United States district court to recover just compensation, which shall be awarded if the court finds that such loss constitutes a taking of property compensable under the Constitution. The court shall expedite its consideration of any claim brought pursuant to this section.

SEC. 12. Nothing in this Act shall be construed to limit the authority of the Secretary to acquire lands and interests in lands within the boundaries of any unit of the National Park System. The Secretary is to give prompt and careful consideration to any offer made by the owner of any valid right or other property within the areas named in section 6 of this Act to sell such right or other property, if such owner notifies the Secretary that the continued ownership of such right or property is causing, or would result in, undue hardship.

SUNSHINE IN GOVERNMENT

SEC. 13. (a) Each officer or employee of the Secretary of the Interior who—

(1) performs any function or duty under this Act, or any Acts amended by this Act concerning the regulation of mining within the National Park System; and

(2) has any known financial interest (A) in any person subject to such Acts, or (B) in any person who holds a mining claim within the boundaries of units of the National Park System;

shall, beginning on February 1, 1977, annually file with the Secretary a written statement concerning all such interests held by such officer or employee during the preceding calendar year. Such statement shall be available to the public.

(b) The Secretary shall—

(1) act within ninety days after the date of enactment of this Act—

(A) to define the term "known financial interest" for purposes of subsection (a) of this section; and

(B) to establish the methods by which the requirement to file written statements specified in subsection (a) of this section will be monitored and enforced, including appropriate provisions for the filing by such officers and employees of such statements and the review by the Secretary of such statements; and

(2) report to the Congress on June 1 of each calendar year with respect to such disclosures and the actions taken in regard thereto during the preceding calendar year.

(c) In the rules prescribed in subsection (b) of this section, the Secretary may identify specific positions within such agency which are of a nonregulatory or nonpolicymaking nature and provide that officers or employees occupying such positions shall be exempt from the requirements of this section.

(d) Any officer or employee who is subject to, and knowingly violates, this section or any regulation issued thereunder, shall be fined not more than $2,500 or imprisoned not more than one year, or both.

Approved September 28, 1976.

Legislative History:

House Report No. 94–1428 (Comm. on Interior and Insular Affairs).
Senate Report No. 94–567 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
Feb. 3, 4, considered and passed Senate.
Sept. 14, considered and passed House, amended.
Sept. 14, considered and passed House, amended.
Sept. 17, Senate concurred in House amendments.

8. National Park System Transportation

An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other purposes. (92 Stat. 474) (P.L. 95-344)

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

TITLE III

SEC. 301. (a) The Congress hereby finds that—

(1) the purpose of the National Park System is to preserve outstanding natural, scenic, historic, and recreation areas for the enjoyment, education, inspiration, and use of all people;

(2) units of the National Park System have recently been established near major metropolitan areas in order to preserve remaining open space and to provide recreational opportunities for urban residents (many of whom do not have access to personal motor vehicles); and

(3) circumstances which necessarily require people desiring to visit units of the National Park System to rely on personal motor vehicles may diminish the natural and recreational value of such units by causing traffic congestion and environmental damage, and by requiring the provision of roads, parking, and other facilities in ever-increasing numbers and density.

(b) The purpose of this title is to make the National Park System more accessible in a manner consistent with the preservation of parks and the conservation of energy by encouraging the use of transportation modes other than personal motor vehicles for access to and within units of the National Park System with minimum disruption to nearby communities through authorization of a pilot transportation program.

SEC. 302. (a) The Secretary of the Interior (hereinafter referred to as "Secretary") is authorized to formulate transportation plans and implement transportation projects where feasible pursuant to those plans for units of the national park system.

(b) To carry out the purposes of subsection (a) of this section, the Secretary is authorized to—

(1) contract with public or private agencies or carriers to provide transportation services, capital equipment, or facilities to improve access to units of the national park system;

(2) operate such services directly in the absence of suitable and adequate agencies or carriers;

(3) acquire by purchase, lease, or agreement, capital equipment for such services; and

(4) where necessary to carry out the purposes of this title, acquire by lease, purchase, donation, exchange, or transfer, lands, waters, and interests therein which are situated outside the boundary of a unit of the national park system, which property shall be administered as part of the unit: *Provided*, That any land or interests in land owned by a State or any of its political subdivisions may be acquired only by donation: *Provided further*, That any land acquisition shall be subject to such statutory limitations, if any, on methods of acquisition and appropriations thereof as may be specifically applicable to such area.

(c) Acquisitions pursuant to subsection (b) (3) and (4) of this section shall not commence prior to sixty days (not counting days on which the Senate or the House of Representatives has adjourned for more than three consecutive days) from the time the Secretary has submitted a detailed proposal for such acquisitions to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives.

(d) All fees directly collected by the National Park Service in the operation of the facilities and services authorized by this title shall be covered into the Planning, Development, and Operation of Recreation Facilities appropriation account to be subject to appropriation.

(e) The Secretary shall establish information programs to inform the public of available park access opportunities and to promote the use of transportation modes other than personal motor vehicles for access to and travel within the units of the national park system.

(f) Transportation facilities and services provided pursuant to this title shall not be considered as concession facilities or services within the meaning of the Act of October 9, 1965 (79 Stat. 969) and may be undertaken by the Secretary directly or by contract without regard to any requirement of local, State, or Federal law respecting determinations of public convenience and necessity or other similar matters: *Provided*, That the Secretary or his contractor shall consult with the appropriate State or local public service commission or other such body having authority to issue certificates of convenience and necessity, and any such contractor shall be subject to applicable requirements of such body unless the Secretary determines that such requirements would not be consistent with the purposes and provisions of this title.

(g) No grant of authority in this title shall be deemed to expand the exemption of section 203 (b) (4) of the Interstate Commerce Act (49 U.S.C. 303 (b) (4)).

SEC. 303. (a) To carry out the purposes of this title, the Secretary of Transportation, the Secretary of Hous-

ing and Urban Development, the Secretary of Health, Education, and Welfare, and the Secretary of Commerce, and the heads of such other Federal departments or agencies as the Secretary deems necessary are directed to assist the Secretary in the formulation and implementation of transportation projects.

(b) Within one hundred and eighty days from the enactment of this Act, the Secretary shall prepare and submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, a compilation of Federal statutes and programs providing authority for the planning, funding, or operation of transportation projects which might be utilized by the Secretary to carry out the purpose of this title. The Secretary shall revise the compilation thereafter as he deems necessary.

SEC. 304. (a) The Secretary shall, during the formulation of any transportation plan authorized pursuant to section 302 of this title—

(1) give public notice of intention to formulate such a plan by publication in the Federal Register and in a newspaper or periodical having general circulation in the vicinity of the affected unit of the national park system;

(2) following such notice hold a public meeting at a location or locations convenient to the affected unit of the National Park System.

(b) Prior to the implementation of any project developed pursuant to the transportation plan formulated pursuant to subsection (a) of this section, the Secretary shall—

(1) establish procedures, including but not limited to public meetings, to give State and local governments and the public adequate notice and an opportunity to comment on the proposed transportation project; and

(2) submit, when the proposed project would involve an expenditure in excess of $100,000 in any fiscal year, a detailed report to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives. The Secretary may proceed with the implementation of such plan only after sixty days (not counting days on which the Senate or House of Representatives has adjourned for more than three consecutive days) have elapsed following submission of the plan.

SEC. 305. The Secretary shall submit a report to the Congress within three years of the effective date of this Act. The report shall include, but not be limited to, his findings and recommendations regarding—

(a) preservation of natural resource values within units of the National Park System through access alternatives;

(b) effects of transportation projects on communities in close proximity to the units of the National Park System; and

(c) future transportation projects formulated pursuant to this title.

SEC. 306. In carrying out the purposes of this title, there is hereby authorized to be appropriated $1,000,000 for fiscal year 1979; $2,000,000 for fiscal year 1980; and $3,000,000 for fiscal year 1981, which shall remain available until expended. In a fiscal year when the amounts actually appropriated are less than the amounts listed above, the authorized but unappropriated amount shall continue to be available for appropriation in succeeding fiscal years.

Approved August 15, 1978.

Legislative History:

House Report No. 95-598 (Comm. on Interior and Insular Affairs).
Senate Report No. 95-812 (Comm. on Energy and Natural Resources).
Congressional Record, Vol. 124 (1978):
Feb. 9, 14, considered and passed House.
July 21, considered and passed Senate, amended.
July 31, House concurred in Senate amendment with an amendment.
Aug. 3, Senate concurred in House amendment.
Weekly Compilation of Presidential Documents, Vol. 14, No. 33:
Aug. 15, Presidential statement.

9. National Trails System Act Amendments and New Trails

An Act to amend the National Trails System Act (82 Stat. 919), and for other purposes. (90 Stat. 2481) (P.L. 94-527)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Trails System Act (82 Stat. 919; 16 U.S.C. 1241 et seq.) is amended as follows:

In section 5(c), add the following new paragraphs;

"(15) Bartram Trail, extending through the States of Georgia, North Carolina, South Carolina, Alabama, Florida, Louisiana, Mississippi, and Tennessee.

"(16) Daniel Boone Trail, extending from the vicinity of Statesville, North Carolina, to Fort Boonesborough State Park, Kentucky.

"(17) Desert Trail, extending from the Canadian border through parts of Idaho, Washington, Oregon, Nevada, California, and Arizona, to the Mexican border.

"(18) Dominguez-Escalante Trail, extending approximately two thousand miles along the route of the 1776 expedition led by Father Francisco Atanasio Dominguez and Father Silvestre Velez de Escalante, originating in Santa Fe, New Mexico; proceeding northwest along the San Juan, Dolores, Gunnison, and White Rivers in Colorado; thence westerly to Utah Lake; thence southward to Arizona and returning to Santa Fe.

"(19) Florida Trail, extending north from Everglades National Park, including the Big Cypress Swamp, the Kissimme Prairie, the Withlacoochee State Forest, Ocala National Forest, Osceola National Forest, and Black Water River State Forest, said completed trail to be approximately one thousand three hundred miles long, of which over four hundred miles of trail have already been built.

"(20) Indian Nations Trail, extending from the Red River in Oklahoma approximately two hundred miles northward through the former Indian nations to the Oklahoma-Kansas boundary line.

"(21) Nez Perce Trail extending from the vicinity of Wallowa Lake, Oregon, to Bear Paw Mountain, Montana.

"(22) Pacific Northwest Trail, extending approximately one thousand miles from the Continental Divide in Glacier National Park, Montana, to the Pacific Ocean beach of Olympic National Park, Washington, by way of—

"(A) Flathead National Forest and Kootenai National Forest in the State of Montana;

"(B) Kaniksu National Forest in the State of Idaho; and

"(C) Colville National Forest, Okanogan National Forest, Pasayten Wilderness Area, Ross Lake National Recreation Area, North Cascades National

Park, Mount Baker, the Skagit River, Deception Pass, Whidbey Island, Olympic National Forest, and Olympic National Park in the State of Washington."

Approved October 17, 1976.

Legislative History:
House Report No. 94–1683 accompanying H.R. 15122 (Comm. on Interior and Insular Affairs).
Senate Report No. 94–1143 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
Aug. 24, considered and passed Senate.
Sept. 27, considered and passed House, amended, in lieu of H.R. 15122.
Oct. 1, Senate concurred in House amendments.

An Act to amend the National Trails System Act, and for other purposes. (92 Stat. 159) (P.L. 95–248)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Trails System Act (82 Stat. 919; 16 U.S.C. 1241), as amended (90 Stat. 2481; 16 U.S.C. 1244), is further amended as follows:

(1) Amend section 5 (a) (3) to read as follows:

"(3) The Secretary of the Interior shall establish within sixty days of the enactment of this subsection an Advisory Council for the Appalachian National Scenic Trail which shall terminate one hundred and twenty months from the date of enactment of this subsection. The Secretary of the Interior shall consult with such Council from time to time with respect to matters relating to the Trail, including the selection of rights-of-way, standards for the erection and maintenance of markers along the Trail, and the administration of the Trail. The members of the Advisory Council, which shall not exceed thirty-five in number, shall serve for a term of two years without compensation as such, but the Secretary may pay, upon vouchers signed by the Chairman of the Council, the expenses reasonably incurred by the Council and its members in carrying out their responsibilities under this section. Members of the Council shall be appointed by the Secretary of the Interior as follows:

"(i) a member appointed to represent each Federal department or independent agency administering lands through which the Trail route passes and each appointee shall be the person designated by the head of such department or agency;

"(ii) a member appointed to represent each State through which the Trail passes and such appointments shall be made from the recommendations of the Governors of such States;

"(iii) one or more members appointed to represent private organizations, including corporate and individual landowners and land users, that, in the opinion of the Secretary, have an established and recognized interest in the Trail and such appointments shall be made from recommendations of the heads of such organizations: *Provided*, That the Appalachian Trail Conference shall be represented by

a sufficient number of persons to represent the various sections of the country through which the Appalachian Trail passes; and

"(iv) the Secretary shall designate one member to be chairman and shall fill vacancies in the same manner as the original appointment.".

(2) Amend section 5 by adding the following new subsection (d):

"(d) Within two years of the date of enactment of this subsection, the Secretary of the Interior shall, after full consultation with the Governors of the affected States, the Advisory Council, and the Appalachian Trail Conference, submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives, a comprehensive plan for the management, acquisition, development, and use of the Appalachian Trail, including but not limited to, the following items:

"(1) specific objectives and practices to be observed in the management of the Trail, including the identification of all significant natural, historical, and cultural resources to be preserved; details of anticipated cooperative agreements to be consummated with other entities; and identification of carrying capacity and use patterns of the Trail;

"(2) an acquisition or protection plan, by fiscal year, for all lands to be acquired by fee title or lesser interest, along with detailed explanation of anticipated necessary cooperative agreements for any lands not to be acquired; and

"(3) general and site-specific development plans, including anticipated costs.".

(3) Amend section 7(d) by changing the colon to a period and by deleting the proviso.

(4) Amend section 7(g) by deleting the first proviso and inserting in lieu thereof "*Provided*, That condemnation proceedings may not be utilized to acquire fee title or lesser interests to more than an average of one hundred and twenty-five acres per mile:".

(5) Amend section 10, by adding at the end thereof the following: "From the appropriations authorized for fiscal year 1979 and succeeding fiscal years pursuant to the Land and Water Conservation Fund Act (78 Stat. 897), as amended, not more than the following amounts may be expended for the acquisition of lands and interests in lands authorized to be acquired pursuant to the provisions of this Act:

"(a) (1) The Appalachian National Scenic Trail, not to exceed $30,000,000 for fiscal year 1979, $30,000,000 for fiscal year 1980, and $30,000,000 for fiscal year 1981, except that the difference between the foregoing amounts and the actual appropriations in any one fiscal year shall

be available for appropriation in the subsequent fiscal year. It is the express intent of the Congress that the Secretary should substantially complete the land acquisition program necessary to insure the protection of the Trail within three complete fiscal years following the date of enactment of this sentence. Until the entire acquisition program is completed, he shall transmit in writing at the close of each fiscal year the following information to the Committee on Energy and Natural Resources of the Senate and to the Committee on Interior and Insular Affairs of the House of Representatives:

"(A) the amount of land acquired during the fiscal year and the amount expended therefor;

"(B) the estimated amount of land remaining to be acquired; and

"(C) the amount of land planned for acquisition in the ensuing fiscal year and the estimated cost thereof.

"(2) Until the entire acquisition program is completed, the Appalachian Trail Conference shall transmit a report at the close of each fiscal year to the Committee on Energy and Natural Resources of the Senate and to the Committee on Interior and Insular Affairs of the House of Representatives which shall include but not be limited to comments on—

"(A) the manner in which negotiations for the acquisition program are being conducted for every section of the Trail;

"(B) the attitudes of the landowners with whom negotiations have been undertaken; and

"(C) whether in any case larger interests in land are being acquired than are necessary to carry out the purposes of this Act.

"(b) For the purposes of Public Law 95–42 (91 Stat. 211), the lands and interests therein acquired pursuant to this section shall be deemed to qualify for funding under the provisions of section 1, clause 2, of said Act.".

Approved March 21, 1978.

Legislative History:

House Report No. 95–734 (Comm. on Interior and Insular Affairs).
Senate Report No. 95–636 (Comm. on Energy and Natural Resources).
Congressional Record:
Vol. 123 (1977): Oct. 25, considered and passed House.
Vol. 124 (1978): Feb. 22, considered and passed Senate, amended.
Mar. 7, House concurred in Senate amendment.
Weekly Compilation of Presidential Documents:
Vol. 14, No. 12 (1978): Mar. 22, Presidential statement.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE V—ESTABLISHMENT OF NEW AREAS AND ADDITIONS TO NATIONAL TRAILS SYSTEM

SUBTITLE B—TRAILS

* * * * * * *

SEC. 551. The National Trails System Act (82 Stat. 919; 16 U.S.C. 1241), as amended, is further amended as follows:

(1) In section 2(a) after "promote" insert "the preservation of,"; and after "outdoor areas" insert "and historic resources".

(2) In section 2(a) delete "(ii)" and the remainder of the sentence and insert "(ii) secondarily, within scenic areas and along historic travel routes of the Nation, which are often more remotely located.".

(3) In section 2(b) delete "and scenic" and insert ", scenic and historic".

(4) In section 3 redesignate subsection "(c)" as "(d)", and insert a new subsection (c) as follows:

"(c) National historic trails, established as provided in section 5 of this Act, which will be extended trails which follow as closely as possible and practicable the original trails or routes of travel of national historical significance. Designation of such trails or routes shall be continuous, but the established or developed trail, and the acquisition thereof, need not be continuous onsite. National historic trails shall have as their purpose the identification and protection of the historic route and its historic remnants and artifacts for public use and enjoyment. Only those selected land and water based components of an historic trail which are on federally owned lands and which meet the national historic trail criteria established in this Act, are established as initial Federal protection components of a national historic trail. The appropriate Secretary may subsequently certify other lands as protected segments of an historic trail upon application from State or local governmental agencies or private interests involved if such segments meet the national historic trail criteria established in this Act and such criteria supplementary thereto as the appropriate Secretary may prescribe, and are administered by such agencies or interests without expense to the United States.".

(5) In the new section 3(d) delete "or national scenic" and insert ", national scenic or national historic".

(6) Change the title of section 5 to read "NATIONAL SCENIC AND NATIONAL HISTORIC TRAILS".

(7) In section 5(a), insert in the first sentence after the word "scenic" the words "and national historic" and change the second sentence to read: "There are hereby established the following National Scenic and National Historic Trails:".

(8) In section 5(a) (1), in the first sentence, after the word "Appalachian", insert "National Scenic", and in section 5(a) (2), in the first sentence, after "Pacific Crest", insert "National Scenic".

(9) In section 5(a), delete paragraph (3) and insert in lieu the following new paragraphs:

"(3) The Oregon National Historic Trail, a route of approximately two thousand miles extending from near Independence, Missouri, to the vicinity of Portland, Oregon, following a route as depicted on maps identified as 'Primary Route of the Oregon Trail 1841–1848', in the Department of the Interior's Oregon Trail study report dated April 1977, and which shall be on file and available for public inspection in the office of the Director of the National Park Service. The trail shall be administered by the Secretary of the Interior.

"(4) The Mormon Pioneer National Historic Trail, a route of approximately one thousand three hundred miles extending from Nauvoo, Illinois, to Salt Lake City, Utah, following the primary historical route of the Mormon Trail as generally depicted on a map, identified as, 'Mormon Trail Vicinity Map, figure 2' in the Department of the Interior Mormon Trail study report dated March 1977, and which shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, D.C. The trail shall be administered by the Secretary of the Interior.

"(5) The Continental Divide National Scenic Trail, a trail of approximately thirty-one hundred miles, extending from the Montana-Canada border to the New Mexico-Mexico border, following the approximate route depicted on the map, identified as 'Proposed Continental Divide National Scenic Trail' in the Department of the Interior Continental Divide Trail study report dated March 1977 and which shall be on file and available for public inspection in the office of the Chief, Forest Service, Washington, D.C. The Continental Divide National Scenic Trail shall be administered by the Secretary of Agriculture in consultation with the Secretary of the Interior. Notwithstanding the provisions of section 7(c), the use of motorized vehicles on roads which will be designated segments of the Continental Divide National Scenic Trail shall be permitted in accordance with regulations prescribed by the appropriate Secretary.

"(6) The Lewis and Clark National Historic Trail, a trail of approximately three thousand seven hundred miles, extending from Wood River, Illinois, to the mouth of the Columbia River in Oregon, following the outbound and inbound routes of the Lewis and Clark Expedition depicted on maps identified as, 'Vicinity Map, Lewis and Clark Trail' study report dated April 1977. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, D.C.

The trail shall be administered by the Secretary of the Interior.

"(7) The Iditarod National Historic Trail, a route of approximately two thousand miles extending from Seward, Alaska, to Nome, Alaska, following the routes as depicted on maps identified as 'Seward-Nome Trail', in the Department of the Interior's study report entitled 'The Iditarod Trail (Seward-Nome Route) and other Alaskan Gold Rush Trails' dated September 1977. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, D.C. The trail shall be administered by the Secretary of the Interior.".

(10) In section 5(b) after "national scenic" wherever it appears insert "or national historic"; in the first sentence after the phrase "Secretary of the Interior," insert "through the agency most likely to administer such trail,"; delete the third sentence; and delete that portion of the fourth sentence which precedes the numerical listing, and insert in lieu the following: "The studies listed in subsection (c) of this section shall be completed and submitted to the Congress, with recommendations as to the suitability of trail designation, not later than three complete fiscal years from the date of enactment of their addition to this subsection, or from the date of enactment of this sentence, whichever is later. Such studies, when submitted, shall be printed as a House or Senate document, and shall include, but not be limited to:".

(11) In section 5(b) (3) after the semicolon add "and in the case of national historic trails the report shall include the recommendation of the Secretary of the Interior's National Park System Advisory Board as to the national historic significance based on the criteria developed under the Historic Sites Act of 1935 (49 Stat. 666; U.S.C. 461);".

(12) In section 5(b) (8) delete the word "and" at the end of the sentence; in section 5(b) (9) change the period at the end of the sentence to a semicolon; and at the end of section 5(b) add the following new paragraphs:

"(10) the anticipated impact of public outdoor recreation use on the preservation of a proposed national historic trail and its related historic and archeological features and settings, including the measures proposed to ensure evaluation and preservation of the values that contribute to their national historic significance; and

"(11) to qualify for designation as a national historic trail, a trail must meet all three of the following criteria:

"(A) It must be a trail or route established by historic use and must be historically significant as a result of that use. The route need not currently exist as a discernible trail to qualify, but its lo-

cation must be sufficiently known to permit evaluation of public recreation and historical interest potential. A designated trail should generally accurately follow the historic route, but may deviate somewhat on occasion of necessity to avoid difficult routing through subsequent development, or to provide some route variation offering a more pleasurable recreational experience. Such deviations shall be so noted on site. Trail segments no longer possible to travel by trail due to subsequent development as motorized transportation routes may be designated and marked onsite as segments which link to the historic trail.

"(B) It must be of national significance with respect to any of several broad facets of American history, such as trade and commerce, migration and settlement, or military campaigns. To qualify as nationally significant, historic use of the trail must have had a far-reaching effect on broad patterns of American culture. Trails significant in the history of native Americans may be included.

"(C) It must have significant potential for public recreational use or historical interest based on historic interpretation and appreciation. The potential for such use is generally greater along roadless segments developed as historic trails, and at historic sites associated with the trail. The presence of recreation potential not related to historic appreciation is not sufficient justification for designation under this category.".

(13) In section 5(c), add the following at the end thereof:

"(20) Overmountain Victory Trail, extending from the vicinity of Elizabethton, Tennessee, to Kings Mountain National Military Park, South Carolina.".

(14) In section 5 delete subsection (d), and insert a new section 5(d) to read as follows:

"(d) The Secretary charged with the administration of each respective trail shall, within one year of the date of the addition of any national scenic or national historic trail to the System, and within sixty days of the enactment of this sentence for the Appalachian and Pacific Crest National Scenic Trails, establish an advisory council for each such trail, each of which councils shall expire ten years from the date of its establishment. The appropriate Secretary shall consult with such council from time to time with respect to matters relating to the trail, including the selection of rights-of-way, standards for the erection and maintenance of markers along the trail, and the administration of the trail. The members of each advisory council, which shall not exceed thirty-five in number, shall serve for a term of two years and without compensation as such, but the Secretary may pay, upon

vouchers signed by the chairman of the council, the expenses reasonably incurred by the council and its members in carrying out their responsibilities under this section. Members of each council shall be appointed by the appropriate Secretary as follows:

"(i) a member appointed to represent each Federal department or independent agency administering lands through which the trail route passes, and each appointee shall be the person designated by the head of such department or agency;

"(ii) a member appointed to represent each State through which the trail passes, and such appointments shall be made from recommendations of the Governors of such States;

"(iii) one or more members appointed to represent private organizations, including corporate and individual landowners and land users, which in the opinion of the Secretary, have an established and recognized interest in the trail, and such appointments shall be made from recommendations of the heads of such organizations: *Provided*, That the Appalachian Trail Conference shall be represented by a sufficient number of persons to represent the various sections of the country through which the Appalachian Trail passes; and

"(iv) the Secretary shall designate one member to be chairman and shall fill vacancies in the same manner as the original appointment.".

(15) In section 5 add two new subsections (e) and (f) as follows:

"(e) Within two complete fiscal years of the date of enactment of legislation designating a national scenic trail, except for the Continental Divide National Scenic Trail, as part of the system, and within two complete fiscal years of the date of enactment of this subsection for the Pacific Crest and Appalachian Trails, the responsible Secretary shall, after full consultation with affected Federal land managing agencies, the Governors of the affected States, the relevant advisory council established pursuant to section 5(d), and the Appalachian Trail Conference in the case of the Appalachian Trail, submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, a comprehensive plan for the acquisition, management, development, and use of the trail, including but not limited to, the following items:

"(1) specific objectives and practices to be observed in the management of the trail, including the identification of all significant natural, historical, and cultural resources to be preserved (along with high potential historic sites and high potential route segments in the case of national historic trails), details of anticipated cooperative agreements to be

consummated with other entities, and an identified carrying capacity of the trail and a plan for its implementation;

"(2) an acquisition or protection plan, by fiscal year, for all lands to be acquired by fee title or lesser interest, along with detailed explanation of anticipated necessary cooperative agreements for any lands not to be acquired; and

"(3) general and site-specific development plans including anticipated costs.

"(f) Within two complete fiscal years of the date of enactment of legislation designating a national historic trail or the Continental Divide National Scenic Trail as part of the system, the responsible Secretary shall, after full consultation with affected Federal land managing agencies, the Governors of the affected States, and the relevant Advisory Council established pursuant to section 5(d) of this Act, submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, a comprehensive plan for the management, and use of the trail, including but not limited to, the following items:

"(1) specific objectives and practices to be observed in the management of the trail, including the identification of all significant natural, historical, and cultural resources to be preserved, details of any anticipated cooperative agreements to be consummated with State and local government agencies or private interests, and for national scenic or national recreational trails an identified carrying capacity of the trail and a plan for its implementation; and

"(2) the process to be followed by the appropriate Secretary to implement the marking requirements established in section 7(c) of this Act.".

(16) In section 6 in the first sentence delete "or national scenic," and insert ", national scenic or national historic", and in the second sentence delete "or scenic" and insert ", national scenic, or national historic".

(17) In section 7(a) in the first sentence delete "National Scenic Trails" and insert "national scenic and national historic trails"; in two instances in subsection (b), and in the first sentence of subsection (c), after "scenic", insert "or national historic"; in subsection (c) in the second proviso, after "recreation" delete "or scenic" and insert ", national scenic, or national historic"; and in the fifth sentence after "recreation" delete "and scenic" and insert ", national scenic, and national historic"; in subsection (d) after "recreation" delete "or scenic" and insert ", national scenic, or national historic"; in subsection (e) after "scenic" in both instances where it appears insert "or national historic"; in subsection (h) in the first sentence after "recreation" delete "or scenic" and insert ", national scenic, or national historic", and in the second

sentence after "scenic" insert "or national historic"; in subsection (i) after "recreation" delete "or scenic" and insert ", national scenic, or national historic".

(18) In section 7(c) at the end of the fourth sentence insert the following: "Where a national historic trail follows existing public roads, developed rights-of-way or waterways, and similar features of man's nonhistorically related development, approximating the original location of a historic route, such segments may be marked to facilitate retracement of the historic route, and where a national historic trail parallels an existing public road, such road may be marked to commemorate the historic route.".

Other uses along the historic trails and the Continental Divide National Scenic Trail, which will not substantially interfere with the nature and purposes of the trail, and which, at the time of designation, are allowed by administrative regulations, including the use of motorized vehicles, shall be permitted by the Secretary charged with the administration of the trail.

(19) In section 7(e), in the first proviso, delete "within two years".

(20) In section 7(g), delete the second proviso entirely.

(21) At the end of subsection 7(g) add the following new sentence: "For national historic trails, direct Federal acquisition for trail purposes shall be limited to those areas indicated by the study report or by the comprehensive plan as high potential route segments or high potential historic sites.".

No land or site located along a designated national historic trail or along the Continental Divide National Scenic Trail shall be subject to the provisions of section 4(f) of the Department of Transportation Act (49 U.S.C. 1653(f)) unless such land or site is deemed to be of historical significance under appropriate historical site criteria such as those for the National Register of Historic Places.

(22) In section 8 in the first sentence of subsection (a) after "establishing park, forest, and other recreation" insert "and historic" and after "administered by States, and recreation" insert "and historic"; and at the end of the first sentence insert the following: "The Secretary is also directed to encourage States to consider, in their comprehensive statewide historic preservation plans and proposals for financial assistance for State, local, and private projects submitted pursuant to the Act of October 15, 1966 (80 Stat. 915), as amended, needs and opportunities for establishing historic trails.".

(23) In section 10, strike "(a) (1)" and insert in lieu thereof "(a)"; strike "the subsequent fiscal year" and insert in lieu thereof "subsequent fiscal years"; strike the paragraph numbered "(2)" in its entirety; and add a new "subsection (c)" as follows:

"(c) There is hereby authorized to be appropriated such sums as may be necessary to implement the provisions of this Act relating to the trails designated by paragraphs 5(a) (3), (4), (5), (6), and (7): *Provided*, That no such funds are authorized to be appropriated prior to October 1, 1979: *And provided further*, That notwithstanding any other provisions of this Act or any other provisions of law, no funds may be expended for the acquisition of lands or interests in lands for the Continental Divide National Scenic Trail, the Oregon National Historic Trail, the Mormon Pioneer National Historic Trail, the Lewis and Clark National Historic Trail, and the Iditarod National Historic Trail.".

* * * * * * *

Approved November 10, 1978.

10. New Areas Studies, Management Plans and Contracts

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE VI—MISCELLANEOUS PROVISIONS

* * * * * * *

NEW AREA STUDIES, GENERAL MANAGEMENT PLANS, AND CONTRACTS

SEC. 604. The Act entitled "An Act to improve the administration of the National Park System by the Secretary of the Interior, and to clarify the authorities applicable to the System, and for other purposes" (84 Stat. 825) is amended as follows:

(1) At the end of section 8 add the following: "For the purposes of carrying out the studies for potential new Park System units and for monitoring the welfare of those resources, there are authorized to be appropriated annually not to exceed $1,000,000. For the purposes of monitoring the welfare and integrity of the national landmarks, there are authorized to be appropriated annually not to exceed $1,500,000.".

(2) In section 9, change "eleven" to "twelve".

(3) Delete section 12(b) and insert in lieu the following:

"(b) General management plans for the preservation and use of each unit of the National Park System, including areas within the national capital area, shall be prepared and revised in a timely manner by the Director of the National Park Service. On January 1 of each year, the Secretary shall submit to the Congress a list indicating the current status of completion or revision of general management plans for each unit of the National Park System. General management plans for each unit shall include, but not be limited to:

"(1) measures for the preservation of the area's resources;

"(2) indications of types and general intensities of development (including visitor circulation and transportation patterns, systems and modes) associated with public enjoyment and use of the area, including general locations, timing of implementation, and anticipated costs;

"(3) identification of and implementation commitments for visitor carrying capacities for all areas of the unit; and

"(4) indications of potential modifications to the external boundaries of the unit, and the reasons therefor.".

(4) In section 12(c) delete "or exceeding five years" and insert "or of five years or more".

* * * * * * *

Approved November 10, 1978.

11. Payments-In-Lieu-Of-Taxes

An Act to provide for certain payments to be made to local governments by the Secretary of the Interior based upon the amount of certain public lands within the boundaries of such locality. (90 Stat. 2662) (P.L. 94–565)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effective for fiscal years beginning on and after October 1, 1976, the Secretary is authorized and directed to make payments on a fiscal year basis to each unit of local government in which entitlement lands (as defined in section 6) are located. Such payments may be used by such unit for any governmental purpose. The amount of such payments shall be computed as provided in section 2.

SEC. 2. (a) The amount of any payment made for any fiscal year to a unit of local government under section 1 shall be equal to the greater of the following amounts—

(1) 75 cents for each acre of entitlement land located within the boundaries of such unit of local government (but not in excess of the population limitation determined under subsection (b)), reduced (but not below 0) by the aggregate amount of payments, if any, received by such unit of local government during the preceding fiscal year under all of the provisions specified in section 4, or

(2) 10 cents for each acre of entitlement land located within the boundaries of such unit of local government (but not in excess of the population limitation determined under subsection (b)).

In the case of any payment under a provision specified in section 4 which is received by a State, the Governor (or his delegate) shall submit to the Secretary a statement respecting the amount of such payment which is transferred to each unit of local government within the State.

(b)(1) In the case of any unit of local government having a population of less than five thousand, the population limitation applicable to such unit of local government shall not exceed an amount equal to $50 multiplied by the population within the jurisdiction of such unit of local government.

(2) In the case of any unit of local government having a population of five thousand or more, the population limitation applicable to such unit of local government shall not exceed the amount computed under the following table (using a population figure rounded off to the nearest thousand):

If population equals—	Payment shall not exceed the amount computed by multiplying such population by—
5,000	$50.00
6,000	47.00
7,000	44.00

If population equals—	Payment shall not exceed the amount computed by multiplying such population by—
8,000	41.00
9,000	38.00
10,000	35.00
11,000	34.00
12,000	33.00
13,000	32.00
14,000	31.00
15,000	30.00
16,000	29.50
17,000	29.00
18,000	28.50
19,000	28.00
20,000	27.50
21,000	27.20
22,000	26.90
23,000	26.60
24,000	26.30
25,000	26.00
26,000	25.80
27,000	25.60
28,000	25.40
29,000	25.20
30,000	25.00
31,000	24.75
32,000	24.50
33,000	24.25
34,000	24.00
35,000	23.75
36,000	23.50
37,000	23.25
38,000	23.00
39,000	22.75
40,000	22.50
41,000	22.25
42,000	22.00
43,000	21.75
44,000	21.50
45,000	21.25
46,000	21.00
47,000	20.75
48,000	20.50
49,000	20.25
50,000	20.00

For the purpose of this computation no unit of local government shall be credited with a population greater than fifty thousand.

(c) For purposes of this section, "population" shall be determined on the same basis as resident population is determined by the Bureau of the Census for general statistical purposes.

(d) In the case of a smaller unit of local government all or part of which is located within another unit of local government, entitlement lands which are within the jurisdiction of both such units shall be treated for purposes of this section as only within the jurisdiction of such smaller unit.

SEC. 3. (a) In the case of any land or interest therein, acquired by the United States (i) for the Redwood National Park pursuant to the Act of October 2, 1968 (82 Stat. 931) or (ii) acquired for addition to the National Park System or National Forest Wilderness Areas after December 31, 1970, which was subject to local real property taxes within the five years preceding such acquisition, the Secretary is authorized and directed to make payments to counties within the jurisdiction of which such lands or interests therein are located, in addition to payments under section 1. The counties, under guidelines established by the Secretary, shall distribute the

payments on a proportional basis to those units of local government and affected school districts which have incurred losses of real property taxes due to the acquisition of lands or interests therein for addition to either such system. In those cases in which another unit of local government other than the county acts as the collecting and distributing agency for real property taxes, the payments shall be made to such unit of local government, which shall distribute such payments as provided in this subsection. The Secretary may prescribe regulations under which payments may be made to units of local government in any case in which the preceding provisions will not carry out the purposes of this subsection.

(b) Payments authorized under this section shall be made on a fiscal year basis beginning with the later of—

(1) the fiscal year beginning October 1, 1976, or

(2) the first full fiscal year beginning after the fiscal year in which such lands or interests therein are acquired by the United States.

Such payments may be used by the affected local governmental unit for any governmental purpose.

(c)(1) The amount of any payment made for any fiscal year to any unit of local government and affected school districts under subsection (a) shall be an amount equal to 1 per centum of the fair market value of such lands and interests therein on the date on which acquired by the United States. If, after the date of enactment of legislation authorizing any unit of the National Park System or National Forest Wilderness Areas as to which a payment is authorized under subsection (a), rezoning increases the value of the land or any interest therein, the fair market value for the purpose of such payments shall be computed as if such land had not been rezoned.

(2) Notwithstanding paragraph (1), the payment made for any fiscal year to a unit of local government under subsection (a) shall not exceed the amount of real property taxes assessed and levied on such property during the last full fiscal year before the fiscal year in which such land or interest was acquired for addition to the National Park System or National Forest Wilderness Areas.

(d) No payment shall be made under this section with respect to any land or interest therein after the fifth full fiscal year beginning after the first fiscal year in which such a payment was made with respect to such land or interest therein.

SEC. 4. The provisions of law referred to in section 2 are as follows:

(1) the Act of May 23, 1908, entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and nine" (35 Stat. 251; 16 U.S.C. 500);

(2) the Act of June 20, 1910, entitled "An Act to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States, and to enable the people of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States" (36 Stat. 557);

(3) section 35 of the Act of February 25, 1920, entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", commonly known as the "Mineral Lands Leasing Act" (41 Stat. 450; 30 U.S.C. 191);

(4) section 17 of the Federal Power Act (41 Stat. 1072; 16 U.S.C. 810); (5) section 10 of the Taylor Grazing Act (48 Stat. 1273; 43 U.S.C. 315i);

(6) section 33 of the Bankhead-Jones Farm Tenant Act (50 Stat. 526; 7 U.S.C. 1012);

(7) section 5 of the Act entitled "To safeguard and consolidate certain areas of exceptional public value within the Superior National Forest, State of Minnesota, and for other purposes", approved June 22, 1948 (62 Stat. 570; 16 U.S.C. 577g);

(8) section 5 of the Act entitled "An Act to amend the Act of June 22, 1948 (62 Stat. 568) and for other purposes" approved June 22, 1956 (70 Stat. 366; 16 U.S.C. 577g–1);

(9) section 6 of the Mineral Leasing Act for Acquired Lands (61 Stat. 915; 30 U.S.C. 355); and

(10) section 3 of the Materials Disposal Act (61 Stat. 681; 30 U.S.C. 603).

SEC. 5. (a) No unit of local government which receives any payment with respect to any land under the Act of August 28, 1937 (50 Stat. 875), or the Act of May 24, 1939 (53 Stat. 753), during any fiscal year shall be eligible to receive any payment under this Act for such fiscal year with respect to such land. Nothing in this Act shall be construed to apply to the Act of August 28, 1937 (50 Stat. 875), or the Act of May 24, 1939 (53 Stat. 753).

(b) If the total payment by the Secretary to any county or unit of local government under this Act would be less than $100, such payment shall not be made.

SEC. 6. As used in this Act, the term—

(a) "entitlement lands" means lands owned by the United States that are—

(1) within the National Park System, the National Forest System, including wilderness areas within each, or any combination thereof, including, but not limited to, lands described in section 2 of the Act referred to in paragraph (7) of section 4 of this Act (16 U.S.C. 577d) and the first section of the Act referred to in paragraph (8) of this Act (16 U.S.C. 577d–1);

(2) administered by the Secretary of the Interior through the Bureau of Land Management; (3) dedicated to the use of water resource development projects of the United States;

(4) nothing in this section shall authorize any payments to any unit of local government for any lands otherwise entitled to receive payments pursuant to subsection (a) of this section if such lands were owned and/or administered by a State or local unit of government and exempt from the payment of real estate taxes at the time title to such lands is conveyed to the Unite States; or

(5) dredge disposal areas owned by the United States under the jurisdiction of the Army Corps of Engineers;

(b) "Secretary" means the Secretary of the Interior; and

(c) "unit of local government" means a county, parish, township, municipality, borough existing in the State of Alaska on the date of enactment of this Act, or other unit of government below the State which is a unit of general government as determined by the Secretary (on the basis of the same principles as are used by the Bureau of the Census for general statistical purposes). Such term also includes the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

SEC. 7. There are authorized to be appropriated for carrying out the provisions of this Act such sums as may be necessary: *Provided*, That, notwithstanding any other provision of this Act no funds may be made available except to the extent provided in advance in appropriation Acts.

Approved October 20, 1976.

Legislative History:

House Report No. 94–1106 (Comm. on Interior and Insular Affairs).
Senate Report No. 94–1262 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
Aug. 5, considered and passed House.
Oct. 1, considered and passed Senate.

12. Public Buildings Cooperative Use Act of 1976

An Act to amend the Public Buildings Act of 1959 in order to preserve buildings of historical or architectural significance through their use for Federal public building purposes, and to amend the Act of August 12, 1968, relating to the accessibility of certain buildings to the physically handicapped. (90 Stat. 2505) (P.L. 94-541)

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

TITLE I

SEC. 101. This title may be cited as the "Public Buildings Cooperative Use Act of 1976".

SEC. 102. (a) In order to carry out his duties under this title and under any other authority with respect to constructing, operating, maintaining, altering, and otherwise managing or acquiring space necessary for the accommodation of Federal agencies and to accomplish the purposes of this title, the Administrator shall—

(1) acquire and utilize space in suitable buildings of historic, architectural, or cultural significance, unless use of such space would not prove feasible and prudent compared with available alternatives;

(2) encourage the location of commercial, cultural, educational, and recreational facilities and activities within public buildings;

(3) provide and maintain space, facilities, and activities, to the extent practicable, which encourage public access to and stimulate public pedestrian traffic around, into, and through public buildings, permitting cooperative improvements to and uses of the area between the building and the street, so that such activities complement and supplement commercial, cultural, educational, and recreational resources in the neighborhood of public buildings; and

(4) encourage the public use of public buildings for cultural, educational, and recreational activities.

(b) In carrying out his duties under subsection (a) of this section, the Administrator shall consult with Governors, areawide agencies established pursuant to title II of the Demonstration Cities and Metropolitan Development Act of 1966 and title IV of the Intergovernmental Cooperation Act of 1968, and chief executive officers of those units of general local government in each area served by an existing or proposed public building, and shall solicit the comments of such other community leaders and members of the general public as he deems appropriate.

SEC. 103. The Public Buildings Act of 1959 is amended—

(1) by striking out at the end of section 7(a)(3) the word "buildings;" and inserting in lieu thereof "buildings, especially such of those buildings as enhance the architectural, historical, social, cultural, and economic environment of the locality;";

(2) by striking out "and" at the end of section 7(a)(4), by redesignating section 7(a)(5) as section 7(a)(6), and by inserting the following new section 7(a)(5):

"(5) a statement by the Administrator of the economic and other justifications for not acquiring or purchasing a building or buildings identified to the Administrator pursuant to section 12(c) of this Act as suitable for the public building needs of the Federal Government; and"; and

(3) by redesignating section 12(c) and section 12(d) and all references thereto as section 12(d) and section 12(e), respectively, and by inserting after section 12(b) the following new section 12(c):

"(c) Whenever the Administrator undertakes a survey of the public buildings needs of the Federal Government within a geographical area, he shall request that, within sixty days, the Advisory Council on Historic Preservation established by title II of the Act of October 15, 1966 (16 U.S.C. 470i), identify any existing buildings within such geographical area that (1) are of historic, architectural, or cultural significance (as defined in section 105 of the Public Buildings Cooperative Use Act of 1976) and (2) would be suitable, whether or not in need of repair, alteration, or addition, for acquisition or purchase to meet the public buildings needs of the Federal Government.".

SEC. 104. (a) Section 210(a) of the Federal Property and Administrative Services Act of 1949 is amended by striking out "and" at the end of paragraph (14), by striking out the period at the end of paragraph (15) and inserting in lieu thereof a semicolon, and by adding after such paragraph the following new paragraphs:

"(16) to enter into leases of space on major pedestrian access levels and courtyards and rooftops of any public building with persons, firms, or organizations engaged in commercial, cultural, educational, or recreational activities (as defined in section 105 of the Public Buildings Cooperative Use Act of 1976). The Administrator shall establish a rental rate for such leased space equivalent to the prevailing commercial rate for comparable space devoted to a similar purpose in the vicinity of the public building. Such leases may be negotiated without competitive bids, but shall contain such terms and conditions and be negotiated pursuant to such procedures as the Administrator deems necessary to promote competition and to protect the public interest;

"(17) to make available, on occasion, or to lease at such rates and on such other terms and conditions as the Administrator deems to be in the public interest, auditoriums, meeting rooms, courtyards, rooftops, and lobbies of public buildings to persons, firms, or organizations engaged in cultural, educational, or recreational activities (as defined in section 105 of the Public Buildings Cooperative Use Act of 1976) that will not disrupt the operation of the building;

"(18) to deposit into the fund established by subsection (f) of this section all sums received under leases or rentals executed pursuant to paragraphs (16) and (17) of this subsection, and each sum shall be credited to the appropriation made for such fund applicable to the operation of such building; and

"(19) to furnish utilities, maintenance, repair, and other services to persons, firms, or organizations leasing space pursuant to paragraphs (16) and (17) of this subsection. Such services may be provided during and outside of regular working hours of Federal agencies.".

(b) The Federal Property and Administrative Services Act of 1949 is amended by adding at the end of section 210(e) the following: "The Administrator shall, where practicable, give priority in the assignment of space on any major pedestrian access level not leased under the terms of subsection (a)(16) or (a)(17) of this section in such buildings to Federal activities requiring regular contact with members of the public. To the extent such space is unavailable, the Administrator shall provide space with maximum ease of access to building entrances.".

SEC. 105. As used in this title and in the amendments made by this title—

(1) The term "Administrator" means the Administrator of General Services.

(2) The terms "public building" and "Federal agency" have the same meaning as is given them in the Public Buildings Act of 1959.

(3) The term "unit of general local government" means any city, county, town, parish, village, or other general purpose political subdivision of a State.

(4) The term "historical, architectural, or cultural significance" includes, but is not limited to, buildings listed or eligible to be listed on the National Register established under section 101 of the Act of October 15, 1966 (16 U.S.C. 470a).

(5) The term "commercial activities" includes, but is not limited to, the operations of restaurants, food stores, craft stores, dry goods stores, financial institutions, and display facilities.

(6) The term "cultural activities" includes, but is not limited to, film, dramatic, dance, and musical presen-

tations, and fine art exhibits, whether or not such activities are intended to make a profit.

(7) The term "educational activities" includes, but is not limited to, the operations of libraries, schools, day care centers, laboratories, and lecture and demonstration facilities.

(8) The term "recreational activities" includes, but is not limited to, the operations of gymnasiums and related facilities.

TITLE II

SEC. 201. The Act entitled "An Act to insure that certain buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped", approved August 12, 1968 (42 U.S.C. 4151–4156), is amended as follows:

(1) The first section is amended by inserting after "structure" the following: "not leased by the Government for subsidized housing programs"; and by striking out in paragraph (2) the following: "after construction or alteration in accordance with plans and specifications of the United States".

(2) Section 2 is amended—

(A) by striking out "is authorized to prescribe such" and inserting in lieu thereof "shall prescribe";

(B) by striking out "as may be necessary to insure" and inserting in lieu thereof "to insure whenever possible"; and

(C) by inserting immediately after "Department of Defense" the following: "and of the United States Postal Service".

(3) Section 3 is amended—

(A) by striking out "is authorized to prescribe such" and inserting in lieu thereof "shall prescribe"; and

(B) by striking out "as may be necessary to insure" and inserting in lieu thereof "to insure whenever possible".

(4) Section 4 is amended—

(A) by striking out "is authorized to prescribe such" and inserting in lieu thereof "shall prescribe"; and

(B) by striking out "as may be necessary to insure" and inserting in lieu thereof "to insure whenever possible".

(5) Immediately after section 4 insert the following new section:

"SEC. 4a. The United States Postal Service, in consultation with the Secretary of Health, Education, and Welfare, shall prescribe such standards for the design, construction, and alteration of its buildings to insure whenever possible that physically handicapped persons will have ready access to, and use of, such buildings.".

(6) Section 6 is amended—

(A) by inserting immediately after "section 4 of this Act," the following: "and the United States Postal Service with respect to standards issued under section 4a of this Act";

(B) by striking out "is authorized";

(C) by inserting immediately after "(1)" the following: "is authorized"; and

(D) by striking out all that follows "(2)" and inserting in lieu thereof "shall establish a system of continuing surveys and investigations to insure compliance with such standards.".

(7) By adding at the end thereof the following new section:

"SEC. 7. (a) The Administrator of General Services shall report to Congress during the first week of January of each year on his activities and those of other departments, agencies, and instrumentalities of the Federal Government under this Act during the preceding fiscal year including, but not limited to, standards issued, revised, amended, or repealed under this Act and all case-by-case modifications, and waivers of such standards during such year.

"(b) The Architectural and Transportation Barriers Compliance Board established by section 502 of the Rehabilitation Act of 1973 (Public Law 93–112) shall report to the Public Works and Transportation Committee of the House of Representatives and the Public Works Committee of the Senate during the first week of January of each year on its activities and actions to insure compliance with the standards prescribed under this Act.".

SEC. 202. The amendment made by paragraph (1) of section 201 of this Act shall not apply to any lease entered into before January 1, 1977. It shall apply to every lease entered into on or after January 1, 1977, including any renewal of a lease entered into before such date which renewal is on or after such date.

SEC. 203. Section 410(b) of title 39, United States Code, is amended by adding at the end thereof the following:

"(8) The provisions of the Act of August 12, 1968 (42 U.S.C. 4151–4156).".

Approved October 18, 1976.

Legislative History:

House Report: No. 94–1584, pt. 1 (Comm. on Public Works and Transportation) and No. 94–1584, pt. 2 accompanying H.R. 15134 (Comm. on Government Operations).
Senate Report No. 94–349 (Comm. on Public Works).
Congressional Record:
Vol. 121 (1975): Aug. 1, considered and passed Senate.
Vol. 122 (1976): Sept. 29, considered and passed House, amended, in lieu of H.R. 15134. Oct. 1, Senate concurred in House amendment.

13. Safe Drinking Water Amendments of 1977

An Act to amend section 2 of the Safe Drinking Water Act (Public Law 93-523) to extend and increase authorizations provided for public water systems. (91 Stat. 1393) (P.L. 95-190)

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

SHORT TITLE

SEC. 1. This Act may be cited as the "Safe Drinking Water Amendments of 1977".

* * * * * * *

FEDERAL AGENCIES

SEC. 8. (a) Section 1447(a) of the Public Health Service Act is amended to read as follows:

"FEDERAL AGENCIES

"SEC. 1447. (a) Each Federal agency (1) having jurisdiction over any federally owned or maintained public water system or (2) engaged in any activity resulting, or which may result in, underground injection which endangers drinking water (within the meaning of section 1421(d)(2)) shall be subject to, and comply with, all Federal, State, and local requirements, administrative authorities, and process and sanctions respecting the provision of safe drinking water and respecting any underground injection program in the same manner, and to the same extent, as any nongovernmental entity. The preceding sentence shall apply (A) to any requirement whether substantive or procedural (including any recordkeeping or reporting requirement, any requirement respecting permits, and any other requirement whatsoever), (B) to the exercise of any Federal, State, or local administrative authority, and (C) to any process or sanction, whether enforced in Federal, State, or local courts or in any other manner. This subsection shall apply, notwithstanding any immunity of such agencies, under any law or rule of law. No officer, agent, or employee of the United States shall be personally liable for any civil penalty under this title with respect to any act or omission within the scope of his official duties.".

(b) Section 1401(12) of such Act is amended to read as follows:

"(12) The term 'person' means an individual, corporation, company, association, partnership, State, municipality, or Federal agency (and includes officers, employees, and agents of any corporation, company, association, State, municipality, or Federal agency).".

(c) Section 1449(e) of such Act is amended by adding the following at the end thereof: "Nothing in this section

or in any other law of the United States shall be construed to prohibit, exclude, or restrict any State or local government from—

"(1) bringing any action or obtaining any remedy or sanction in any State or local court, or

"(2) bringing any administrative action or obtaining any administrative remedy or sanction,

against any agency of the United States under State or local law to enforce any requirement respecting the provision of safe drinking water or respecting any underground injection control program. Nothing in this section shall be construed to authorize judicial review of regulations or orders of the Administrator under this title, except as provided in section 1448. For provisions providing for application of certain requirements to such agencies in the same manner as to nongovernmental entities, see section 1447.".

(d) Section 1447 of such Act is further amended by inserting at the end thereof a new subsection (c):

"(c)(1) Nothing in the Safe Drinking Water Amendments of 1977 shall be construed to alter or affect the status of American Indian lands or water rights nor to waive any sovereignty over Indian lands guaranteed by treaty or statute.

"(2) For the purposes of this Act, the term 'Federal agency' shall not be construed to refer to or include any American Indian tribe, nor to the Secretary of the Interior in his capacity as trustee of Indian lands.".

* * * * * * *

Approved November 16, 1977.

Legislative History:

House Report No. 95-338 accompanying H.R. 6827 (Comm. on Interstate and Foreign Commerce).

Senate Report No. 95-190 (Comm. on Environment and Public Works).

Congressional Record, Vol. 123 (1977):

May 24, considered and passed Senate.

July 12, considered and passed House, amended, in lieu of H.R. 6827.

Aug. 5, Senate agreed to House amendment with amendments.

Nov. 1, House agreed to one Senate amendment and amended the other; Senate concurred in House amendment.

14. Surface Mining Control and Reclamation Act of 1977

An Act to provide for the cooperation between the Secretary of the Interior and the States with respect to the regulation of surface coal mining operations, and the acquisition and reclamation of abandoned mines, and for other purposes. (91 Stat. 445) (P.L. 95–87)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Surface Mining Control and Reclamation Act of 1977".

TITLE V—CONTROL OF THE ENVIRONMENTAL IMPACTS OF SURFACE COAL MINING

* * * * * * *

DESIGNATING AREAS UNSUITABLE FOR SURFACE COAL MINING

SEC. 522. (a)(1) To be eligible to assume primary regulatory authority pursuant to section 503, each State shall establish a planning process enabling objective decisions based upon competent and scientifically sound data and information as to which, if any, land areas of a State are unsuitable for all or certain types of surface coal mining operations pursuant to the standards set forth in paragraphs (2) and (3) of this subsection but such designation shall not prevent the mineral exploration pursuant to the Act of any area so designated.

(2) Upon petition pursuant to subsection (c) of this section, the State regulatory authority shall designate an area as unsuitable for all or certain types of surface coal mining operations if the State regulatory authority determines that reclamation pursuant to the requirements of this Act is not technologically and economically feasible.

(3) Upon petition pursuant to subsection (c) of this section, a surface area may be designated unsuitable for certain types of surface coal mining operations if such operations will—

(A) be incompatible with existing State or local land use plans or programs; or

(B) affect fragile or historic lands in which such operations could result in significant damage to important historic, cultural, scientific, and esthetic values and natural systems; or

(C) affect renewable resource lands in which such operations could result in a substantial loss or reduction of long-range productivity of water supply or of food or fiber products, and such lands to include aquifers and aquifer recharge areas; or

(D) affect natural hazard lands in which such operations could substantially endanger life and property, such lands to include areas subject to frequent flooding and areas of unstable geology.

(4) To comply with this section, a State must demonstrate it has developed or is developing a process which includes—

(A) a State agency responsible for surface coal mining lands review;

(B) a data base and an inventory system which will permit proper evaluation of the capacity of different land areas of the State to support and permit reclamation of surface coal mining operations;

(C) a method or methods for implementing land use planning decisions concerning surface coal mining operations; and

(D) proper notice, opportunities for public participation, including a public hearing prior to making any designation or redesignation, pursuant to this section.

(5) Determinations of the unsuitability of land for surface coal mining, as provided for in this section, shall be integrated as closely as possible with present and future land use planning and regulation processes at the Federal, State, and local levels.

(6) The requirements of this section shall not apply to lands on which surface coal mining operations are being conducted on the date of enactment of this Act or under a permit issued pursuant to this Act, or where substantial legal and financial commitments in such operation were in existence prior to January 4, 1977.

(b) The Secretary shall conduct a review of the Federal lands to determine, pursuant to the standards set forth in paragraphs (2) and (3) of subsection (a) of this section, whether there are areas on Federal lands which are unsuitable for all or certain types of surface coal mining operations: *Provided, however,* That the Secretary may permit surface coal mining on Federal lands prior to the completion of this review. When the Secretary determines an area on Federal lands to be unsuitable for all or certain types of surface coal mining operations, he shall withdraw such area or condition any mineral leasing or mineral entries in a manner so as to limit surface coal mining operations on such area. Where a Federal program has been implemented in a State pursuant to section 504, the Secretary shall implement a process for designation of areas unsuitable for surface coal mining for non-Federal lands within such State and such process shall incorporate the standards and procedures of this section. Prior to designating Federal lands unsuitable for such mining, the Secretary shall consult with the appropriate State and local agencies.

(c) Any person having an interest which is or may be adversely affected shall have the right to petition the regulatory authority to have an area designated as unsuitable for surface coal mining operations, or to have such a designation terminated. Such a petition shall contain allegations of facts with supporting evidence which

would tend to establish the allegations. Within ten months after receipt of the petition the regulatory authority shall hold a public hearing in the locality of the affected area, after appropriate notice and publication of the date, time, and location of such hearing. After a person having an interest which is or may be adversely affected has filed a petition and before the hearing, as required by this subsection, any person may intervene by filing allegations of facts with supporting evidence which would tend to establish the allegations. Within sixty days after such hearing, the regulatory authority shall issue and furnish to the petitioner and any other party to the hearing, a written decision regarding the petition, and the reasons therefore. In the event that all the petitioners stipulate agreement prior to the requested hearing, and withdraw their request, such hearing need not be held.

(d) Prior to designating any land areas as unsuitable for surface coal mining operations, the regulatory authority shall prepare a detailed statement on (i) the potential coal resources of the area, (ii) the demand for coal resources, and (iii) the impact of such designation on the environment, the economy, and the supply of coal.

(e) After the enactment of this Act and subject to valid existing rights no surface coal mining operations except those which exist on the date of enactment of this Act shall be permitted—

(1) on any lands within the boundaries of units of the National Park System, the National Wildlife Refuge Systems, the National System of Trails, the National Wilderness Preservation System, the Wild and Scenic Rivers System, including study rivers designated under section 5(a) of the Wild and Scenic Rivers Act and National Recreation Areas designated by Act of Congress;

(2) on any Federal lands within the boundaries of any national forest: *Provided, however,* That surface coal mining operations may be permitted on such lands if the Secretary finds that there are no significant recreational, timber, economic, or other values which may be incompatible with such surface mining operations and—

(A) surface operations and impacts are incident to an underground coal mine; or

(B) where the Secretary of Agriculture determines, with respect to lands which do not have significant forest cover within those national forests west of the 100th meridian, that surface mining is in compliance with the Multiple-Use Sustained-Yield Act of 1960, the Federal Coal Leasing Amendments Act of 1975, the National Forest Management Act of 1976, and the provisions of this Act: *And provided further,* That no surface coal mining operations may be permitted

within the boundaries of the Custer National Forest;

(3) which will adversely affect any publicly owned park or places included in the National Register of Historic Sites unless approved jointly by the regulatory authority and the Federal, State, or local agency with jurisdiction over the park or the historic site;

(4) within one hundred feet of the outside right-of-way line of any public road, except where mine access roads or haulage roads join such right-of-way line and except that the regulatory authority may permit such roads to be relocated or the area affected to lie within one hundred feet of such road, if after public notice and opportunity for public hearing in the locality a written finding is made that the interests of the public and the landowners affected thereby will be protected; or

(5) within three hundred feet from any occupied dwelling, unless waived by the owner thereof, nor within three hundred feet of any public building, school, church, community, or institutional building, public park, or within one hundred feet of a cemetery.

* * * * * * *

Approved August 3, 1977.

Legislative History:

House Reports: No. 95–218 (Comm. on Interior and Insular Affairs) and No. 95–493 (Comm. of Conference).
Senate Reports: No. 95–128 accompanying S. 7 (Comm. on Energy and Natural Resources) and No. 95–337 (Comm. on Conference).
Congressional Record, Vol. 123 (1977):
Apr. 28, 29, considered and passed House.
May 19, S. 7 considered in Senate.
May 20, considered and passed Senate, amended, in lieu of S. 7.
July 20, Senate agreed to conference report.
July 21, House agreed to conference report.
Weekly Compilation of Presidential Documents, Vol. 13, No. 32:
Aug. 3, Presidential statement.

15. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970

An Act to provide for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal and federally assisted programs and to establish uniform and equitable land acquisition policies for Federal and federally assisted programs. (84 Stat. 1894) (P.L. 91-646)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970".

TITLE I—GENERAL PROVISIONS

SEC. 101. As used in this Act—

(1) The term "Federal agency" means any department, agency, or instrumentality in the executive branch of the Government (except the National Capital Housing Authority), any wholly owned government corporation (except the District of Columbia Redevelopment Land Agency), and the Architect of the Capitol, the Federal Reserve banks and branches thereof.

(2) The term "State" means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, the Trust Territory of the Pacific Islands, and any political subdivision thereof.

(3) The term "State agency" means the National Capital Housing Authority, the District of Columbia Redevelopment Land Agency, and any department, agency, or instrumentality of a State or of a political subdivision of a State, or any department, agency, or instrumentality of two or more States or of two or more political subdivisions of a State or States.

(4) The term "Federal financial assistance" means a grant, loan, or contribution provided by the United States, except any Federal guarantee or insurance and any annual payment or capital loan to the District of Columbia.

(5) The term "person" means any individual, partnership, corporation, or association.

(6) The term "displaced person" means any person who, on or after the effective date of this Act, moves from real property, or moves his personal property from real property, as a result of the acquisition of such real property, in whole or in part, or as the result of the written order of the acquiring agency to vacate real property, for a program or project undertaken by a Federal agency, or with Federal financial assistance; and solely for the purposes of sections 202(a) and (b) and 205 of this title, as a result of the acquisition of or as the result of the

written order of the acquiring agency to vacate other real property, on which such person conducts a business or farm operation, for such program or project.

(7) The term "business" means any lawful activity, excepting a farm operation, conducted primarily—

(A) for the purchase, sale, lease and rental of personal and real property, and for the manufacture, processing, or marketing of products, commodities, or any other personal property;

(B) for the sale of services to the public;

(C) by a nonprofit organization; or

(D) solely for the purposes of section 202(a) of this title, for assisting in the purchase, sale, resale, manufacture, processing, or marketing of products, commodities, personal property, or services by the erection and maintenance of an outdoor advertising display or displays, whether or not such display or displays are located on the premises on which any of the above activities are conducted.

(8) The term "farm operation" means any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale or home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

(9) The term "mortgage" means such classes of liens as are commonly given to secure advances on, or the unpaid purchase price of, real property, under the laws of the State in which the real property is located, together with the credit instruments, if any, secured thereby.

EFFECT UPON PROPERTY ACQUISITION

SEC. 102. (a) The provisions of section 301 of title III of this Act create no rights or liabilities and shall not affect the validity of any property acquisitions by purchase or condemnation.

(b) Nothing in this Act shall be construed as creating in any condemnation proceedings brought under the power of eminent domain, any element of value or of damage not in existence immediately prior to the date of enactment of this Act.

TITLE II—UNIFORM RELOCATION ASSISTANCE

DECLARATION OF POLICY

SEC. 201. The purpose of this title is to establish a uniform policy for the fair and equitable treatment of persons displaced as a result of Federal and federally assisted programs in order that such persons shall not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole.

MOVING AND RELATED EXPENSES

SEC. 202. (a) Whenever the acquisition of real property for a program or project undertaken by a Federal agency in any State will result in the displacement of any person on or after the effective date of this Act, the head of such agency shall make a payment to any displaced person, upon proper application as approved by such agency head, for—

(1) actual reasonable expenses in moving himself, his family, business, farm operation, or other personal property;

(2) actual direct losses of tangible personal property as a result of moving or discontinuing a business or farm operation, but not to exceed an amount equal to the reasonable expenses that would have been required to relocate such property, as determined by the head of the agency; and

(3) actual reasonable expenses in searching for a replacement business or farm.

(b) Any displaced person eligible for payments under subsection (a) of this section who is displaced from a dwelling and who elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection (a) of this section may receive a moving expense allowance, determined according to a schedule established by the head of the Federal agency, not to exceed $300; and a dislocation allowance of $200.

(c) Any displaced person eligible for payments under subsection (a) of this section who is displaced from his place of business or from his farm operation and who elects to accept the payment authorized by this subsection in lieu of the payment authorized by subsection (a) of this section, may receive a fixed payment in an amount equal to the average annual net earnings of the business or farm operation, except that such payment shall be not less than $2,500 nor more than $10,000. In the case of a business no payment shall be made under this subsection unless the head of the Federal agency is satisfied that the business (1) cannot be relocated without a substantial loss of its existing patronage, and (2) is not a part of a commercial enterprise having at least one other establishment not being acquired by the United States, which is engaged in the same or similar business. For purposes of this subsection, the term "average annual net earnings" means one-half of any net earnings of the business or farm operation, before Federal, State, and local income taxes, during the two taxable years immediately preceding the taxable year in which such business or farm operation moves from the real property acquired for such project, or during such other period as the head of such agency determines to be more equitable for establishing such earnings, and includes any com-

pensation paid by the business or farm operation to the owner, his spouse, or his dependents during such period.

REPLACEMENT HOUSING FOR HOMEOWNER

SEC. 203. (a) (1) In addition to payments otherwise authorized by this title, the head of the Federal agency shall make an additional payment not in excess of $15,000 to any displaced person who is displaced from a dwelling actually owned and occupied by such displaced person for not less than one hundred and eighty days prior to the initiation of negotiations for the acquisition of the property. Such additional payment shall include the following elements:

(A) The amount, if any, which when added to the acquisition cost of the dwelling acquired by the Federal agency, equals the reasonable cost of a comparable replacement dwelling which is a decent, safe, and sanitary dwelling adequate to accommodate such displaced person, reasonably accessible to public services and places of employment and available on the private market. All determinations required to carry out this subparagraph shall be made in accordance with standards established by the head of the Federal agency making the additional payment.

(B) The amount, if any, which will compensate such displaced person for any increased interest costs which such person is required to pay for financing the acquisition of any comparable replacement dwelling. Such amount shall be paid only if the dwelling acquired by the Federal agency was encumbered by a bona fide mortgage which was a valid lien on such dwelling for not less than one hundred and eighty days prior to the initiation of negotiations for the acquisition of such dwelling. Such amount shall be equal to the excess in the aggregate interest and other debt service costs of that amount of the principal of the mortgage on the replacement dwelling which is equal to the unpaid balance of the mortgage on the acquired dwelling, over the remainder term of the mortgage on the acquired dwelling, reduced to discounted present value. The discount rate shall be the prevailing interest rate paid on savings deposits by commercial banks in the general area in which the replacement dwelling is located.

(C) Reasonable expenses incurred by such displaced person for evidence of title, recording fees, and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses.

(2) The additional payment authorized by this subsection shall be made only to such a displaced person who purchases and occupies a replacement dwelling which is decent, safe, and sanitary not later than the end of the one year period beginning on the date on which

he receives from the Federal agency final payment of all costs of the acquired dwelling, or on the date on which he moves from the acquired dwelling, whichever is the later date.

(b) The head of any Federal agency may, upon application by a mortgagee, insure any mortgage (including advances during construction) on a comparable replacement dwelling executed by a displaced person assisted under this section, which mortgage is eligible for insurance under any Federal law administerd by such agency notwithstanding any requirements under such law relating to age, physical condition, or other personal characteristics of eligible mortgagors, and may make commitments for the insurance of such mortgage prior to the date of execution of the mortgage.

REPLACEMENT HOUSING FOR TENANTS AND CERTAIN OTHERS

SEC. 204. In addition to amounts otherwise authorized by this title, the head of the Federal agency shall make a payment to or for any displaced person displaced from any dwelling not eligible to receive a payment under section 203 which dwelling was actually and lawfully occupied by such displaced person for not less than ninety days prior to the initiation of negotiations for acquisition of such dwelling. Such payment shall be either—

(1) the amount necessary to enable such displaced person to lease or rent for a period not to exceed four years, a decent, safe, and sanitary dwelling of standards adequate to accommodate such person in areas not generally less desirable in regard to public utilities and public and commercial facilities, and reasonably accessible to his place of employment, but not to exceed $4,000, or

(2) the amount necessary to enable such person to make a downpayment (including incidental expenses described in section 203(a) (1) (C)) on the purchase of a decent, safe, and sanitary dwelling of standards adequate to accommodate such person in areas not generally less desirable in regard to public utilities and public and commercial facilities, but not to exceed $4,000, except that if such amount exceeds $2,000, such person must equally match any such amount in excess of $2,000, in making the downpayment.

RELOCATION ASSISTANCE ADVISORY SERVICES

SEC. 205. (a) Whenever the acquisition of real property for a program or project undertaken by a Federal agency in any State will result in the displacement of any person on or after the effective date of this section, the head of such agency shall provide a relocation as-

sistance advisory program for displaced persons which shall offer the services described in subsection (c) of this section. If such agency head determines that any person occupying property immediately adjacent to the real property acquired is caused substantial economic injury because of the acquisition, he may offer such person relocation advisory services under such program.

(b) Federal agencies administering programs which may be of assistance to displaced persons covered by this Act shall cooperate to the maximum extent feasible with the Federal or State agency causing the displacement to assure that such displaced persons receive the maximum assistance available to them.

(c) Each relocation assistance advisory program required by subsection (a) of this section shall include such measures, facilities, or services as may be necessary or appropriate in order to—

(1) determine the need, if any, of displaced persons, for relocation assistance;

(2) provide current and continuing information on the availability, prices, and rentals, of comparable decent, safe, and sanitary sales and rental housing, and of comparable commercial properties and locations for displaced businesses;

(3) assure that, within a reasonable period of time, prior to displacement there will be available in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, decent, safe, and sanitary dwellings, as defined by such Federal agency head, equal in number to the number of and available to such displaced persons who require such dwellings and reasonably accessible to their places of employment, except that the head of that Federal agency may prescribe by regulation situations when such assurances may be waived;

(4) assist a displaced person displaced from his business or farm operation in obtaining and becoming established in a suitable replacement location;

(5) supply information concerning Federal and State housing programs, disaster loan programs, and other Federal or State programs offering assistance to displaced persons; and

(6) provide other advisory services to displaced persons in order to minimize hardships to such persons in adjusting to relocation.

(d) The heads of Federal agencies shall coordinate relocation activities with project work, and other planned or proposed governmental actions in the community or nearby areas which may affect the carrying out of relocation assistance programs.

HOUSING REPLACEMENT BY FEDERAL AGENCY AS LAST RESORT

SEC. 206. (a) If a Federal project cannot proceed to actual construction because comparable replacement sale or rental housing is not available, and the head of the Federal agency determines that such housing cannot otherwise be made available he may take such action as is necessary or appropriate to provide such housing by use of funds authorized for such project.

(b) No person shall be required to move from his dwelling on or after the effective date of this title, on account of any Federal project, unless the Federal agency head is satisfied that replacement housing, in accordance with section 205(c) (3), is available to such person.

STATE REQUIRED TO FURNISH REAL PROPERTY INCIDENT TO FEDERAL ASSISTANCE (LOCAL COOPERATION)

SEC. 207. Whenever real property is acquired by a State agency and furnished as a required contribution incident to a Federal program or project, the Federal agency having authority over the program or project may not accept such property unless such State agency has made all payments and provided all assistance and assurances, as are required of a State agency by sections 210 and 305 of this Act. Such State agency shall pay the cost of such requirements in the same manner and to the same extent as the real property acquired for such project, except that in the case of any real property acquisition or displacement occurring prior to July 1, 1972, such Federal agency shall pay 100 per centum of the first $25,000 of the cost of providing such payments and assistance.

STATE ACTING AS AGENT FOR FEDERAL PROGRAM

SEC. 208. Whenever real property is acquired by a State agency at the request of a Federal agency for a Federal program or project, such acquisition shall, for the purposes of this Act, be deemed an acquisition by the Federal agency having authority over such program or project.

PUBLIC WORKS PROGRAMS AND PROJECTS OF THE GOVERNMENT OF THE DISTRICT OF COLUMBIA AND OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

SEC. 209. Whenever real property is acquired by the government of the District of Columbia or the Washington Metropolitan Area Transit Authority for a program or project which is not subject to sections 210 and 211 of this title, and such acquisition will result in the displacement of any person on or after the effective date of this Act, the Commissioner of the District of Columbia or the Washington Metropolitan Area Transit Authority, as the case may be, shall make all relocation payments

and provide all assistance required of a Federal agency by this Act. Whenever real property is acquired for such a program or project on or after such effective date, such Commissioner or Authority, as the case may be, shall make all payments and meet all requirements prescribed for a Federal agency by title III of this Act.

REQUIREMENTS FOR RELOCATION PAYMENTS AND ASSISTANCE OF FEDERALLY ASSISTED PROGRAM; ASSURANCES OF AVAILABILITY OF HOUSING

SEC. 210. Notwithstanding any other law, the head of a Federal agency shall not approve any grant to, or contract or agreement with, a State agency, under which Federal financial assistance will be available to pay all or part of the cost of any program or project which will result in the displacement of any person on or after the effective date of this title, unless he receives satisfactory assurances from such State agency that—

(1) fair and reasonable relocation payments and assistance shall be provided to or for displaced persons, as are required to be provided by a Federal agency under sections 202, 203, and 204 of this title;

(2) relocation assistance programs offering the services described in section 205 shall be provided to such displaced persons;

(3) within a reasonable period of time prior to displacement, decent, safe, and sanitary replacement dwellings will be available to displaced persons in accordance with section 205(c) (3).

FEDERAL SHARE OF COSTS

SEC. 211. (a) The cost to a State agency of providing payments and assistance pursuant to sections 206, 210, 215, and 305, shall be included as part of the cost of a program or project for which Federal financial assistance is available to such State agency, and such State agency shall be eligible for Federal financial assistance with respect to such payments and assistance in the same manner and to the same extent as other program or project costs, except that, notwithstanding any other law in the case where the Federal financial assistance is by grant or contribution the Federal agency shall pay the full amount of the first $25,000 of the cost to a State agency of providing payments and assistance for a displaced person under sections 206, 210, 215, and 305, on account of any acquisition or displacement occurring prior to July 1, 1972, and in any case where such Federal financial assistance is by loan, the Federal agency shall loan such State agency the full amount of the first $25,000 of such cost.

(b) No payment or assistance under section 210 or 305 shall be required or included as a program or project cost under this section, if the displaced person receives a pay-

ment required by the State law of eminent domain which is determined by such Federal agency head to have substantially the same purpose and effect as such payment under this section, and to be part of the cost of the program or project for which Federal financial assistance is available.

(c) Any grant to, or contract or agreement with, a State agency executed before the effective date of this title, under which Federal financial assistance is available to pay all or part of the cost of any program or project which will result in the displacement of any person on or after the effective date of this Act, shall be amended to include the cost of providing payments and services under sections 210 and 305. If the head of a Federal agency determines that it is necessary for the expeditious completion of a program or project he may advance to the State agency the Federal share of the cost of any payments or assistance by such State agency pursuant to sections 206, 210, 215, and 305.

ADMINISTRATION—RELOCATION ASSISTANCE IN PROGRAMS RECEIVING FEDERAL FINANCIAL ASSISTANCE

SEC. 212. In order to prevent unnecessary expenses and duplications of functions, and to promote uniform and effective administration of relocation assistance programs for displaced persons under sections 206, 210, and 215 of this title, a State agency may enter into contracts with any individual, firm, association, or corporation for services in connection with such programs, or may carry out its functions under this title through any Federal or State governmental agency or instrumentality having an established organization for conducting relocation assistance programs. Such State agency shall, in carrying out the relocation assistance activities described in section 206, whenever practicable, utilize the services of State or local housing agencies, or other agencies having experience in the administration or conduct of similar housing assistance activities.

REGULATIONS AND PROCEDURES

SEC. 213. (a) In order to promote uniform and effective administration of relocation assistance and land acquisition of State or local housing agencies, or other agencies having programs or projects by Federal agencies or programs or projects by State agencies receiving Federal financial assistance, the heads of Federal agencies shall consult together on the establishment of regulations and procedures for the implementation of such programs.

(b) The head of each Federal agency is authorized to establish such regulations and procedures as he may determine to be necessary to assure—

(1) that the payments and assistance authorized by this Act shall be administered in a manner which is fair and reasonable, and as uniform as practicable;

(2) that a displaced person who makes proper application for a payment authorized for such person by this title shall be paid promptly after a move or, in hardship cases, be paid in advance; and

(3) that any person aggrieved by a determination as to eligibility for a payment authorized by this Act, or the amount of a payment, may have his application reviewed by the head of the Federal agency having authority over the applicable program or project, or in the case of a program or project receiving Federal financial assistance, by the head of the State agency.

(c) The head of each Federal agency may prescribe such other regulations and procedures, consistent with the provisions of this Act, as he deems necessary or appropriate to carry out this Act.

ANNUAL REPORT

SEC. 214. The head of each Federal agency shall prepare and submit an annual report to the President on the activities of such agency with respect to the programs and policies established or authorized by this Act, and the President shall submit such reports to the Congress not later than January 15 of each year, beginning January 15, 1972, and ending January 15, 1975, together with his comments or recommendations. Such reports shall give special attention to: (1) the effectiveness of the provisions of this Act assuring the availability of comparable replacement housing, which is decent, safe, and sanitary, for displaced homeowners and tenants; (2) actions taken by the agency to achieve the objectives of the policies of Congress, declared in this Act, to provide uniform and equal treatment, to the greatest extent practicable, for all persons displaced by, or having real property taken for, Federal or federally assisted programs; (3) the views of the Federal agency head on the progress made to achieve such objectives in the various programs conducted or administered by such agency, and among the Federal agencies; (4) any indicated effects of such programs and policies on the public; and (5) any recommendations he may have for further improvements in relocation assistance and land acquisition programs, policies, and implementing laws and regulations.

PLANNING AND OTHER PRELIMINARY EXPENSES FOR ADDITIONAL HOUSING

SEC. 215. In order to encourage and facilitate the construction or rehabilitation of housing to meet the needs of displaced persons who are displaced from dwellings

because of any Federal or Federal financially assisted project, the head of the Federal agency administering such project is authorized to make loans as a part of the cost of any such project, or to approve loans as a part of the cost of any such project receiving Federal financial assistance, to nonprofit, limited dividend, or cooperative organizations or to public bodies, for necessary and reasonable expenses, prior to construction, for planning and obtaining federally insured mortgage financing for the rehabilitation or construction of housing for such displaced persons. Notwithstanding the preceding sentence, or any other law, such loans shall be available for not to exceed 80 per centum of the reasonable costs expected to be incurred in planning, and in obtaining financing for, such housing, prior to the availability of such financing, including, but not limited to, preliminary surveys and analyses of market needs, preliminary site engineering, preliminary architectural fees, site acquisition, application and mortgage commitment fees, and construction loan fees and discounts. Loans to an organization established for profit shall bear interest at a market rate established by the head of such Federal agency. All other loans shall be without interest. Such Federal agency head shall require repayment of loans made under this section, under such terms and conditions as he may require, upon completion of the project or sooner, and except in the case of a loan to an organization established for profit, may cancel any part or all of a loan if he determines that a permanent loan to finance the rehabilitation or the construction of such housing cannot be obtained in an amount adequate for repayment of such loan. Upon repayment of such loan, the Federal share of the sum repaid shall be credited to the account from which such loan was made, unless the Secretary of the Treasury determines that such account is no longer in existence, in which case such sum shall be returned to the Treasury and credited to miscellaneous receipts.

PAYMENTS NOT TO BE CONSIDERED AS INCOME

SEC. 216. No payment received under this title shall be considered as income for the purposes of the Internal Revenue Code of 1954; or for the purposes of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal law.

DISPLACEMENT BY CODE ENFORCEMENT, REHABILITATION, AND DEMOLITION PROGRAMS RECEIVING FEDERAL ASSISTANCE

SEC. 217. A person who moves or discontinues his business, or moves other personal property, or moves from his dwelling on or after the effective date of this Act, as a direct result of any project or program which

receives Federal financial assistance under title I of the Housing Act of 1949, as amended, or as a result of carrying out a comprehensive city demonstration program under title of the Demonstration Cities and Metropolitan Development Act of 1966 shall, for the purposes of this title, be deemed to have been displaced as the result of the acquisition of real property.

TRANSFERS OF SURPLUS PROPERTY

SEC. 218. The Administrator of General Services is authorized to transfer to a State agency for the purpose of providing replacement housing required by this title, any real property surplus to the needs of the United States within the meaning of the Federal Property and Administrative Services Act of 1949, as amended. Such transfer shall be subject to such terms and conditions as the Administrator determines necessary to protect the interests of the United States and may be made without monetary consideration, except that such State agency shall pay to the United States all amounts received by such agency from any sale, lease, or other disposition of such property for such housing.

SEC. 219. Notwithstanding any other provision of this title, a person—

(1) who moves or discontinues his business, moves other personal property, or moves from his dwelling on or after January 1, 1969, and before the 90th day after the date of enactment of this Act as the result of the contemplated demolition of structures or the construction of improvements on real property acquired, in whole or in part, by a Federal agency within the area in New York, New York, bounded by Lexington and Third Avenues and 31st and 32d Streets; and

(2) who has lived on, or conducted a business on, such real property for at least one year prior to the date of enactment of this Act;

may be considered a displaced person for purposes of sections 202 (a) and (b), 204, and 205 of this title, by the head of the agency acquiring the real property if—

(A) the head of the agency determines that such person has suffered undue hardship as the result of displacement from the real property; and

(B) the Federal Government acquired and held such property for at least five years prior to the date of enactment of this Act.

REPEALS

SEC. 220. (a) The following laws and parts of laws are hereby repealed:

(1) The Act entitled "An Act to authorize the Secretary of the Interior to reimburse owners of lands required for

development under his jurisdiction for their moving expenses, and for other purposes," approved May 29, 1958 (43 U.S.C. 1231–1234).

(2) Paragraph 14 of section 203(b) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2473).

(3) Section 2680 of title 10, United States Code.

(4) Section 7(b) of the Urban Mass Transportation Act of 1965 (49 U.S.C. 1606(b)).

(5) Section 114 of the Housing Act of 1949 (42 U.S.C. 1465).

(6) Paragraphs (7) (b) (iii) and (8) of section 15 of the United States Housing Act of 1937 (42 U.S.C. 1415, 1415(8)), except the first sentence of paragraph (8).

(7) Section 2 of the Act entitled "An Act to authorize the Commissioners of the District of Columbia to pay relocation costs made necessary by actions of the District of Columbia government, and for other purposes", approved October 6, 1964 (78 Stat. 1004; Public Law 88–629; D.C. Code 5–729).

(8) Section 404 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3074).

(9) Sections 107 (b) and (c) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3307).

(10) Chapter 5 of title 23, United States Code.

(11) Sections 32 and 33 of the Federal-Aid Highway Act of 1968 (Public Law 90–495).

(b) Any rights or liabilities now existing under prior Acts or portions thereof shall not be affected by the repeal of such prior Acts or portions thereof under subsection (a) of this section.

EFFECTIVE DATE

SEC. 221. (a) Except as provided in subsections (b) and (c) of this section, this Act and the amendments made by this Act shall take effect on the date of its enactment.

(b) Until July 1, 1972, sections 210 and 305 shall be applicable to a State only to the extent that such State is able under its laws to comply with such sections. After July 1, 1972, such sections shall be completely applicable to all States.

(c) The repeals made by paragraphs (4), (5), (6), (8), (9), (10), (11), and (12) of section 220(a) of this title and section 306 of title III shall not apply to any State so long as sections 210 and 305 are not applicable in such State.

TITLE III—UNIFORM REAL PROPERTY ACQUISITION POLICY

UNIFORM POLICY ON REAL PROPERTY ACQUISITION PRACTICES

SEC. 301. In order to encourage and expedite the acquisition of real property by agreements with owners,

to avoid litigation and relieve congestion in the courts, to assure consistent treatment for owners in the many Federal programs, and to promote public confidence in Federal land acquisition practices, heads of Federal agencies shall, to the greatest extent practicable, be guided by the following policies:

(1) The head of a Federal agency shall make every reasonable effort to acquire expeditiously real property by negotiation.

(2) Real property shall be appraised before the initiation of negotiations, and the owner or his designated representative shall be given an opportunity to accompany the appraiser during his inspection of the property.

(3) Before the initiation of negotiations for real property, the head of the Federal agency concerned shall establish an amount which he believes to be just compensation therefor and shall make a prompt offer to acquire the property for the full amount so established. In no event shall such amount be less than the agency's approved appraisal of the fair market value of such property. Any decrease or increase in the fair market value of real property prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner, will be disregarded in determining the compensation for the property. The head of the Federal agency concerned shall provide the owner of real property to be acquired with a written statement of, and summary of the basis for, the amount he established as just compensation. Where appropriate the just compensation for the real property acquired and for damages to remaining real property shall be separately stated.

(4) No owner shall be required to surrender possession of real property before the head of the Federal agency concerned pays the agreed purchase price, or deposits with the court in accordance with section 1 of the Act of February 26, 1931 (46 Stat. 1421; 40 U.S.C. 258a), for the benefit of the owner, an amount not less than the agency's aproved appraisal of the fair market value of such property, or the amount of the award of compensation in the condemnation proceeding for such property.

(5) The construction or development of a public improvement shall be so scheduled that, to the greatest extent practicable, no person lawfully occupying real property shall be required to move from a dwelling (assuming a replacement dwelling as required by title II will be available), or to move his business or farm operation, without at least ninety days' written notice from the head of the Federal agency concerned, of the date by which such move is required.

(6) If the head of a Federal agency permits an owner or tenant to occupy the real property acquired on a rental basis for a short term or for a period subject to termi-

nation by the Government on short notice, the amount of rent required shall not exceed the fair rental value of the property to a short-term occupier.

(7) In no event shall the head of a Federal agency either advance the time of condemnation, or defer negotiations or condemnation and the deposit of funds in court for the use of the owner, or take any other action coercive in nature, in order to compel an agreement on the price to be paid for the property.

(8) If any interest in real property is to be acquired by exercise of the power of eminent domain, the head of the Federal agency concerned shall institute formal condemnation proceedings. No Federal agency head shall intentionally make it necessary for an owner to institute legal proceedings to prove the fact of the taking of his real property.

(9) If the acquisition of only part of a property would leave its owner with an uneconomic remnant, the head of the Federal agency concerned shall offer to acquire the entire property.

BUILDINGS, STRUCTURES, AND IMPROVEMENTS

SEC. 302. (a) Notwithstanding any other provision of law, if the head of a Federal agency acquires any interest in real property in any State, he shall acquire at least an equal interest in all buildings, structures, or other improvements located upon the real property so acquired and which he requires to be removed from such real property or which he determines will be adversely affected by the use to which such real property will be put.

(b) (1) For the purpose of determining the just compensation to be paid for any building, structure, or other improvement required to be acquired by subsection (a) of this section, such building, structure, or other improvement shall be deemed to be a part of the real property to be acquired notwithstanding the right or obligation of a tenant, as against the owner of any other interest in the real property, to remove such building, structure, or improvement at the expiration of his term, and the fair market value which such building, structure, or improvement contributes to the fair market value of the real property to be acquired, or the fair market value of such building, structure, or improvement for removal from the real property, whichever is the greater, shall be paid to the tenant therefor.

(2) Payment under this subsection shall not result in duplication of any payments otherwise authorized by law. No such payment shall be made unless the owner of the land involved disclaims all interest in the improvements of the tenant. In consideration for any such payment, the tenant shall assign, transfer, and release to the United States all his right, title, and interest in and to such improvements. Nothing in this subsection

shall be construed to deprive the tenant of any rights to reject payment under this subsection and to obtain payment for such property interests in accordance with applicable law, other than this subsection.

EXPENSES INCIDENTAL TO TRANSFER OF TITLE TO UNITED STATES

SEC. 303. The head of a Federal agency, as soon as practicable after the date of payment of the purchase price or the date of deposit in court of funds to satisfy the award of compensation in a condemnation proceeding to acquire real property, whichever is the earlier, shall reimburse the owner, to the extent the head of such agency deems fair and reasonable, for expenses he necessarily incurred for—

(1) recording fees, transfer taxes, and similar expenses incidental to conveying such real property to the United States;

(2) penalty costs for prepayment of any preexisting recorded mortgage entered into in good faith encumbering such real property; and

(3) the pro rata portion of real property taxes paid which are allocable to a period subsequent to the date of vesting title in the United States, or the effective date of possession of such real property by the United States, whichever is the earlier.

LITIGATION EXPENSES

SEC. 304. (a) The Federal court having jurisdiction of a proceeding instituted by a Federal agency to acquire real property by condemnation shall award the owner of any right, or title to, or interest in, such real property such sum as will in the opinion of the court reimburse such owner for his reasonable costs, disbursements, and expenses, including reasonable attorney, appraisal, and engineering fees, actually incurred because of the condemnation proceedings, if—

(1) the final judgment is that the Federal agency cannot acquire the real property by condemnation; or

(2) the proceeding is abandoned by the United States.

(b) Any award made pursuant to subsection (a) of this section shall be paid by the head of the Federal agency for whose benefit the condemnation proceedings was instituted.

(c) The court rendering a judgment for the plaintiff in a proceeding brought under section 1346 (a) (2) or 1491 of title 28, United States Code, awarding compensation for the taking of property by a Federal agency, or the Attorney General effecting a settlement of any such proceeding, shall determine and award or allow to such plaintiff, as a part of such judgment or settlement, such sum as will in the opinion of the court or the At-

torney General reimburse such plaintiff for his reasonable costs, disbursements, and expenses, including reasonable attorney, appraisal, and engineering fees, actually incurred because of such proceeding.

REQUIREMENTS FOR UNIFORM LAND ACQUISITION POLICIES; PAYMENTS OF EXPENSES INCIDENTAL TO TRANSFER OF REAL PROPERTY TO STATE; PAYMENT OF LITIGATION EXPENSES IN CERTAIN CASES

SEC. 305. Notwithstanding any other law, the head of a Federal agency shall not approve any program or project or any grant to, or contract or agreement with, a State agency under which Federal financial assistance will be available to pay all or part of the cost of any program or project which will result in the acquisition of real property on and after the effective date of this title, unless he receives satisfactory assurances from such State agency that—

(1) in acquiring real property it will be guided, to the greatest extent practicable under State law, by the land acquisition policies in section 301 and the provisions of section 302, and

(2) property owners will be paid or reimbursed for necessary expenses as specified in sections 303 and 304.

REPEALS

SEC. 306. Sections 401, 402, and 403 of the Housing and Urban Development Act of 1965 (42 U.S.C. 3071–3073), section 35(a) of the Federal-Aid Highway Act of 1968 (23 U.S.C. 141) and section 301 of the Land Acquisition Policy Act of 1960 (33 U.S.C. 596) are hereby repealed. Any rights or liabilities now existing under prior Acts or portions thereof shall not be affected by the repeal of such prior Act or portions thereof under this section.

Approved January 2, 1971.

Legislative History:
HOUSE REPORT No. 91-1656 (Comm. on Public Works).
SENATE REPORT No. 91-488 (Comm. on Government Operations).
CONGRESSIONAL RECORD:
Vol. 115 (1969): Oct. 23, 27 considered and passed Senate.
Vol. 116 (1970): Dec. 7, considered and passed House, amended.
Dec. 17, Senate agreed to House amendments with amendments.
Dec. 18, House concurred in Senate amendments.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93–477)

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

TITLE IV—MISCELLANEOUS PROVISIONS

* * * * * * *

SEC. 405. (a) In all instances where authorizations of appropriations for the acquisition of lands for the National Park System enacted prior to January 9, 1971, do not include provisions therefor, there are authorized to be appropriated such additional sums as may be necessary to provide for moving costs, relocation benefits, and other expenses incurred pursuant to the applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91–646; 84 Stat. 1894). There are also authorized to be appropriated not to exceed $8,400,000 in addition to those authorized in Public Law 92–272 (86 Stat. 120) to provide for such moving costs, relocation benefits, and other related expenses in connection with the acquisition of lands authorized by Public Law 92–272.

(b) Whenever an owner of property elects to retain a right of use and occupancy pursuant to any statute authorizing the acquisition of property for purposes of a unit of the National Park System, such owner shall be deemed to have waived any benefits 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 those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act.

* * * * * * *

Approved October 26, 1974.

16. Urban Parks and Recreation Recovery Program

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95 625)

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

TITLE X—URBAN PARK AND RECREATION RECOVERY PROGRAM

* * * * * * *

SEC. 1001. This title may be cited as the "Urban Park and Recreation Recovery Act of 1978".

SEC. 1002. The Congress finds that—

(a) the quality of life in urban areas is closely related to the availability of fully functional park and recreation systems including land, facilities, and service programs;

(b) residents of cities need close-to-home recreational opportunities that are adequate to specialized urban demands, with parks and facilities properly located, developed, and well maintained;

(c) the greatest recreational deficiencies with respect to land, facilities, and programs are found in many large cities, especially at the neighborhood level;

(d) inadequate financing of urban recreation programs due to fiscal difficulties in many large cities has led to the deterioration of facilities, nonavailability of recreation services, and in inability to adapt recreational programs to changing circumstances; and

(e) there is no existing Federal assistance program which fully addresses the needs for physical rehabilitation and revitalization of these park and recreation systems.

SEC. 1003. The purpose of this title is to authorize the Secretary to establish an urban park and recreation recovery program which would provide Federal grants to economically hard-pressed communities specifically for the rehabilitation of critically needed recreation areas, facilities, and development of improved recreation programs for a period of five years. This short-term program is intended to complement existing Federal programs such as the Land and Water Conservation Fund and Community Development Grant Programs by encourgaging and stimulating local governments to revitalize their park and recreation systems and to make long-term commitments to continuing maintenance of these systems. Such assistance shall be subject to such terms and

conditions as the Secretary considers appropriate and in the public interest to carry out the purposes of this title.

SEC. 1004. When used in this title the term—

(a) "recreational areas and facilities" means indoor or outdoor parks, buildings, sites, or other facilities which are dedicated to recreation purposes and administered by public or private nonprofit agencies to serve the recreation needs of community residents. Emphasis shall be on public facilities readily accessible to residential neighborhoods, including multiple-use community centers which have recreation as one of their primary purposes, but excluding major sports arenas, exhibition areas, and conference halls used primarily for commercial sports, spectator, or display activities;

(b) "rehabilitation grants" means matching capital grants to local governments for the purpose of rebuilding, remodeling, expanding, or developing existing outdoor or indoor recreation areas and facilities, including improvements in park landscapes, buildings, and support facilities, but excluding routine maintenance and upkeep activities;

(c) "innovation grants" means matching grants to local governments to cover costs of personnel, facilities, equipment, supplies, or services designed to demonstrate innovative and cost-effective ways to augment park and recreation opportunities at the neighborhood level and to address common problems related to facility operations and improved delivery of recreation service, and which shall exclude routine operation and maintenance activities;

(d) "recovery action program grants" means matching grants to local governments for development of local park and recreation recovery action programs to meet the requirements of this title. Such grants will be for resource and needs assessment, coordination, citizen involvement and planning, and program development activities to encourage public definition of goals, and develop priorities and strategies for overall recreation system recovery;

(e) "maintenance" means all commonly accepted practices necessary to keep recreation areas and facilities operating in a state of good repair and to protect them from deterioration resulting from normal wear and tear;

(f) "general purpose local government" means any city, county, town, township, parish, village, or other general purpose political subdivision of a State, including the District of Columbia, and insular areas;

(g) "special purpose local government" means any local or regional special district, public-purpose corporation or other limited political subdivision of a

State, including but not limited to park authorities; park, conservation, water or sanitary districts; and school districts;

(h) "private, nonprofit agency" means a community-based, nonprofit organization, corporation, or association organized for purposes of providing recreational, conservation, and educational services directly to urban residents on either a neighborhood or communitywide basis through voluntary donations, voluntary labor, or public or private grants;

(i) "State" means any State of the United States or any instrumentality of a State approved by the Governor; the Commonwealth of Puerto Rico, and insular areas; and

(j) "insular areas" means Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands.

SEC. 1005. (a) Eligibility of general purpose local governments for assistance under this title shall be based upon need as determined by the Secretary. Within one hundred and twenty days after the effective date of this title, the Secretary shall publish in the Federal Register, a list of the local governments eligible to participate in this program, to be accompanied by a discussion of criteria used in determining eligibility. "Such criteria shall be based upon factors which the Secretary determines are related to deteriorated recreational facilities or systems, and physical and economic distress."

(b) Notwithstanding the list of eligible local governments established in accordance with subsection (a), the Secretary is also authorized to establish eligibility, at his discretion and in accord with the findings and purpose of this title, to other general purpose local governments in standard metropolitan statistical areas as defined by the census: *Provided,* That grants to these discretionary applicants do not exceed in the aggregate 15 per centum of funds appropriated under this title for rehabilitation, innovation, and recovery action program grants.

(c) The Secretary shall also establish priority criteria for project selection and approval which consider such factors as—

(1) population;

(2) condition of existing recreation areas and facilities;

(3) demonstrated deficiencies in access to neighborhood recreation opportunities, particularly for minority, and low- and moderate-income residents;

(4) public participation in determining rehabilitation or development needs;

(5) the extent to which a project supports or complements target activities undertaken as part of a local government's overall community development and urban revitalization program;

(6) the extent to which a proposed project would provide employment opportunities for minorities, youth, and low- and moderate-income residents in the project neighborhood and/or would provide for participation of neighborhood, nonprofit or tenant organizations in the proposed rehabilitation activity or in subsequent maintenance, staffing, or supervision of recreation areas and facilities; and

(7) the amount of State and private support for a project as evidenced by commitments of non-Federal resources to project construction or operation.

SEC. 1006. (a) The Secretary is authorized to provide 70 per centum matching rehabilitation and innovative grants directly to eligible general purpose local governments upon his approval of applications therefor by the chief executives of such governments.

(1) At the discretion of such applicants, and if consistent with an approved application, rehabilitation and innovation grants may be transferred in whole or in part to independent special purpose local governments, private nonprofit agencies or county or regional park authorities: *Provided,* That assisted recreation areas and facilities owned or managed by them offer recreation opportunities to the general population within the jurisdictional boundaries of an eligible applicant.

(2) Payments may be made only for those rehabilitation or innovative projects which have been approved by the Secretary. Such payments may be made from time to time in keeping with the rate of progress toward the satisfactory completion of a project, except that the Secretary may, when appropriate, make advance payments on approved rehabilitation and innovative projects in an amount not to exceed 20 per centum of the total project cost.

(3) The Secretary may authorize modification of an approved project only when a grantee has adequately demonstrated that such modification is necessary because of circumstances not foreseeable at the time a project was proposed.

(b) Innovation grants should be closely tied to goals, priorities, and implementation strategies expressed in local park and recreation recovery action programs, with particular regard to the special considerations listed in section 1007(b)(2).

SEC. 1007. (a) As a requirement for project approval, local governments applying for assistance under this title shall submit to the Secretary evidence of their commitments to ongoing planning, rehabilitation, service, operation, and maintenance programs for their park and recreation systems. These commitments will be expressed in local park and recreation recovery action programs which maximize coordination of all community resources, including other federally supported urban de-

velopment and recreation programs. During an initial interim period to be established by regulations under this title, this requirement may be satisfied by local government submissions of preliminary action programs which briefly define objectives, priorities, and implementation strategies for overall system recovery and maintenance and commit the applicant to a scheduled program development process. Following this interim period, all local applicants shall submit to the Secretary, as a condition of eligibility, a five-year action program for park and recreation recovery that satisfactorily demonstrate:

(1) systematic identification of recovery objectives, priorities, and implementation strategies;

(2) adequate planning for rehabilitation of specific recreation areas and facilities, including projections of the cost of proposed projects;

(3) capacity and commitment to assure that facilities provided or improved under this title shall thereafter continue to be adequately maintained, protected, staffed, and supervised:

(4) intention to maintain total local public outlays for park and recreation purposes at levels at least equal to those in the year preceding that in which grant assistance is sought beginning in fiscal year 1980 except in any case where a reduction in park and recreation outlays is proportionate to a reduction in overall spending by the applicant; and

(5) the relationship of the park and recreation recovery program to overall community development and urban revitalization efforts.

Where appropriate, the Secretary may encourage local governments to meet action program requirements through a continuing planning process which includes periodic improvements and updates in action program submissions to eliminate identified gaps in program information and policy development.

(b) Action programs shall address, but are not limited to the following considerations:

(1) Rehabilitation of existing recreational sites and facilities, including general systemwide renovation; special rehabilitation requirements for recreational sites and facilities in areas of high population concentration and economic distress; and restoration of outstanding or unique structures, landscaping, or similar features in parks of historical or architectural significance.

(2) Local commitments to innovate and cost-effective programs and projects at the neighborhood level to augment recovery of park and recreation systems, including but not limited to recycling of abandoned schools and other public buildings for recreational purposes; multiple use of operating educational and other public buildings; purchase of

recreation services on a contractual basis; use of mobile facilities and recreational, cultural, and educational programs or other innovative approaches to improving access for neighborhood residents; integration of recovery program with federally assisted projects to maximize recreational opportunities through conversion of abandoned railroad and highway rights-of-way, waterfront, and other redevelopment efforts and such other federally assisted projects as may be appropriate; conversion of recreation use of street space, derelict land, and other public lands not now designated for neighborhood recreational use; and use of various forms of compensated and uncompensated land regulation, tax inducements, or other means to encourage the private sector to provide neighborhood park and recreation facilities and programs.

The Secretary shall establish and publish in the Federal Register requirements for preparation, submission, and updating of local park and recreation recovery action programs.

(c) RECOVERY ACTION PROGRAM GRANTS.—The Secretary is authorized to provide up to 50 per centum matching grants to eligible local applicants for program development and planning specifically to meet the objectives of this title.

SEC. 1008. The Secretary is authorized to increase Federal implementation grants authorized in section 1006 by providing an additional match equal to the total match provided by a State of up to 15 per centum of total project costs. In no event may the Federal matching amount exceed 85 per centum of total project cost. The Secretary shall further encourage the States to assist him in assuring that local recovery plans and programs are adequately implemented by cooperating with the Department of the Interior in monitoring local park and recreation recovery plans and programs and in assuring consistency of such plans and programs, where appropriate, with State recreation policies as set forth in statewide comprehensive outdoor recreation plans.

SEC. 1009. The non-Federal share of project costs assisted under this Title may be derived from general or special purpose State or local revenues. State categorical grants, special appropriations by State legislatures, donations of land, buildings, or building materials and/or in-kind construction, technical, and planning services. No moneys from the Land and Water Conservation Fund (77 Stat. 49), as amended, or from any other Federal grant program other than general revenue sharing and the community development block grant programs shall be used to match Federal grants under this program. Reasonable local costs of action program development to meet the requirements of section 1007(a) of this title may be used as part of the local match only when local

applicants have not received program development grants under the authority of section 1007(c) of this title. The Secretary shall encourage States and private interests to contribute, to the maximum extent possible, to the non-Federal share of project costs.

SEC. 1010. No property improved or developed with assistance under this title shall, without the approval of the Secretary, be converted to other than public recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the current local park and recreation recovery action program and only upon such conditions as he deems necessary to assure the provision of adequate recreation properties and opportunities of reasonably equivalent location and usefulness.

SEC. 1011. The Secretary shall (a) coordinate the urban park and recreation recovery program with the total urban recovery effort and cooperate to the fullest extent possible with other Federal departments and agencies and with State agencies which administer programs and policies affecting urban areas, including but not limited to, programs in housing, urban development, natural resources management, employment, transportation, community services, and voluntary action; (b) encourage maximum coordination of the program between appropriate State agencies and local applicants; and (c) require that local applicants include provisions for participation of community and neighborhood residents and for public-private coordination in recovery planning and project selection.

SEC. 1012. Each recipient of assistance under this title shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition of project undertakings in connection with which assistance under this title is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit. The Secretary, and the Comptroller General of the United States, or their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this title.

SEC. 1013. There are hereby authorized to be appropriated for the purposes of this title, not to exceed $150,000,000 for each of the fiscal years 1979 through 1982, and $125,000,000 in fiscal year 1983, such sums to remain available until expended. Not more than 3 per centum of the funds authorized in any fiscal year may be used for grants for the development of local park and recreation recovery action programs pursuant to sections 1007(a) and 1007(c), and not more than 10 per centum may be used for innovation grants pursuant to section

6 of this title. Grants made under this title for projects in any one State shall not exceed in the aggregate 15 per centum of the aggregate amount of funds authorized to be appropriated in any fiscal year. For the authorizations made in this subsection, any amounts authorized but not appropriated in any fiscal year shall remain available for appropriation in succeeding fiscal years.

Notwithstanding any other provision of this Act, or any other law, or regulation, there is further authorized to be appropriated $250,000 for each of the fiscal years 1979 through 1983, such sums to remain available until expended, to each of the insular areas. Such sums will not be subject to the matching provisions of this section, and may only be subject to such conditions, reports, plans, and agreements, if any, as determined by the Secretary.

SEC. 1014. No funds available under this title shall be used for the acquisition of land or interests in land.

SEC. 1015. (a) Within ninety days of the expiration of this authority, the Secretary shall report to the Congress on the overall impact of the urban park and recreation recovery program.

(b) On December 31, 1979, and on the same date in each year that the recovery program is funded, the Secretary shall report to the Congress on the annual achievements of the innovation grant program, with emphasis on the nationwide implications of successful innovation projects.

* * * * * * *

Approved November 10, 1978.

17. Volunteers in the Parks Program

An Act to increase the appropriation authorization relating to the volunteers in the parks program, and for other purposes. (89 Stat. 682) (P.L. 94–128)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to increase the appropriation authorization relating to the volunteers in the parks program, section 4 of the Act of July 29, 1970 (84 Stat. 472; 16 U.S.C. 18j), is amended by deleting the figure "100,000" appearing therein and inserting the figure "250,000" in its place.

Approved November 13, 1975.

Legislative History:

House Report No. 94–550 (Comm. on Interior and Insular Affairs).
Senate Report No. 94–99 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 121 (1975):
May 1, considered and passed Senate.
Nov. 4, considered and passed House.

18. Young Adult Conservation Corps

An Act to provide employment and training opportunities for youth, and to provide for other improvements in employment and training programs. (91 Stat. 627) (P.L. 95-93)

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

That this Act may be cited as the "Youth Employment and Demonstration Projects Act of 1977".

TITLE I—YOUNG ADULT CONSERVATION CORPS

AMENDMENT ESTABLISHING THE CORPS

SEC. 101. The Comprehensive Employment and Training Act of 1973 is amended by adding at the end thereof the following new title:

"TITLE VIII—YOUNG ADULT CONSERVATION CORPS

"STATEMENT OF PURPOSE

"SEC. 801. It is the purpose of this title to establish a Young Adult Conservation Corps to provide employment and other benefits to youths who would not otherwise be currently productively employed, through a period of service during which they engage in useful conservation work and assist in completing other projects of a public nature on Federal and non-Federal public lands and waters.

"ESTABLISHMENT OF YOUNG ADULT CONSERVATION CORPS

"SEC. 802. To carry out the purposes of this title, there is hereby established a Young Adult Conservation Corps to carry out projects on Federal or non-Federal public lands or waters. The Secretary of Labor shall administer this title through interagency agreements with the Secretaries of the Interior and Agriculture. Pursuant to such interagency agreements, the Secretaries of the Interior and Agriculture shall have responsibility for the management of each Corps center, including determination of Corps members' work assignments, selection, training, discipline, and termination, and shall be responsible for an effective program at each center.

"SELECTION OF ENROLLEES

"SEC. 803. (a) Enrollees of the Corps shall be selected by the Secretaries of the Interior and Agriculture only from candidates referred by the Secretary of Labor.

"(b) (1) Membership in the Corps shall be limited to individuals who, at the time of enrollment—

"(A) are unemployed;

"(B) are between the ages sixteen to twenty-three, inclusive;

"(C) are citizens or lawfully permanent residents of the United States or lawfully admitted refugees or parolees;

"(D) are capable, as determined by the Secretary of Labor, of carrying out the work of the Corps for the estimated duration of each such individual's enrollment.

"(2) Individuals who, at the time of enrollment, have attained age sixteen but not attained age nineteen and who have left school shall not be admitted to membership in the Corps unless they give adequate assurances, under criteria established by the Secretary of Labor, that they did not leave school for the purpose of enrolling in the Corps and obtaining employment under this title.

"(c) The Secretary of Labor shall make arrangements for obtaining referral of candidates for the Corps from the public employment service, prime sponsors qualified under section 102 of this Act, sponsors of Native American programs qualified under section 302 of this Act, sponsors of migrant and seasonal farmwork programs under section 303 of this Act, the Secretaries of the Interior and Agriculture, and such other agencies and organizations as the Secretary of Labor may deem appropriate. The Secretary of Labor shall undertake to assure that an equitable proportion of candidates shall be referred from each State.

"(d) In referring candidates from each State in accordance with subsection (c), preference shall be given to youths residing in rural and urban areas within each such State having substantial unemployment, including areas of substantial unemployment determined by the Secretary of Labor under section 204 (c) of this Act to have rates of unemployment equal to or in excess of 6.5 per centum.

"(e)(1) No individual may be enrolled in the Corps for a total period of more than twelve months, with such maximum period consisting of either one continuous twelve-month period, or three or less periods which total twelve months, except that an individual who attains the maximum permissible enrollment age may continue in the Corps up to the twelve-month limit provided in this subsection only as long as the individual's enrollment is continuous after having attained the maximum age.

"(2) No individual shall be enrolled in the Corps if solely for purposes of membership for the normal period between school terms.

"ACTIVITIES OF THE CORPS

"SEC. 804. (a) Consistent with each interagency agreement, the Secretary of the Interior or Agriculture, as appropriate, in consultation with the Secretary of

Labor shall determine the location of each residential and nonresidential Corps center. The Corps shall perform work on projects in such fields as—

"(1) tree nursery operations, planting, pruning, thinning, and other silviculture measures;

"(2) wildlife habitat improvements and preservation;

"(3) range management improvements;

"(4) recreation development, rehabilitation, and maintenance;

"(5) fish habitat and culture measures;

"(6) forest insect and disease prevention and control;

"(7) road and trail maintenance and improvements;

"(8) general sanitation, cleanup, and maintenance;

"(9) erosion control and flood damage;

"(10) drought damage measures; and

"(11) other natural disaster damage measures.

"(b)(1) The Secretary of the Interior and the Secretary of Agriculture shall undertake to assure that projects on which work is performed under this title are consistent with the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and such other standards relating to such projects as each Secretary shall prescribe consistent with other provisions of Federal law.

"(2) The Secretary of the Interior and the Secretary of Agriculture shall place individuals employed as Corps members into jobs which will diminish the backlog of relatively labor intensive projects which would otherwise be carried out if adequate funding were made available.

"(c) To the maximum extent practicable, projects shall—

"(1) be labor intensive;

"(2) be projects for which work plans could be readily developed;

"(3) be able to be initiated promptly;

"(4) be productive;

"(5) be likely to have a lasting impact both as to the work performed and the benefit to the youths participating;

"(6) provide work experience to participants in skill areas required for the projects;

"(7) if a residential program, be located, to the maximum extent consistent with the objectives of this title, in areas where existing residential facilities for the Corps members are available; and

"(8) be similar to activities of persons employed in seasonal and part-time employment in agencies such as the National Park Service, United States Fish and Wildlife Service, Bureau of Reclamation, Bureau of Land Management, Bureau of Indian Affairs, Forest Service, Bureau of Outdoor Recreation, and Soil Conservation Service.

"(d)(1) The Secretary of the Interior and the Secretary of Agriculture, pursuant to agreements with the Secretary of Labor, may provide for such transportation, lodging, subsistence, medical treatment, and other services, supplies, equipment, and facilities as they may deem appropriate to carry out the purposes of this part. To minimize transportation costs, Corps members shall be assigned to projects as near to their homes as practicable.

"(2) Whenever economically feasible, existing but unoccupied or underutilized Federal, State and local government facilities and equipment of all types shall, where appropriate, be utilized for the purposes of the Corps centers with the approval of the Federal agency, State, or local government involved.

"(e) The Secretary of Labor, in carrying out the purpose of this title, shall work with the Department of Health, Education, and Welfare to make suitable arrangements whereby academic credit may be awarded by educational institutions and agencies for competencies derived from work experience obtained through programs established under this title.

"CONDITIONS APPLICABLE TO CORPS ENROLLEES

"SEC. 805. (a) Except as otherwise specifically provided in this subsection, Corps members shall not be deemed Federal employees and shall not be subject to the provisions of law relating to Federal employment including those regarding hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits:

"(1) For purposes of the Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.) and title II of the Social Security Act (42 U.S.C. 401 et seq.), Corps members shall be deemed employees of the United States and any service performed by a person as a Corps member shall be deemed to be performed in the employ of the United States.

"(2) For purposes of subchapter 1 of chapter 81 of title 5 of the United States Code, relating to compensation to Federal employees for work injuries, Corps members shall be deemed civil employees of the United States within the meaning of the term 'employee' as defined in section 8101 of title 5, United States Code, and provisions of that subchapter shall apply, except that the term 'performance of duty' shall not include any act of a Corps member while absent from the member's assigned post of duty, except while participating in an activity (including an activity while on pass or during travel to or from such post of duty) authorized by or under the direction and supervision of the Secretary.

"(3) For purposes of chapter 171 of title 28 of the United States Code, relating to tort claims procedure,

Corps members shall be deemed civil employees of the United States within the meaning of the term 'employee of the Government' as defined in section 2671 of title 28, United States Code, and provisions of that chapter shall apply.

"(4) For purposes of section 5911 of title 5 of the United States Code, relating to allowances for quarters, Corps members shall be deemed civil employees of the United States within the meaning of the term 'employee' as defined in that section, and provisions of that section shall apply.

"(b) The Secretary of Labor shall, in consultation with the Secretaries of the Interior and Agriculture, establish standards for—

"(1) rates of pay which shall be at least at the wage required by section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended;

"(2) reasonable hours and conditions of employment; and

"(3) safe and healthful working and living conditions.

"STATE AND LOCAL PROGRAMS

"SEC. 806. (a) Consistent with interagency agreements with the Secretary of Labor, the Secretaries of the Interior and Agriculture may make grants or enter into other agreements—

"(1) after consultation with the Governor, with any State agency or institution;

"(2) after consultation with appropriate State and local officials, with (A) any unit of general local government, or (B)(i) any public agency or organization, or (ii) any private nonprofit agency or organization which has been in existence for at least two years;

for the conduct under this title of any State or local component of the Corps or of any project on non-Federal public lands or waters or any project involving work on both non-Federal and Federal lands and waters.

"(b) No grant or other agreement may be entered into under this section unless an application is submitted to the Secretary of the Interior or the Secretary of Agriculture, as the case may be, at such time as each such Secretary may prescribe. Each grant application shall contain assurances that individuals employed under the project for which the application is submitted—

"(1) meet the qualifications set forth in section 803(b),

"(2) shall be employed in accordance with section 805(b), and

"(3) shall be employed in activities that—

"(A) will result in an increase in employment opportunities over those opportunities which would otherwise be available,

"(B) will not result in the displacement of currently employed workers (including partial displacement such as reduction in the hours of nonovertime work or wages or employment benefits),

"(C) will not impair existing contracts for services or result in the substitution of Federal for other funds in connection with work that would otherwise be performed,

"(D) will not substitute jobs assisted under this title for existing federally assisted jobs, and

"(E) will not result in the hiring of any youth when any other person is on layoff from the same or any substantially equivalent job.

"(c) Thirty percent of the sums appropriated to carry out this title for any fiscal year shall be made available for grants under this section for such fiscal year and shall be made on the basis of total youth population within each State.

"SECRETARIAL REPORTS

"SEC. 807. The Secretary of Labor, the Secretary of the Interior and the Secretary of Agriculture shall jointly prepare and submit to the President and to the Congress a report detailing the activities carried out under this title for each fiscal year. Such report shall be submitted not later than February 1 of each year following the date of enactment of this Act. The Secretaries shall include in such report such recommendations as they deem appropriate.

"ANTIDISCRIMINATION

"SEC. 808. (a) No persons with responsibilities in the operations of such programs shall discriminate with respect to participation in such programs because of race, creed, color, national origin, sex, political affiliation, or beliefs.

"(b) The Corps shall be open to youth from all parts of the country of both sexes and youth of all social, economic, and racial classifications.

"TRANSFER OF FUNDS

"SEC. 809. Funds necessary to carry out their responsibilities under this title shall be made available to the Secretaries of the Interior and Agriculture in accord with interagency agreements between the Secretary of Labor and the Secretaries of the Interior and Agriculture.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 810. There are authorized to be appropriated such sums as may be necessary for the fiscal year 1978 and for each fiscal year ending prior to October 1, 1980, for the purpose of carrying out this title.".

TITLE II—YOUTH EMPLOYMENT DEMONSTRATION PROGRAMS

YOUTH PROJECTS AND ACTIVITIES AUTHORIZED

SEC. 201. Title III of the Comprehensive Employment and Training Act of 1973 is amended by adding at the end thereof the following new part:

"PART C—YOUTH EMPLOYMENT DEMONSTRATION PROGRAM

"STATEMENT OF PURPOSE

"SEC. 321. It is the purpose of this part to establish a variety of employment, training and demonstration programs to explore methods of dealing with the structural unemployment problems of the Nation's youth. The basic purpose of the demonstration programs shall be to test the relative efficacy of different ways of dealing with these problems in different local contexts, but this basic purpose shall not preclude the funding of programs dealing with the immediate difficulties faced by youths who are in need of, and unable to find, jobs. It is explicitly not the purpose of this part to provide make-work opportunities for unemployed youth; instead, it is the purpose to provide youth, and particularly economically disadvantaged youth, with opportunities to learn and earn that will lead to meaningful employment opportunities after they have completed the program.

"SUBPART I—YOUTH INCENTIVE ENTITLEMENT PILOT PROJECTS

"ENTITLEMENT PILOT PROJECTS AUTHORIZED

"SEC. 325. (a) The Secretary shall enter into arrangements with prime sponsors selected in accordance with the provisions of this subpart for the purpose of demonstrating the efficacy of guaranteeing otherwise unavailable part-time employment, or combination of part-time employment and training, for economically disadvantaged youth between the ages of sixteen and nineteen, inclusive, during the school year who resume or maintain attendance in secondary school for the purpose of acquiring a high school diploma or in a program which leads to a certificate of high school equivalency and full-time employment or part-time employment and training during the summer months to each such youth.

"(b) Each prime sponsor who applies for and is selected by the Secretary to carry out a pilot project under this subpart shall guarantee such employment to each such unemployed youth who resides within the area or a designated part thereof served by the prime sponsor and who applies to that prime sponsor for employment. The Secretary shall provide to each prime sponsor, from funds appropriated for carrying out this subpart, in combina-

tion with any funds made available by such prime sponsor according to an agreement made pursuant to section 327(a)(4)(F), the amount to which that prime sponsor is entitled under subsection (c).

"(c) Each prime sponsor shall be entitled to receive, for each youth who is provided employment by that prime sponsor, the costs associated with providing such employment. Such costs shall take into account funds made available by such prime sponsor under section 327(a)(4)(F).

"EMPLOYMENT GUARANTEES

"SEC. 326. Employment opportunities guaranteed under this subpart shall take the form of any one of the following or combination thereof:

"(1) Part-time employment or training or combination thereof during the school year, not to exceed an average of twenty hours per week for each youth employed, and not to last less than six months nor more than nine, or projects operated by community-based organizations of demonstrated effectiveness which have a knowledge of the needs of disadvantaged youth; local educational agencies (as defined in section 801(f) of the Elementary and Secondary Education Act of 1965); institutions of higher education (as defined in section 1201(a) of the Higher Education Act of 1965); nonprofit private organizations or institutions engaged in public service; nonprofit voluntary youth organizations; nonprofit private associations, such as labor organizations, educational associations, business, cultural, or other private associations; subdivisions either having the power to levy taxes and spend funds or serving such special purpose in two or more units of general local government.

"(2) Part-time employment on an individual basis in any of the institutions and under the same conditions provided for in clause (1).

"(3) Part-time employment on either a project or individual basis in any of the institutions and under the same conditions as provided in clause (1) which includes as part of the employment on-the-job or apprenticeship training.

"(4) Full-time employment during the summer months, not to exceed forty hours per week for each youth employed, and not to last less than eight weeks, in any of the institutions described in clause (1) of this section.

"SELECTING PRIME SPONSORS

"SEC. 327. (a) In selecting prime sponsors to operate youth incentive entitlement projects, the Secretary shall—

"(1) select prime sponsors from areas with differ-

ing socioeconomic and regional circumstances such as differing unemployment rates, school dropout rates, urban and rural variations, size, and other such factors designed to test the efficacy of a youth job entitlement in a variety of differing locations and circumstances;

"(2) take into consideration the extent to which the prime sponsors devote funds made available under title I and section 304(a) (1), (2), and (3) of this Act for the purpose of carrying out a youth incentive entitlement project or for supportive services;

"(3) take into consideration the extent to which new and different classifications, occupations, or restructured jobs are created for youth;

"(4) select only prime sponsors which submit proposals which include—

"(A) a description of the procedure to be utilized by the prime sponsor to publicize, consider, approve, audit, and monitor youth incentive projects or jobs funded by the prime sponsor under this part, including copies of proposed application materials, as well as examples of audit and client characteristics reports;

"(B) a statement of the estimated number of economically disadvantaged youth to be served by the prime sponsor, and assurances that only such disadvantaged youth will be served;

"(C) assurances that the provisions of section 352 and 353 are met relating to wage provisions and special conditions;

"(D) assurances that the prime sponsor has consulted with public and private nonprofit educational agencies including vocational and postsecondary education institutions and other agencies which offer high school equivalency programs; public employers, including law enforcement and judicial agencies; labor organizations; voluntary youth groups; community-based organizations; organizations of demonstrated effectiveness with a special knowledge of the needs of such disadvantaged youth; and with the private sector in the development of the plan, and assurances that arrangements are made with appropriate groups to assist the prime sponsor in carrying out the purposes of this subpart;

"(E) assurances that arrangements are made with the State employment security agencies to carry out the purposes of this subpart;

"(F) an agreement that title I funds planned for economically disadvantaged youth employment programs and funds available for the summer youth program under section 304 for youth eligible under subsection (a) will be used in support of the project authorized under this subpart;

"(G) assurances that the employment of eligible youth meets the requirements of eligible activities under section 328;

"(H) assurances that participating youth shall not be employed more than an average of twenty hours per week during the school year and not more than forty hours per week during the summer;

"(I) assurances that a participating youth is not a relative of any person with responsibility for hiring a person to fill that job;

"(J) assurances that whenever employment involves additional on-the-job, institutional, or apprenticeship training provided by the employer, and if such training is not paid for in full or in part by the prime sponsor under any other program authorized under this Act, wages may be paid in accordance with the provisions of subsection (b) of section 14 of the Fair Labor Standards Act of 1938, and with the balance being applied to the cost of training;

"(K) assurances that arrangements have been made with the appropriate local education agency or with the institution offering a certified high school equivalency program that such youth is enrolled and meeting the minimum academic and attendance requirements of that school or education program and with employers that such youth meet the minimum work and attendance requirements of such employment and that any employment guarantee is conditioned on such enrollment; and

"(L) assurances that the prime sponsor will make available the data necessary for the Secretary to prepare the report required by section 329.

"(b) In approving a prime sponsor to operate a youth incentive entitlement pilot project under this subpart the Secretary may also test the efficacy of any such project involving—

"(1) the use of a variety of subsidies to private for-profit employers, notwithstanding the provisions of sections 326 and 328(a), to encourage such employers to provide employment and training opportunities under this subpart, but no such subsidy shall exceed the net cost to the employer of the wages paid and training provided;

"(2) arrangements with unions to enable youth to enter into apprenticeship training as part of the employment provided under this subpart;

"(3) a variety of administrative mechanisms to facilitate the employment of youths under an entitlement arrangement;

"(4) the inclusion of economically disadvantaged youths between the ages of nineteen and twenty-five who have not received their high school diploma;

"(5) the inclusion of occupational and career counseling, outreach, career, exploration, and on-the-job training and apprenticeship as part of the employment entitlement; and

"(6) the inclusion of youth under the jurisdiction of the juvenile or criminal justice system with the approval of the appropriate authorities.

"SPECIAL PROVISIONS

"SEC. 328. (a) Employment and training under this subpart shall develop the participant's role as a meaningful member of the community, and may include, but is not limited to, employment and training in such fields as environmental quality, health care, education, social services, public safety, crime prevention and control, transportation, recreation, neighborhood improvement, rural development, conservation, beautification, and community improvement projects.

"(b) No funds for employment under this subpart shall be used to provide public services through a nonprofit organization, association, or institution, or a nonprofit private institution of higher education, or any other applicant, which were previously provided by a political subdivision or local educational agency in the area served by the project or where the employment and training takes place, and no funds will be used under this subpart to provide such services through such an organization or institution which are customarily provided only by a political subdivision or local educational agency in the area served by such project or where the employment and training takes place.

"REPORTS

"SEC. 329. The Secretary shall report to the Congress not later than March 15, 1978, on his interim findings on the efficacy of a youth incentive entitlement. The Secretary shall submit another report not later than December 31, 1978 concerning the youth incentive entitlement projects authorized under this subpart. Included in such reports shall be findings with respect to—

"(1) the number of youths enrolled at the time of the report;

"(2) the cost of providing employment opportunities to such youths;

"(3) the degree to which such employment opportunities have caused out-of-school youths to return to school or others to remain in school;

"(4) the number of youths provided employment

in relation to the total which might have been eligible;

"(5) the kinds of jobs provided such youths and a description of the employers—public and private—providing such employment;

"(6) the degree to which on-the-job or apprenticeship training has been offered as part of the employment;

"(7) the estimated cost of such a program if it were to be extended to all areas;

"(8) the effect such employment opportunities have had on reducing youth unemployment in the areas of the prime sponsors operating a project; and

"(9) the impact of job opportunities provided under the project on other job opportunities for youths in the area.

"SUBPART 2—YOUTH COMMUNITY CONSERVATION AND IMPROVEMENT PROJECTS

"STATEMENT OF PURPOSE

"SEC. 331. It is the purpose of this subpart to establish a program of community conservation and improvement projects to provide employment, work experience, skill training, and opportunities for community service to eligible youths, for a period not to exceed twelve months, supplementary to but not replacing opportunities available under title I of this Act.

"DEFINITIONS

"SEC. 332. As used in this subpart, the term—

"(1) 'eligible applicant' means any prime sponsor qualified under section 102 of this Act, sponsors of Native American programs qualified under section 302(c)(1) of this Act, and sponsors of migrant and seasonal farmworker programs qualified under section 303 of this Act;

"(2) 'project applicant' shall have the same meaning as in section 701(a)(15) of this Act;

"(3) 'eligible youths' means individuals who are unemployed and, at the time of entering employment under this subpart, are ages sixteen to nineteen, inclusive; and

"(4) 'community improvement projects' means projects providing work which would not otherwise be carried out, including, but not limited to, the rehabilitation or improvement of public facilities; neighborhood improvements; weatherization and basic repairs to low-income housing; energy conservation including solar energy techniques, especially those utilizing materials and supplies available without cost; and conservation, maintenance, or res-

toration of natural resources on publicly held lands other than Federal lands.

"ALLOCATION OF FUNDS

"SEC. 333. (a) Funds available to carry out this subpart for any fiscal year shall be allocated in such a matter that not less than 75 per centum of such funds shall be allocated among the States on the basis of the relative number of unemployed persons within each State as compared to all States, except that not less than one-half of 1 per centum of such funds shall be allocated for projects under this subpart within any one State and not less than one-half of 1 per centum of such funds shall be allocated in the aggregate for projects in Guam, the Virgin Islands, American Samoa, the Northern Marianas, and the Trust Territory of the Pacific Islands.

"(b) Of the funds available for this subpart 2 percent shall be available for projects for Native American eligible youths, and 2 percent shall be available for projects for eligible youths in migrant and seasonal farmworker families.

"(c) The remainder of the funds available for this subpart shall be allocated as the Secretary deems appropriate.

"COMMUNITY CONSERVATION AND IMPROVEMENT YOUTH EMPLOYMENT PROJECTS

"SEC. 334. The Secretary is authorized, in accordance with the provisions of this subpart, to enter into agreements with eligible applicants to pay the costs of community conservation and improvement youth employment projects to be carried out by project applicants employing eligible youths and appropriate supervisory personnel.

"PROJECT APPLICATIONS

"SEC. 335. (a) Project applicants shall submit applications for funding of projects under this subpart to the appropriate eligible applicant.

"(b) In accordance with regulations prescribed by the Secretary, each project application shall—

"(1) provide a description of the work to be accomplished by the project, the jobs to be filled, and the approximate duration for which eligible youths would be assigned to such jobs;

"(2) describe the wages or salaries to be paid individuals employed in jobs assisted under this subpart;

"(3) set forth assurances that there will be an adequate number of supervisory personnel on the project and that the supervisory personnel are ad-

equately trained in skills needed to carry out the project and can instruct participating eligible youths in skills needed to carry out a project;

"(4) set forth assurances that any income generated by the project will be applied toward the cost of the project;

"(5) set forth assurances for acquiring such space, supplies, materials, and equipment as necessary, including reasonable payment for the purchase or rental thereof;

"(6) set forth assurances that, to the maximum extent feasible, projects carried out under this subpart shall be labor intensive; and

"(7) set forth such other assurances, arrangements, and conditions as the Secretary deems appropriate to carry out the purposes of this subpart.

"PROPOSED AGREEMENTS

"SEC. 336. (a)(1) Each eligible applicant desiring funds under this subpart shall submit a proposed agreement to the Secretary, together with all project applications approved by the eligible applicant and all project applications approved by any program agent within the area served by the eligible applicant. With its transmittal of the proposed agreement, the eligible applicant shall provide descriptions of the project applications approved by the eligible applicant and by any program agent within the area served by the eligible applicant, accompanied by the recommendations of the eligible applicant concerning the relative priority attached to each project.

"(2) The definition and functions of a program agent shall be as set forth in section 204(d) of this Act.

"(b) The proposed agreement submitted by any eligible applicant shall—

"(1) describe the method of recruiting eligible youths, including a description of how such recruitment will be coordinated with plans under other provisions of this Act, including arrangements required by section 105 of this Act, and also including a description of arrangements with school systems and the public employment service (including school cooperative programs);

"(2) provide a description of job training and skill development opportunities that will be made available to participating eligible youths, as well as a description of plans to coordinate the training and work experience with school-related programs, including the awarding of academic credit; and

"(3) set forth such other assurances as the Secretary may require to carry out the purposes of this subpart.

"(c)(1) In order for a project application submitted by a project applicant to be submitted to the Secretary by any eligible applicant, copies of such application shall have been submitted at the time of such application to the prime sponsor's planning council established under section 104 of this Act (or an appropriate planning organization in the case of sponsors of Native American programs under section 302 of this Act or migrant and seasonal farmworker programs under section 303 of this Act) for the purpose of affording such council (and the youth council established under section 346) an opportunity to submit comments and recommendations with respect to that application to the eligible applicant. No member of any council (or organization) shall cast a vote on any matter in connection with a project in which that member, or any organization with which that member is associated, has a direct interest.

"(2) Consistent with procedures established by the eligible applicant in accordance with regulations which the Secretary shall prescribe, the eligible applicant shall not disapprove a project application submitted by a project applicant unless it has first considered any comments and recommendations made by the appropriate council (or organization) and unless it has provided such applicant and council (or organization) with a written statement of its reason for such disapproval.

"APPROVAL OF AGREEMENTS

"SEC. 337. (a) The Secretary may approve or deny on an individual basis any of the project applications submitted with any proposed agreement.

"(b) No funds shall be made available to any eligible applicant except pursuant to an agreement entered into between the Secretary and the eligible applicant which provides assurances satisfactory to the Secretary that—

"(1) the standards set forth in subpart 4 of this part will be satisfied;

"(2) projects will be conducted in such manner as to permit eligible youths employed in the project who are in school to coordinate their jobs with classroom instruction and, to the extent feasible, to permit such eligible youths to receive credit from the appropriate educational agency, postsecondary institution, or particular school involved; and

"(3) meet such other assurances, arrangements, and conditions as the Secretary deems appropriate to carry out the purposes of the subpart.

"WORK LIMITATION

"SEC. 338. No eligible youth shall be employed for more than twelve months in work financed under this subpart, except as prescribed by the Secretary.

"SUBPART 3—YOUTH EMPLOYMENT AND TRAINING PROGRAMS

"STATEMENT OF PURPOSE

"SEC. 341. It is the purpose of this subpart to establish programs designed to make a significant long-term impact on the structural unemployment problems of youth, supplementary to but not replacing programs and activities available under title I of this Act, to enhance the job prospects and career opportunities of young persons, including employment, community service opportunities, and such training and supportive services as are necessary to enable participants to secure suitable and appropriate unsubsidized employment in the public and private sectors of the economy. To the maximum extent feasible, training and employment opportunities afforded under this subpart will be interrelated and mutually reinforcing so as to achieve the goal of enhancing the job prospects and career opportunities of youths served under this subpart.

"PROGRAMS AUTHORIZED

"SEC. 342. (a) The Secretary is authorized to provide financial assistance to enable eligible applicants to provide employment opportunities and appropriate training and supportive services for eligible participants including but not limited to—

"(1) useful work experience opportunities in a wide range of community betterment activities such as rehabilitation of public properties, assistance in the weatherization of homes occupied by low-income families, demonstrations of energy-conserving measures including solar energy techniques (especially those utilizing materials and supplies available without cost), park establishment and upgrading, neighborhood revitalization, conservation and improvements, and related activities;

"(2) productive employment and work experience in fields such as education, health care, neighborhood transportation services, crime prevention and control, environmental quality control, preservation of historic sites, and maintenance of visitor facilities;

"(3) appropriate training and services to support the purpose of this subpart, including but not limited to—

"(A) outreach, assessment, and orientation;

"(B) counseling, including occupational information and career counseling;

"(C) activities promoting education to work transition;

"(D) development of information concerning the labor market, and provision of occupational, educational, and training information;

"(E) services to youth to help them obtain and retain employment;

"(F) literacy training and bilingual training;

"(G) attainment of certificates of high school equivalency;

"(H) job sampling, including vocational exploration in the public and private sector;

"(I) institutional and on-the-job training, including development of basic skills and job skills;

"(J) transportation assistance;

"(K) child care and other necessary supportive services;

"(L) job restructuring to make jobs more responsive to the objectives of this subpart, including assistance to employers in developing job ladders or new job opportunities for youths, in order to improve work relationships between employers and youths;

"(M) community-based central intake and information services for youth;

"(N) job development, direct placement, and placement assistance to secure unsubsidized employment opportunities for youth to the maximum extent feasible, and referral to employability development programs;

"(O) programs to overcome sex-stereotyping in job development and placement; and

"(P) programs and outreach mechanisms to increase the labor force participation rate among minorities and women.

"(b) In order to carry out this subpart, a Governor or a prime sponsor may enter into contracts with project applicants (as defined in section 701 (a) (15)) or employers organized for profit but payments to such employers shall not exceed the amounts permitted under section 101 (5), or may operate programs directly if, after consultation with community-based organizations and nonprofit groups, a Governor or prime sponsor determines that such direct operation will promote the purposes of this subpart.

"ALLOCATION OF FUNDS

"SEC. 343. (a) From the sums available for this subpart—

"(1) an amount equal to 75 percent of such funds shall be made available to prime sponsors for programs authorized under section 342 of this Act;

"(2) an amount equal to 5 percent of the amount available for this part shall be made available to Governors for special statewide youth services under subsection (c) of this section;

"(3) an amount equal to not less than 2 percent of the amount available for this part shall be made available for employment and training programs for

Native American eligible youths (deducting such amounts as are made available for such purposes under section 333 (b) of this Act);

"(4) an amount equal to not less than 2 percent of the amount available for this part shall be made available for employment and training programs for eligible youths in migrant and seasonal farmworker families (deducting such amounts as are made available for such purposes under section 333 (b) of this Act); and

"(5) the remainder of the funds available for this subpart shall be available for the Secretary's discretionary projects authorized under section 348.

"(b) (1) Amounts available for each of the purposes set forth in paragraphs (1) and (2) of subsection (a) shall be allocated among the States in such a manner that—

"(A) 37.5 percent thereof shall be allocated in accordance with the relative number of unemployed persons within each State as compared to the total number of such unemployed persons in all States:

"(B) 37.5 percent thereof shall be allocated in accordance with the relative number of unemployed persons residing in areas of substantial unemployment (as defined in section 204 (c) of this Act) within each State as compared to the total number of unemployed persons residing in all such areas in all States; and

"(C) 25 percent thereof shall be allocated in accordance with the relative number of persons in families with an annual income below the low-income level (as defined in section 701 (a) (4) of this Act) within each State as compared to the total number of such persons in all States.

"(2) In determining allocations under this subsection, the Secretary shall use what the Secretary determines to be the best available data.

"(3) Amounts available to prime sponsors under paragraph (1) of subsection (a) of this section shall, out of the total amounts allocated to each State under such paragraph, be allocated by the Secretary among prime sponsors within each State, in accordance with the factors set forth in paragraph (1) of this subsection.

"(c) The amount available to the Governor of each State under paragraph (2) of subsection (a) of this section shall be used in accordance with a special statewide youth services plan, approved by the Secretary, for such purposes as—

"(1) providing financial assistance for employment and training opportunities for eligible youths who are under the supervision of the State;

"(2) providing labor market and occupational information to prime sponsors and local educational agencies, without reimbursement;

"(3) providing for the establishment of cooperative efforts between State and local institutions, including occupational and career guidance and counseling and placement services for in-school and out-of-school youth;

"(4) providing financial assistance for expanded and experimental programs in apprenticeship trades, or development of new apprenticeship arrangements, in concert with appropriate businesses and labor unions or State apprenticeship councils;

"(5) carrying out special model employment and training programs and related services between appropriate State agencies and prime sponsors in the State, or any combination of such prime sponsors, including subcontractors selected by prime sponsors, with particular emphasis on experimental job training within the private sector.

"(d) (1) Not less than 22 percent of the amount allocated to each prime sponsor under paragraph (1) of subsection (a) of this section shall be used for programs under this subsection.

"(2) The amount available to each prime sponsor under paragraph (1) of this subsection shall be used for programs for in-school youth carried out pursuant to agreements between prime sponsors and local educational agencies. Each such agreement shall describe in detail the employment opportunities and appropriate training and supportive services which shall be provided to eligible participants who are enrolled or who agree to enroll in a full-time program leading to a secondary school diploma, a junior or community college degree, or a technical or trade school certificate of completion. Each such agreement shall contain provisions to assure that funds received pursuant to the agreement will not supplant State and local funds expended for the same purpose.

"(e) Programs receiving assistance under paragraph (1) of subsection (a) of this section shall give special consideration in carrying out programs authorized under section 342 of this Act, to community-based organizations which have demonstrated effectiveness in the delivery of employment and training services, such as the Opportunities Industrialization Centers, the National Urban League, SER-Jobs for Progress, Mainstream, Community Action Agencies, union-related organizations, employer-related nonprofit organizations, and other similar organizations.

"ELIGIBLE APPLICANTS

"SEC. 344. Eligible applicants for purposes of this subpart, except section 348, are prime sponsors qualified under section 102 of this Act, sponsors of Native Amer-

ican programs qualified under section 302 (c) (1) of this Act, and sponsors of migrant and seasonal farmworker programs qualified under section 303 of this Act.

"SEC. 345. (a) Eligible participants for programs authorized under this subpart shall be persons who—

"(1) (A) are unemployed or are underemployed or are in school and are ages sixteen to twenty-one, inclusive; or (B) if authorized under such regulations as the Secretary may prescribe, are in school and are ages fourteen to fifteen, inclusive: and

"(2) are not members of households which have current gross family income, adjusted to an annualized basis (exclusive of unemployment compensation and all Federal, State, and local income-tested or needs-tested public payments) at a rate exceeding 85 percent of the lower living standard income level, except that, pursuant to regulations which the Secretary shall prescribe, persons who do not meet the requirements of this subparagraph but who are otherwise eligible under this subpart may participate in appropriate activities of the type authorized under paragraph (3) of section 342 (a).

Notwithstanding the provisions of this subsection, 10 percent of the funds available for this subpart may by used for programs which include youths of all economic backgrounds to test the desirability of including youths of all economic backgrounds.

"(b) For purposes of this section, the term 'lower living standard income level' means that income level (adjusted for regional and metropolitan and urban and rural differences and family size) determined annually by the Secretary based upon the most recent 'lower living standard budget' issued by the Bureau of Labor Statistics of the Department of Labor.

"CONDITIONS FOR RECEIPT OF FINANCIAL ASSISTANCE

"SEC. 346. (a) The Secretary shall not provide financial assistance to an eligible applicant for programs authorized under section 342 unless such eligible applicant provides assurances that the standards set forth in subpart 4 of this part will be met and unless such eligible applicant submits an application in such detail as the Secretary may prescribe. Each such application shall—

"(1) describe the programs, projects or activities to be carried out with such assistance, together with a description of the relationship and coordination of services provided to eligible participants under this subpart for similar services offered by local educational agencies, postsecondary institutions, the public employment service, other youth programs, community-based organizations, businesses and labor organizations consistent with the requirements

of sections 105 and 106 of this Act, and assurances that, to the maximum extent feasible, use will be made of any services that are available without reimbursement by the State employment service that will contribute to the achievement of the purposes of this subpart;

"(2) include assurances that the application will be coordinated to the maximum extent feasible, with the plans submitted under title I, but services to youth under that title shall not be reduced because of the availability of financial assistance under this subpart;

"(3) provide assurances, satisfactory to the Secretary, that in the implementation of programs under this subpart, there will be coordination, to the extent appropriate, with local educational agencies, postsecondary institutions, community-based organizations, businesses, labor organizations, job training programs, other youth programs, the apprenticeship system, and (with respect to the referral of prospective youth participants to the program) the public employment service system;

"(4) provide assurances satisfactory to the Secretary that allowances will be paid in accordance with the provisions of section 111 (a) of this Act and such regulations as the Secretary may prescribe for this subpart;

"(5) provide assurances that the application will be reviewed by the appropriate prime sponsor planning council in accordance with the provisions of section 104;

"(6) provide assurances that a youth council will be established under the planning council of such eligible applicant (established under the section 104 of this Act) in accordance with subsection (b) of this section;

"(7) provide assurances satisfactory to the Secretary that effective means will be provided through which youths participating in the projects, programs, and activities may acquire appropriate job skills and be given necessary basic education and training and that suitable arrangements will be established to document the competencies, including skills, education and training, derived by each participant from programs established under this subpart;

"(8) provide assurances that the eligible applicant will take appropriate steps to develop new job classifications, new occupations, and restructured jobs;

"(9) provide that the funds available under section 343 (d) shall be used for programs authorized under section 342 for in-school youth who are eligible participants through arrangements to be car-

ried out by a local educational agency or agencies or post-secondary educational institution or institutions; and

"(10) provide such other information and assurance as the Secretary may deem appropriate to carry out the purposes of this subpart.

"(b) Each youth council established by an eligible applicant shall be responsible for making recommendations to the planning council established under section 104 of this Act with respect to planning and review of activities conducted under this subpart and subpart 2. Each such youth council's membership shall include representation from the local educational agency, local vocational education advisory council, postsecondary educational institutions, business, unions, the public employment service, local government and nongovernment agencies and organizations which are involved in meeting the special needs of youths, the community served by such applicant, the prime sponsor, and youths themselves.

"(c) No program of work experience for in-school youth supported under this subpart shall be entered into unless an agreement has been made between the prime sponsor and a local educational agency or agencies, after review by the youth council established under subsection (b) of this section. Each such agreement shall—

"(1) set forth assurances that participating youths will be provided meaningful work experience, which will improve their ability to make career decisions and which will provide them with basic work skills needed for regular employment not subsidized under this in-school program;

"(2) be administered, under contracts with the prime sponsor, by a local educational agency or agencies or a postsecondary educational institution or institutions within the area served by the prime sponsor, and set forth assurances that such contracts have been reviewed by the youth council established under subsection (b) of this section.

"(3) set forth assurances that job information, counseling, guidance, and placement services will be made available to participating youths and that funds provided under this program will be available to, and utilized by, the local educational agency or agencies to the extent necessary to pay the cost of school-based counselors to carry out the provisions of this in-school program;

"(4) set forth assurances that jobs provided under this program will be certified by the participating educational agency or institution as relevant to the educational and career goals of the participating youths;

"(5) set forth assurances that the eligible applicant will advise participating youths of the availability of other employment and training resources

provided under this Act, and other resources available in the local community to assist such youths in obtaining employment;

"(6) set forth assurances that youth participants will be chosen from among youths who are eligible participants who need work to remain in school, and shall be selected by the appropriate educational agency or institution, based on the certification for each participating youth by the school-based guidance counselor that the work experience provided is an appropriate component of the overall educational program of each youth.

"REVIEW OF PLANS BY SECRETARY

"SEC. 347. The provisions of sections 108, 109, and 110 of this Act shall apply to all programs and activities authorized under 342.

"SECRETARY'S DISCRETIONARY PROJECTS

"SEC. 348. (a) (1) The Secretary of Labor is authorized, either directly or by way of contract or other arrangement, with prime sponsors, public agencies and private organizations to carry out innovative and experimental programs to test new approaches for dealing with the unemployment problems of youth and to enable eligible participants to prepare for, enhance their prospects for, or secure employment in occupations through which they may reasonably be expected to advance to productive working lives. Such programs shall include, where appropriate, cooperative arrangements, with educational agencies to provide special programs and services for eligible participants enrolled in secondary schools, postsecondary educational institutions and technical and trade schools, including job experience, counseling and guidance prior to the completion of secondary or postsecondary education and making available occupational, educational, and training information through statewide career information systems.

"(2) In carrying out or supporting such programs, the Secretary of Labor shall consult, as appropriate, with the Secretary of Commerce, the Secretary of Health, Education, and Welfare, the Secretary of Housing and Urban Development, the Secretary of Agriculture, the Director of the ACTION Agency, and the Director of the Community Services Administration.

"(3) Funds available under this section may be transferred to other Federal departments and agencies to carry out functions delegated to them pursuant to agreements with the Secretary.

"(b) The Secretary and prime sponsors, as the case may be, shall give special consideration in carrying out innovative and experimental programs assisted under this section to community-based organizations which

have demonstrated effectiveness in the delivery of employment and training services, such as the Opportunities Industrialization Centers, the National Urban League, SER-Jobs for Progress, Mainstream, Community Action Agencies, union-related organizations, employer-related nonprofit organizations, and other similar organizations.

"(c) (1) In carrying out its responsibilities under this subsection and under section 161 of the Vocational Education Act, the National Occupational Information Coordinating Committee shall give special attention to the problems of unemployed youths. The Committee shall also carry out other activities consistent with the purposes of this title, including but not limited to the following:

"(A) assisting and encouraging local areas to adopt methods of translating national aggregate occupational outlook data into local terms;

"(B) assisting and encouraging the development of State occupational information systems, to be used in the maintenance of local job banks and job vacancy reports, accessible to local schools, and including pilot programs in the use of computers to facilitate such access;

"(C) in cooperation with State and local correctional agencies, encouraging programs of counseling and employment services for youth in correctional institutions;

"(D) providing technical assistance for programs of computer on-line terminals and other facilities to utilize and implement occupational and career outlook information and projections supplies by State employment service offices and to improve the match of youth career desires with available and anticipated labor demand;

"(E) in cooperation with State and local educational agencies, and other appropriate persons and organizations, encouraging programs to make available employment and carrer counseling to presecondary youths; and

"(F) providing technical assistance for programs designed to encourage public and private employers to list all available job opportunities for youths with the appropriate eligible applicant conducting occupational information and career counseling programs, local public employment services offices and to encourage cooperation and contact among such eligible applicants, employers and offices.

"(2) All funds available to the National Occupational Information Coordinating Committee under this Act and under section 161 of the Vocational Education Act may be used by the Committee to carry out any of its functions and responsibilities authorized by law.

"SUBPART 4—GENERAL PROVISIONS

"AUTHORIZATION OF APPROPRIATIONS; DISTRIBUTION OF FUNDS

"SEC. 351. (a) There are authorized to be appropriated for the fiscal year 1978 such sums as may be necessary to carry out the provisions of this part.

"(b) Of the sums available for carrying out the provisions of this part—

"(1) fifteen percent shall be available for subpart 1;

"(2) fifteen percent shall be available for subpart 2; and

"(3) seventy percent shall be available for subpart 3.

"WAGE PROVISIONS

"SEC. 352. Rates of pay under this part shall be no less than the higher of—

"(1) the minimum wage under section 6(a) (1) of the Fair Labor Standards Act of 1938, but in the case of an individual who is fourteen or fifteen years old, the wage provided in accordance with the provisions of subsection (b) of section 14 of the Fair Labor Standards Act of 1938;

"(2) the State or local minimum wage for the most nearly comparable employment, but in the case of an individual who is 14 or 15 years old the wage provided in accordance with the applicable provisions of the applicable State or local minimum wage law; or

"(3) the prevailing rates of pay, if any, for occupations and job classifications of individuals employed by the same employer, except that—

"(A) whenever the prime sponsor has entered into an agreement with the employer and the labor organization representing employees engaged in similar work in the same area to pay less than the rates provided in this paragraph, youths may be paid the rates specified in such agreement;

"(B) whenever an existing job is reclassified or restructured, youths employed in such jobs shall be paid at rates not less than are provided under paragraph (1) or (2) of this section, but if a labor organization represents employees engaged in similar work in the same area, such youths shall be paid at rates specified in an agreement entered into by the appropriate prime sponsor, the employer, and the labor organization with respect to such reclassified or restructured jobs, and if no agreement is reached within 30 days after the initiation of the agreement procedure referred to in this subparagraph, the labor organization, prime sponsor, or employer may petition the Secretary of Labor who shall establish appropriate wages for the reclassified or restruc-

tured positions, taking into account wages paid by the same employer to persons engaged in similar work;

"(C) whenever a new or different job classification or occupation is established and there is no dispute with respect to such new or different job classification or occupation, youths to be employed in such jobs shall be paid at rates not less than are provided in paragraph (1) or (2) of this section, but if there is a dispute with respect to such new or different job classification or occupation, the Secretary of Labor shall, within 30 days after receipt of the notice of protest by the labor organization representing employees engaged in similar work in the same area, make a determination whether such job is a new or different job classification or occupation; and

"(D) in the case of projects to which the provisions of the Davis-Bacon Act (or any Federal law containing labor standards in accordance with the Davis-Bacon Act) otherwise apply, the Secretary is authorized, for projects financed under subparts 2 and 3 of this part under $5,000, to prescribe rates of pay for youth participants which are not less than the applicable minimum wage but not more than the wage rate of the entering apprentice in the most nearly comparable apprenticeable trade, and to prescribe the appropriate ratio of journeymen to such participating youths.

"SPECIAL CONDITIONS

"SEC. 353. (a) The Secretary shall provide financial assistance under this part only if he determines that the activities to be assisted meet the requirements of this section.

"(b) The Secretary shall determine that the activities assisted under this part—

"(1) will result in an increase in employment opportunities over those opportunities which would otherwise be available;

"(2) will not result in the displacement of currently employed workers (including partial displacement such as reduction in the hours of non-overtime work or wages or employment benefits);

"(3) will not impair existing contracts for services or result in the substitution of Federal for other funds in connection with work that would otherwise be performed;

"(4) will not substitute jobs assisted under this part for existing federally assisted jobs;

"(5) will not employ any youth when any other person is on layoff by the employer from the same or any substantially equivalent job in the same area; and

"(6) will not be used to employ any person to fill a job opening created by the act of an employer in

laying off or terminating employment of any regular employee, or otherwise reducing the regular work force not supported under this part, in anticipation of filling the vacancy so created by hiring a youth to be supported under this part.

"(c) The jobs in each promotional line will in no way infringe upon the promotional opportunities which would otherwise be available to persons currently employed in public services not subsidized under this Act and no job will be filled in other than an entry level position in each promotional line until applicable personnel procedures and collective bargaining agreements have been complied with.

"(d) Where a labor organization represents employees who are engaged in similar work in the same area to that proposed to be performed under the program for which an application is being developed for submission under this part, such organization shall be notified and shall be afforded a reasonable period of time prior to the submission of the application in which to make comments to the applicant and to the Secretary.

"(e) Activities funded under this part shall meet such other standards as the Secretary may deem appropriate to carry out the purposes of this Act.

"(f) Funds under this part shall not be used to provide full-time employment opportunities (1) for any person who has not attained the age with respect to which the requirement of compulsory education ceases to apply under the laws of the State in which such individual resides, except (A) during periods when school is not in session, and (B) where such employment is undertaken in cooperation with school-related programs awarding academic credit for the work experience, or (2) for any person who has not attained a high school degree or its equivalent if it is determined, in accordance with procedures established by the Secretary of Labor, that there is substantial evidence that such person left school in order to participate in any program under this part.

"SPECIAL PROVISIONS FOR SUBPARTS 2 AND 3

"SEC. 354. (a) Appropriate efforts shall be made to insure that youths participating in programs, projects, and activities under subparts 2 and 3 of this part shall be youths who are experiencing severe handicaps in obtaining employment, including but not limited to those who lack credentials (such as a high school diploma), those who require substantial basic and remedial skill development, those who are women and minorities, those who are veterans of military service, those who are offenders, those who are handicapped, those with dependents, or those who have otherwise demonstrated special need, as determined by the Secretary.

"(b) The Secretary is authorized to make such reallocation as the Secretary deems appropriate of any amount of any allocation under subparts 2 and 3 of this

part to the extent that the Secretary determines that an eligible applicant will not be able to use such amount within a reasonable period of time. Any such amount may be reallocated only if the Secretary has provided thirty days' advance notice of the proposed reallocation to the eligible applicant and to the Governor of the State of the proposed reallocation, during which period of time the eligible applicant and the Governor may submit comments to the Secretary. After considering any comments submitted during such period of time, the Secretary shall notify the Governor and affected eligible applicants of any decision to reallocate funds, and shall publish any such decision in the Federal Register. Priority shall be given in reallocating such funds to other areas within the same State.

"(c) The provisions of section 605(b) of this Act shall apply to subparts 2 and 3 of this part.

"ACADEMIC CREDIT, EDUCATION CREDIT, COUNSELING AND PLACEMENT SERVICES, AND BASIC SKILLS DEVELOPMENT

"SEC. 355. (a) In carrying out this part, appropriate efforts shall be made to encourage the granting by the educational agency or school involved of academic credit to eligible participants who are in school.

"(b) The Secretary, in carrying out the purposes of this part, shall work with the Department of Health, Education, and Welfare to make suitable arrangements with appropriate State and local education officials whereby academic credit may be awarded, consistent with applicable State law, by educational institutions and agencies for competencies derived from work experience obtained through programs established under this title.

"(c) All activities assisted under this part, pursuant to such regulations as the Secretary shall prescribe, shall provide appropriate counseling and placement services designed to facilitate the transition of youth from participation in the project to (1) permanent jobs in the public or private sector, or (2) education or training programs.

"DISREGARDING EARNINGS

"SEC. 356. Earnings received by any youth under this part shall be disregarded in determining the eligibility of the youth's family for, and the amount of, any benefits based on need under any Federal or federally assisted programs.

"RELATION TO OTHER PROVISIONS

"SEC. 357. The provisions of title VII of this Act shall apply to this part, except to the extent that any such provision may be inconsistent with the provisions of this part.".

TITLE III—MISCELLANEOUS PROVISIONS

TRANSITION PROVISIONS

SEC. 301. In order to provide for an orderly transition to youth employment and training activities funded under Part C of title III and title VIII of the Comprehensive Employment and Training Act of 1973 (as added by this Act), the Secretary of Labor shall use the funds available from appropriations under the Economic Stimulus appropriations Act of 1977 for youth employment and training activities, to the maximum extent consistent with law, in such a manner as to be in accordance with the provisions of such part C and such title VIII.

TRANSFER OF FUNDS TO NATIONAL OCCUPATIONAL INFORMATION COORDINATING COMMITTEE

SEC. 302. Section 4 of the Comprehensive Employment and Training Act of 1973 is amended by adding at the end thereof the following new subsection:

"(f) Of the amounts available for the Secretary's discretionary use under this Act, the Secretary shall transfer an amount which shall be not less than $3,000,000 and not more than $5,000,000 for any fiscal year to the National Occupational Information Coordinating Committee established pursuant to section 161(b) of the Vocational Education Act of 1963, for the purposes described in section 348(c)(1) of this Act.".

NATIVE AMERICAN PROGRAMS

SEC. 303. (a) The heading of section 302 of the Comprehensive Employment Training Act of 1973 is amended to read as follows: "NATIVE AMERICAN EMPLOYMENT AND TRAINING PROGRAMS".

(b) Section 302(a) of such Act is amended (1) by striking out the word "and" in clause (1) of such section and inserting in lieu thereof a comma, and (2) by inserting after "native" in such clause (1) a comma and the following: "and Hawaiian native".

(c) Section 302(b) of such Act is amended by inserting before the semicolon at the end of clause (2) a comma and the following: "and Hawaiian natives".

(d) The first sentence in section 302(c)(1) of such Act is amended by inserting after "body," the following: "and such public and private nonprofit agencies as the Secretary determines will best serve Hawaiian natives.".

(e) Section 701(a) of the Comprehensive Employment and Training Act of 1973 is amended by adding at the end thereof the following:

"(16) 'Hawaiian native' means any individual any of whose ancestors were natives of the area which consisted of the Hawaiian Islands prior to 1778.".

WAIVER OF LIMITATION ON FUNDS FOR TITLES III AND IV

SEC. 304. The limitations of section 4(e) of the Comprehensive Employment and Training Act of 1973 shall not apply to appropriations for summer youth employment programs under section 304(a), part C of title III (as added by this Act), and title IV of such Act for the fiscal year 1978.

SPECIAL VETERANS PROVISIONS

SEC. 305. (a) With respect to programs carried out with funds appropriated after January 1, 1977, for each of the fiscal years 1977 and 1978 under the Comprehensive Employment and Training Act of 1973, as amended, the Secretary of Labor (hereinafter in this section referred to as the "Secretary") shall take appropriate steps to provide for the increased participation in public service employment programs and job training opportunities supported under such Act of qualified disabled veterans (as defined in section 2011(1) of title 38, United States Code) and those qualified Vietnam-era veterans (as defined in section 2011(2)(A) of such title) who are under thirty-five years of age (hereinafter in this section referred to collectively as "eligible veterans"), including, but not limited to—

(1) providing for individual prime sponsors to develop local goals, taking into account the number of qualified eligible veterans and the number of qualified persons in other significant segments of the population in the area served by such sponsors, for the placement of such eligible veterans in job vacancies occurring in such public service employment programs; and

(2) requiring that representatives of appropriate veterans organizations or groups be invited to serve as temporary members of prime sponsors' planning councils (established under section 104 of such Act), the States' Manpower Services Councils (established under section 107(a)(1) of such Act), and the National Commission for Manpower Policy (established under section 502(a) of such Act).

(b)(1) The Secretary shall make available such sums and shall assign such personnel as may be necessary to carry out fully and effectively his responsibilities under subsection (a). The Secretary shall report to the Congress within 60 days of enactment of this Act on the amount so made available and the personnel so assigned.

(2) In preparing the regular reports on the client characteristics of participants under the Comprehensive Employment and Training Act of 1973, the Secretary shall take all reasonable precautions to ensure that eligible veterans are not counted more than once.

(c) The Secretary, in carrying out his responsibilities under this section, shall consult with and solicit the cooperation of the Administrator of Veterans' Affairs.

SPECIAL CONSIDERATION

SEC. 306. (a) Section 205 of the Comprehensive Employment and Training Act of 1973 is amended by adding at the end thereof the following new subsection:

"(d) In filling teaching positions in elementary and secondary schools with financial assistance under this title, each eligible applicant shall give special consideration to unemployed persons with previous teaching experience who are certified by the State in which that applicant is located and who are otherwise eligible under the provisions of this title.".

(b) Section 602 of such Act is amended by adding at the end thereof the following new subsection:

"(f) In filling teaching positions in elementary and secondary schools with financial assistance under this title, each eligible applicant shall give special consideration to unemployed persons with previous teaching experience who are certified by the State in which that applicant is located and who are otherwise eligible under the provisions of this title.".

CLARIFYING AMENDMENT

SEC. 307. Clause (a) of section 608(a)(1) of the Comprehensive Employment and Training Act of 1973 is amended to read as follows:

"(A) who has been eligible for unemployment compensation benefits for fifteen or more weeks;".

Approved August 5, 1977.

Legislative History:

House Reports: No. 95-314 (Comm. on Education and Labor) and No. 95-456 (Comm. of Conference).
Senate Report No. 95-173 accompaying S. 1242 (Comm. on Human Resources).
Congressional Record, Vol. 123 (1977):
May 17, considered and passed House.
May 25, 26, considered and passed Senate, amended, in lieu of S. 1242.
July 19, House agreed to conference report.
July 21, Senate agreed to conference report.
Weekly Compilation of Presidential Documents, Vol. 13, No. 32:
Aug. 5, Presidential statement.

II. NATIONAL PARKS

1. Arches

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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".

* * * * * * *

Approved October 21, 1976.

2. Badlands

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE VI—MISCELLANEOUS PROVISIONS

* * * * * * *

BADLANDS NATIONAL PARK

SEC. 611. The area formerly known as the "Badlands National Monument", established by Presidential Proclamation of January 25, 1939 (53 Stat. 2521), shall henceforth be known as the "Badlands National Park".

* * * * * * *

Approved November 10, 1978.

3. Canyonlands

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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:

* * * * * * *

(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".

* * * * * * *

Approved October 21, 1976.

4. Capitol Reef

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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:

* * * * * * *

(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".

* * * * * * *

Approved October 21, 1976.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(5) Capitol Reef National Park, Utah: Section 7 of the Act of December 18, 1971 (85 Stat. 739), is amended by changing "$1,052,700 (April 1970 prices)" to "$1,373,000 for development.", and by deleting "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.".

* * * * * * *

Approved November 10, 1978.

5. Carlsbad Caverns

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE IV—WILDERNESS

SEC. 401. The following lands are hereby designated as wilderness in accordance with section 3(c) Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), and shall be administered by the Secretary in accordance with applicable provisions of the Wilderness Act:

* * * * * * *

(2) Carlsbad Caverns National Park, New Mexico, wilderness comprising approximately thirty-three thousand one hundred and twenty-five acres and potential wilderness additions comprising approximately three hundred and twenty acres, depicted on a map entitled "Wilderness Plan, Carlsbad Caverns National Park, New Mexico," numbered 130–20,003–B and dated January 1978, to be known as the Carlsbad Caverns Wilderness. By January 1, 1980, the Secretary shall review the remainder of the park and shall report to the President, in accordance with section 3 (c) and (d) of the Wilderness Act (78 Stat. 891; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any additional areas within the park for preservation as wilderness, and any designation of such areas as wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

SEC. 402. A map and description of the boundaries of the areas designated in this title shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in this title. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 403. Any lands which represent potential wilderness additions in this title, upon publication in the

Federal Register of a notice by the Secretary that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

SEC. 404. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by the Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved November 10, 1978.

6. Everglades

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE IV—WILDERNESS

SEC. 401. The following lands are hereby designated as wilderness in accordance with section 3(c) Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), and shall be administered by the Secretary in accordance with applicable provisions of the Wilderness Act:

* * * * * * *

(3) Everglades National Park, Florida, wilderness comprising approximately one million two hundred and ninety-six thousand five hundred acres and potential wilderness additions comprising approximately eighty-one thousand nine hundred acres, depicted on a map entitled "Wilderness Plan, Everglades National Park, Florida", numbered 160–20,011 and dated June 1974, to be known as the Everglades Wilderness.

SEC. 402. A map and description of the boundaries of the areas designated in this title shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in this title. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and descriptions shall have the same force and effect as if included in this Act:*Provided,* That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 403. Any lands which represent potential wilderness additions in this title, upon publication in the Federal Register of a notice by the Secretary that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

SEC. 404. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of

the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

SEC. 405. Nothing in this title shall be construed to diminish the authority of the Coast Guard, pursuant to sections 2 and 81 of title 14, United States Code, and title 1 of the Ports and Waterways Safety Act of 1972 (33 U.S.C. 1221), or the Federal Aviation Administration to use the areas designated wilderness by this Act within the Everglades National Park, Florida; and the Gulf Islands National Seashore, Florida and Mississippi, for navigational and maritime safety purposes.

* * * * * * *

Approved November 10, 1978.

7. Grand Canyon

An Act to further protect the outstanding scenic, natural, and scientific values of the Grand Canyon by enlarging the Grand Canyon National Park in the State of Arizona, and for other purposes. (88 Stat 2089) (P.L. 93-620)

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

SHORT TITLE

SEC. 1. This Act may be cited as the "Grand Canyon National Park Enlargement Act".

DECLARATION OF POLICY

SEC. 2. It is the object of this Act to provide for the recognition by Congress that the entire Grand Canyon, from the mouths of the Paria River to the Grand Wash Cliffs, including tributary side canyons and surrounding plateaus, is a natural feature of national and international significance. Congress therefore recognizes the need for, and in this Act provides for, the further protection and interpretation of the Grand Canyon in accordance with its true significance.

ENLARGEMENT OF GRAND CANYON NATIONAL PARK BOUNDARIES

SEC. 3. (a) In order to add to the Grand Canyon National Park certain prime portions of the canyon area possessing unique natural, scientific, and scenic values, the Grand Canyon National Park shall comprise, subject to any valid existing rights under the Navajo Boundary Act of 1934, all those lands, waters, and interests therein, constituting approximately one million two hundred thousand acres, located within the boundaries as depicted on the drawing entitled "Boundary Map, Grand Canyon National Park," numbered 113-20, 021 B and dated December 1974, 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.

(b) For purposes of this Act, the Grand Canyon National Monument and the Marble Canyon National Monument are abolished.

(c) The Secretary of the Interior shall study the lands within the former boundaries of the Grand Canyon National Monument commonly known as the Tuckup Point, Slide Mountain, and Jensen Tank areas to determine whether any portion of these lands might be unsuitable for park purposes and whether in his judgment the public interest might be better served if they were deleted from the Grand Canyon National Park. The Secretary shall report his findings and recommendations to the Congress no later than one year from the date of enactment of this Act.

ACQUISITION OF LANDS BY DONATION OR EXCHANGE

SEC. 4. (a) Within the boundaries of the Grand Canyon National Park, as enlarged by this Act, the Secretary of the Interior (hereinafter referred to as the "Secretary") may acquire land and interest in land by donation, purchase with donated or appropriated funds, or exchange.

(b) Federal lands within the boundaries of such park are hereby transferred to the jurisdiction of the Secretary for the purposes of the Act.

PROHIBITION AGAINST TAKING OF STATE OR INDIAN LANDS

SEC. 5. Notwithstanding any other provision of this Act (1) land or interest in land owned by the State of Arizona or any political subdivision thereof may be acquired by the Secretary under this Act only by donation or exchange and (2) no land or interest in land, which is held in trust for any Indian tribe or nation, may be transferred to the United States under this Act or for purposes of this Act except after approval by the governing body of the respective Indian tribe or nation.

COOPERATIVE AGREEMENTS FOR UNIFIED INTERPRETATION OF GRAND CANYON

SEC. 6. In the administration of the Grand Canyon National Park, as enlarged by this Act, the Secretary is authorized and encouraged to enter into cooperative agreements with other Federal, State, and local public departments and agencies and with interested Indian tribes providing for the protection and interpretation of the Grand Canyon in its entirety. Such agreements shall include, but not be limited to, authority for the Secretary to develop and operate interpretative facilities and programs on lands and waters outside of the boundaries of such park, with the concurrence of the owner or administrator thereof, to the end that there will be a unified interpretation of the entire Grand Canyon.

PRESERVATION OF EXISTING GRAZING RIGHTS

SEC. 7. Where any Federal lands within the Grand Canyon National Park, as enlarged by this Act, are legally occupied or utilized on the effective date of this Act for grazing purposes, pursuant to a Federal lease, permit, or license, the Secretary shall permit the persons holding such grazing privileges to continue in the exercise thereof during the term of the lease, permit, or license, and periods of renewal thereafter: *Provided,* That no such renewals shall be extended beyond the period ending ten years from the date of enactment of this Act, except that any present lease, permit, or license within the boundaries of the Grand Canyon National Monument as abolished by subsection 3(b) of this Act may be renewed

during the life of the present holder which renewals shall terminate upon the death of the present holder.

AIRCRAFT REGULATION

SEC. 8. Whenever the Secretary has reason to believe that any aircraft or helicopter activity or operation may be occurring or about to occur within the Grand Canyon National Park, as enlarged by this Act, including the airspace below the rims of the canyon, which is likely to cause an injury to the health, welfare, or safety of visitors to the park or to cause a significant adverse effect on the natural quiet and experience of the park, the Secretary shall submit to the Federal Aviation Agency, the Environmental Protection Agency pursuant to the Noise Control Act of 1972, or any other responsible agency or agencies such complaints, information, or recommendations for rules and regulations or other actions as he believes appropriate to protect the public health, welfare, and safety or the natural environment within the park. After reviewing the submission of the Secretary, the responsible agency shall consider the matter, and after consultation with the Secretary, shall take appropriate action to protect the park and visitors.

PRESERVATION OF EXISTING RECLAMATION PROVISIONS

SEC. 9. (a) Nothing in this Act shall be construed to alter, amend, repeal, modify, or be in conflict with the provisions of sections 601 to 606 of the Colorado River Basin Project Act, approved September 30, 1968 (82 Stat. 885, 901).

(b) Section 7 of the Act of February 26, 1919 (40 Stat. 1175, 1178), is amended to read as follows:

"Whenever consistent with the primary purposes of such park, the Secretary of the Interior is authorized to permit the utilization of those areas formerly within the Lake Mead National Recreation Area immediately prior to enactment of the Grand Canyon National Park Enlargement Act, and added to the park by such Act, which may be necessary for the development and maintenance of a Government reclamation project."

HAVASUPAI INDIAN RESERVATION

SEC. 10. (a) For the purpose of enabling the tribe of Indians known as the Havasupai Indians of Arizona (hereinafter referred to as the "tribe") to improve the social, cultural, and economic life of its members, the lands generally depicted as the "Havasupai Reservation Addition" on the map described in section 3 of this Act, and consisting of approximately one hundred and eighty-five thousand acres of land and any improvements thereon, are hereby declared to be held by the United States in trust for the Havasupai Tribe. Such map, which

shall delineate a boundary line generally one-fourth of a mile from the rim of the outer gorge of the Grand Canyon of the Colorado River and shall traverse Havasu Creek from a point on the rim at Yumtheska Point to Beaver Falls to a point on the rim at Ukwalla Point, shall be on file and available for public inspection in the Offices of the Secretary, Department of the Interior, Washington, District of Columbia.

(b) The lands held in trust pursuant to this section shall be included in the Havasupai Reservation, and shall be administered under the laws and regulations applicable to other trust Indian lands: *Provided*, That—

(1) the lands may be used for traditional purposes, including religious purposes and the gathering of, or hunting for, wild or native foods, materials for paints and medicines;

(2) the lands shall be available for use by the Havasupai Tribe for agricultural and grazing purposes, subject to the ability of such lands to sustain such use as determined by the Secretary;

(3) any areas historically used as burial grounds may continue to be so used;

(4) a study shall be made by the Secretary, in consultation with the Havasupai Tribal Council, to develop a plan for the use of this land by the tribe which shall include the selection of areas which may be used for residential, educational, and other community purposes for members of the tribe and which shall not be inconsistent with, or detract from, park uses and values; *Provided further*, That before being implemented by the Secretary, such plan shall be made available through his offices for public review and comment, shall be subject to public hearings, and shall be transmitted, together with a complete transcript of the hearings, at least 90 days prior to implementation, to the Committees on Interior and Insular Affairs of the United States Congress; and *Provided further*, that any subsequent revisions of this plan shall be subject to the same procedures as set forth in this paragraph;

(5) no commercial timber production, no commercial mining or mineral production, and no commercial or industrial development shall be permitted on such lands: *Provided further*, That the Secretary may authorize the establishment of such tribal small business enterprises as he deems advisable to meet the needs of the tribe which are in accordance with the plan provided in paragraph (4) of this section;

(6) nonmembers of the tribe shall be permitted to have access across such lands at locations established by the Secretary in consultation with the Tribal Council in order to visit adjacent parklands, and with the consent of the tribe, may be permitted

(i) to enter and temporarily utilize lands within the reservation in accordance with the approved land use plan described in paragraph (4) of this section for recreation purposes or (ii) to purchase licenses from the tribe to hunt on reservation lands subject to limitations and regulations imposed by the Secretary of the Interior; and

(7) except for the uses permitted in paragraphs 1 through 6 of this section, the lands hereby transferred to the tribe shall remain forever wild and no uses shall be permitted under the plan which detract from the existing scenic and natural values of such lands.

(c) The Secretary shall be responsible for the establishment and maintenance of conservation measures for these lands, including, without limitation, protection from fire, disease, insects, or trespass and reasonable prevention or elimination of erosion, damaging land use, overgrazing, or pollution. The Secretary of the Interior is authorized to contract with the Secretary of Agriculture for any services or materials deemed necessary to institute or carry out any such measures. Any authorized Federal programs available to any other Indian tribes to enhance their social, cultural, and economic well-being shall be deemed available to the tribe on these lands so long as such programs or projects are consistent with the purposes of this Act. For these purposes, and for the purpose of managing and preserving the resources of the Grand Canyon National Park, the Secretary shall have the right of access to any lands hereby included in the Havasupai Reservation. Nothing in this Act shall be construed to prohibit access by any members of the tribe to any sacred or religious places or burial grounds, native foods, paints, materials, and medicines located on public lands not otherwise covered in this Act.

(d) The Secretary shall permit any person presently exercising grazing privileges pursuant to Federal permit or lease in that part of the Kaibab National Forest designated as the "Raintank Allotment", and which is included in the Havasupai Reservation by this section, to continue in the exercise thereof, but no permit or renewal shall be extended beyond the period ending ten years from the date of enactment of this Act, at which time all rights of use and occupancy of the lands will be transferred to the tribe subject to the same terms and conditions as the other lands included in the reservation in paragraph (b) of this section.

(e) The Secretary, subject to such reasonable regulations as he may prescribe to protect the scenic, natural, and wildlife values thereof, shall permit the tribe to use lands within the Grand Canyon National Park which are designated as "Havasupai Use Lands" on the Grand Canyon National Park boundary map described in sec-

tion 3 of this Act, and consisting of approximately ninety-five thousand three hundred acres of land, for grazing and other traditional purposes.

(f) By the enactment of this Act, the Congress recognizes and declares that all right, title, and interest in any lands not otherwise declared to be held in trust for the Havasupai Tribe or otherwise covered by this Act is extinguished. Section 3 of the Act of February 26, 1919 (40 Stat. 1177; 16 U.S.C. 223), is hereby repealed.

AUTHORIZATION OF APPROPRIATIONS

SEC. 11. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, $1,250,000, in the aggregate for the period of the five fiscal years beginning with the fiscal year ending June 30, 1974, for the acquisition of lands and property, and not to exceed $49,000 for the fiscal year ending June 30, 1974, $255,000 for the fiscal year ending June 30, 1975, $265,000 for the fiscal year ending June 30, 1976, and $235,000 for the fiscal year ending June 30, 1977, 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 date of enactment of this Act.

Approved January 3, 1975.

Legislative History:

House Reports: No. 93-1374 (Comm. on Interior and Insular Affairs) and No. 93-1611 (Comm. of Conference).
Senate Report No. 93-406 (Comm. on Interior and Insular Affairs).
Congressional Record:
Vol. 119 (1973): Sept. 24, considered and passed Senate.
Vol. 120 (1974): Oct. 10, considered and passed House, amended.
Dec. 18, House and Senate agreed to conference report.

An Act to amend the Grand Canyon National Park Enlargement Act (88 Stat. 2089). (89 Stat. 172) (P.L. 94-31)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of January 3, 1975 (88 Stat. 2089), is amended by inserting the following section and by renumbering section 11 as section 12:

"SEC. 11. Within two years from the date of enactment of this Act the Secretary of the Interior shall report to the President, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any area within the national park for preservation as wilderness, and any designation of any such areas as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.".

Approved June 10, 1975.

Legislative History:
House Report No. 94–148 (Comm. on Interior and Insular Affairs).
Senate Report No. 94–143 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 121 (1975):
Apr. 21, considered and passed House.
June 2, considered and passed Senate.

An Act to authorize the Secretary of the Interior to make payments to appropriate school districts to assist in providing educational facilities and services for persons living within or near the Grand Canyon National Park on nontaxable Federal lands, and for other purposes. (92 Stat. 154) (P.L. 95–244)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior (hereafter referred to as the "Secretary") is authorized for the two-year period commencing October 1, 1978, and ending September 30, 1980 to make payments to reimburse the appropriate school district or districts (hereafter referred to as the "districts") for educational facilities and services (including, where appropriate, transportation to and from school) incurred by said districts in providing educational benefits to pupils living at or near the Grand Canyon National Park upon real property owned by the United States which is not subject to taxation by State or local agencies: *Provided*, That the payments for any school year to said districts shall not exceed that part of the cost of operating and maintaining such facilities and providing such services which the number of pupils as defined above bears to the whole number of pupils in average daily attendance within said districts for that year.

(b) If in the opinion of the Secretary of the Interior, the aforesaid educational facilities and services cannot be provided adequately and payment made therefor on a pro rata basis, as prescribed in subsection (a), the Secretary of the Interior may enter into cooperative agreements with State or local agencies for (1) the operation of school facilities, (2) for the construction and expansion of educational facilities at Federal expense, and (3) for contribution by the Federal Government, on an equitable basis satisfactory to the Secretary, to cover the increased cost to local agencies for providing the educational services required for the purposes of this section: *Provided*, That authority to make payments under this subsection shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts.

(c) The Secretary shall submit an annual estimate of the anticipated payments which may be made in accordance with the provisions of this Act to the Committees on Appropriations of the United States Senate and House of Representatives. There are authorized to be appropriated an amount not to exceed $1,500,000 for fiscal year 1979 and an amount not to exceed $1,500,000 for fiscal year 1980 to carry out the provisions of this Act: *Provided*, That any appropriations made pursuant

to this Act shall be reduced by the amount of any payments made to said districts pursuant to the Acts of September 23, 1950 (64 Stat. 906), as amended (20 U.S.C. 631 et seq.), and September 30, 1950 (64 Stat. 1100), as amended (20 U.S.C. 236 et seq.). Any amount appropriated pursuant to this Act for any fiscal year shall remain available until expended.

Approved March 14, 1978.

Legislative History:

House Report No. 95-847 (Comm. on Interior and Insular Affairs).
Senate Report No. 95-388 accompanying S. 2002 (Comm. on Human Resources).
Congressional Record:
Vol. 123 (1977): Sept. 9, considered and passed Senate, in lieu of S. 2002.
Vol. 124 (1978): Feb. 6, considered and passed House, amended.
Feb. 28, Senate agreed to House amendments.

An Act to validate certain land conveyances, and for other purposes. (92 Stat. 2485) (P.L. 95-586)

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

TITLE XII—GRAND CANYON NATIONAL PARK

The Act of February 26, 1916 (40 Stat. 1177; 16 U.S.C. 222) is amended by adding the following sentence: "Under such terms and conditions as he deems advisable and consistent with the requirements of section 483a of title 31 hereof, the Secretary is authorized, without derogation of any of the water rights of the United States and notwithstanding any provision of law to the contrary, to sell by contract water located within Grand Canyon National Park for the use of customers within Tusayan, Arizona, to a nonprofit entity authorized to receive and distribute water within Tusayan, Arizona by the laws of the State of Arizona, upon his determination that such sale is not detrimental to the protection of the resources of Grand Canyon National Park or its visitors and that appropriate measures to provide for such protection, including a right of immediate termination, are included in the transaction.".

Approved November 3, 1978.

Legislative History:

House Report No. 95-1008 (Comm. on Interior and Insular Affairs).
Senate Report No. 95-1287 (Comm. on Energy and Natural Resources).
Congressional Record, Vol. 124 (1978):
Apr. 18, considered and passed House.
Oct. 12, considered and passed Senate, amended.
Oct. 14, House concurred in Senate amendments.

8. Guadalupe Mountains

An Act to authorize an exchange of lands for an entrance road at Guadalupe Mountains National Park, Texas, and for other purposes. (80 Stat. 1029) (P.L. 94–174)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 2 of the Act approved October 15, 1966 (80 Stat. 920), providing for the establishment of the Guadalupe Mountains National Park in the State of Texas, is amended by adding the following after the third sentence: "In order to provide for an adequate entrance road into the McKittrick Canyon area of the park, the Secretary may accept title to and interests in lands comprising a right-of-way for a road or roads outside of the boundary of the park from United States Highway numbered 62 and 180 to the park boundary, and in exchange therefor he may convey title to and interests in lands comprising a right-of-way from said highway to the boundary which have been donated to the United States. The Secretary may accept cash from or pay cash to the grantor in such exchange in order to equalize the values of the properties exchanged. Lands and interests in lands comprising the right-of-way acquired pursuant to this subsection shall be administered as part of the park.".

Approved December 23, 1975.

Legislative History:

House Report No. 94–683 accompanying H.R. 1747 (Comm. on Interior and Insular Affairs).
Senate Report No. 94–164 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 121 (1975):
June 4, considered and passed Senate.
Dec. 1, considered and passed House, amended, in lieu of H.R. 1747.
Dec. 17, Senate concurred in House amendment.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(12) Guadalupe Mountains National Park, Texas: Section 6 of the Act of October 15, 1966 (80 Stat. 920), is amended by changing "$10,362,000" to "$24,715,000", and by adding the following new sentence at the end of the section: "No funds appropri-

ated for development purposes pursuant to this Act may be expended for improvements incompatible with wilderness management within the corridor of the park leading to the summit of Guadalupe Peak.".

* * * * * * *

TITLE IV—WILDERNESS

SEC. 401. The following lands are hereby designated as wilderness in accordance with section 3(c) Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), and shall be administered by the Secretary in accordance with applicable provisions of the Wilderness Act:

* * * * * * *

(4) Guadalupe Mountains National Park, Texas, wilderness comprising approximately forty-six thousand eight hundred and fifty acres, depicted on a map entitled "Wilderness Plan, Guadalupe Mountains National Park, Texas", numbered 166–20,006–B and dated July 1972, to be known as the Guadalupe Mountains Wilderness.

SEC. 402. A map and description of the boundaries of the areas designated in this title shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in this title. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 403. Any lands which represent potential wilderness additions in this title, upon publication in the Federal Register of a notice by the Secretary that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

SEC. 404. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall

be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved November 10, 1978.

9. Haleakala

An Act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes. (90 Stat. 2692) (P.L. 94–567)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness, and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

* * * * * * *

(e) Haleakala National Park, Hawaii, wilderness comprising nineteen thousand two hundred and seventy acres, and potential wilderness additions comprising five thousand five hundred acres, depicted on a map entitled "Wilderness Plan, Haleakala National Park, Hawaii", numbered 162–20,006–A and dated July 1972, to be known as the Haleakala Wilderness.

SEC. 2. A map and description of the boundaries of the areas designated in this Act shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the Superintendent of each area designated in the Act. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 3. All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness.

SEC. 6. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Sec-

retary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved October 20, 1976.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

HALEAKALA NATIONAL PARK

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.".

* * * * * * *

Approved October 21, 1976.

10. Hawaii Volcanoes

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(10) Hawaii Volcanoes National Park, Hawaii: To add approximately two hundred sixty-nine acres as generally depicted on the map entitled "Boundary Map, Hawaii Volcanoes National Park, Hawaii", numbered 80,000, and dated August 1975: $562,000.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b)(1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted

from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

TITLE IV—WILDERNESS

SEC. 401. The following lands are hereby designated as wilderness in accordance with section 3(c) Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), and shall be administered by the Secretary in accordance with applicable provisions of the Wilderness Act:

* * * * * * *

(6) Hawaii Volcanoes National Park, Hawaii, wilderness comprising approximately one hundred and twenty-three thousand one hundred acres and potential wilderness additions comprising approximately seven thousand eight hundred and fifty acres, depicted on a map entitled "Wilderness Plan, Hawaii Volcanoes National Park, Hawaii", numbered 124–20,020 and dated April 1974, to be known as the Hawaii Volcanoes Wilderness.

SEC. 402. A map and description of the boundaries of the areas designated in this title shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area

designated in this title. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 403. Any lands which represent potential wilderness additions in this title, upon publication in the Federal Register of a notice by the Secretary that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

SEC. 404. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved November 10, 1978.

11. Isle Royale

An Act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes. (90 Stat. 2692) (P.L. 94–567)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness, and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

* * * * * * *

(f) Isle Royale National Park, Michigan, wilderness comprising one hundred and thirty-one thousand eight hundred and eighty acres, and potential wilderness additions comprising two hundred and thirty-one acres, depicted on a map entitled "Wilderness Plan, Isle Royale National Park, Michigan", numbered 139–20,004 and dated December 1974, to be known as the Isle Royale Wilderness.

* * * * * * *

SEC. 4. The boundaries of the following areas are hereby revised, and those lands depicted on the respective maps as wilderness or as potential wilderness addition are hereby so designated at such time and in such manner as provided for by this Act:

(a) Isle Royale National Park, Michigan:

The Act of March 6, 1942 (56 Stat. 138; 16 U.S.C. 408e–408h), as amended, is further amended as follows:

(1) Insert the letter "(a)" before the second paragraph of the first section, redesignate subparagraphs (a), (b), and (c) of that paragraph as "(1)", "(2)", "(3)", respectively, and add to that section the following new paragraph:

"(b) Gull Islands, containing approximately six acres, located in section 19, township 68 north, range 31 west, in Keweenaw County, Michigan.".

(2) Amend section 3 to read as follows:

"SEC. 3. The boundaries of the Isle Royale National Park are hereby extended to include any submerged lands within the territorial jurisdiction of the United States within four and one-half miles of the shoreline of Isle Royale and the surrounding islands, including Passage Island and the Gull Islands, and the Secretary of the Interior is hereby authorized, in his discretion, to acquire title by donation to any such lands not now owned by the United States, the title to be satisfactory to him.".

SEC. 2. A map and description of the boundaries of the areas designated in this Act shall be on file and

available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the Superintendent of each area designated in the Act. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 3. All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness.

SEC. 6. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved October 20, 1976.

12. Mesa Verde

An Act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes. (90 Stat. 2692) (P.L. 94-567)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness, and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

* * * * * * *

(h) Mesa Verde National Park, Colorado, wilderness comprising eight thousand one hundred acres depicted on a map entitled "Wilderness Plan, Mesa Verde National Park, Colorado", numbered 307-20,007-A and dated September 1972, to be known as the Mesa Verde Wilderness.

SEC. 2. A map and description of the boundaries of the areas designated in this Act shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the Superintendent of each area designated in the Act. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 3. All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness.

SEC. 6. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved October 20, 1976.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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:

* * * * * * *

(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".

* * * * * * *

Approved October 21, 1976.

13. North Cascades Complex

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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:

* * * * * * *

(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".

* * * * * *. *

Approved October 21, 1976.

14. Olympic

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

OLYMPIC NATIONAL PARK

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 noncommercial 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.

(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.

* * * * * * *

Approved October 21, 1976.

15. Redwood

An Act to amend the Act of October 2, 1968, an Act to establish a Redwood National Park in the State of California, and for other purposes. (92 Stat. 163) (P.L. 95–250)

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

TITLE I

SEC. 101. (a) In order to protect existing irreplaceable Redwood National Park resources from damaging upslope and upstream land uses, to provide a land base sufficient to insure preservation of significant examples of the coastal redwood in accordance with the original intent of Congress, and to establish a more meaningful Redwood National Park for the use and enjoyment of visitors, the Act entitled "An Act to establish a Redwood National Park in the State of California, and for other purposes", approved October 2, 1968 (82 Stat. 931), is amended as follows:

(1) In subsection 2(a) after "September 1968," insert "and the area indicated as 'Proposed Additions' on the map entitled 'Additional Lands, Redwood National Park, California', numbered 167–80005–D and dated March 1978.".

(2) In section 2, subsection (a), delete "fifty-eight thousand" and substitute "one hundred and six thousand" and delete the period at the end of the subsection and add "and publicly owned highways and roads." In section 2, subsection (b), delete "by donation only". At the end of section 2, insert the following new subsection "(c)":

"(c) Within the area outside the boundaries of Redwood National Park indicated as the 'Park Protection Zone' on the map entitled 'Proposed Additions, Redwood National Park, California', numbered 167–80005–D and dated March 1978, the Secretary is authorized to acquire lands and interests in land: *Provided*, That lands may be acquired from a willing seller or upon a finding by the Secretary that failure to acquire all or a portion of such lands could result in physical damage to park resources and following notice to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the House of Representatives. Any lands so acquired shall be managed in a manner which will maximize the protection of the resources of Redwood National Park, and in accordance with the Act of October 21, 1976 (90 Stat. 2743). Acquisition of a parcel of land under the authority of this subsection shall not as a result of such acquisition diminish the right of owners of adjacent lands to the peaceful use and enjoyment of their land and shall not

confer authority upon the Secretary to acquire additional lands except as provided in this subsection.".

(3) In subsection 3(a), delete the period at the end of the second sentence and add the following: "which donation of lands or interest in lands may be accepted in the discretion of the Secretary subject to such preexisting reverters and other conditions as may appear in the title to these lands held by the State of California, and such other reverters and conditions as may be consistent with the use and management of the donated lands as a portion of Redwood National Park. Notwithstanding any other provision of law, the Secretary may expend appropriated funds for the management of and for the construction, design, and maintenance of permanent improvements on such lands and interests in land as are donated by the State of California in a manner not inconsistent with such reverters and other conditions.".

(4) In subsection 3(b)(1), after "NPS–RED–7114–B", insert "and effective on the date of enactment of this phrase, 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 area indicated as 'Proposed Additions' on the map entitled 'Additional Lands, Redwood National Park, California', numbered 167–80005–D and dated March 1978, and all right, title, and interest in, and the right to immediate possession of the down tree personal property (trees severed from the ground by man) severed prior to January 1, 1975, or subsequent to January 31, 1978, within the area indicated as 'Proposed Additions' on the map entitled 'Additional Lands, Redwood National Park, California', numbered 167–80005–D and dated March 1978,".

At the end of subsection 3(b)(1), insert the following new paragraphs: "Down tree personal property severed subsequent to December 31, 1974, and prior to February 1, 1978 may be removed in accordance with applicable State and Federal law, or other applicable licenses, permits, and existing agreements, unless the Secretary determines that the removal of such down timber would damage second growth resources or result in excessive sedimentation in Redwood Creek: *Provided, however*, That down timber lying in stream beds may not be removed without permission of the Secretary: *Provided*, That such removal shall also be subject to such reasonable conditions as may be required by the Secretary to insure the continued availability of raw materials to Redwoods United, Incorporated, a nonprofit corporation located in Manila, California.

"The Secretary shall permit, at existing levels and extent of access and use, continued access and use of each acquired segment of the B line, L line, M line, and K and K roads by each current affected woods employer or its successor in title and interest: *Provided*, That such use

is limited to forest and land management and protection purposes, including timber harvesting and road maintenance. The Secretary shall permit, at existing levels and extent of access and use, continued access and use of acquired portions of the Bald Hills road by each current affected woods employer or its successor in title and interest: *Provided further*, That nothing in this sentence shall diminish the authority of the Secretary to otherwise regulate the use of the Bald Hills road.".

(5) In subsection 3(b)(2), delete the last sentence and add the following sentences at the end of the paragraph: "Any action against the United States with regard to the provisions of this Act and for the recovery of just compensation for the lands and interests therein taken by the United States, and for the down tree personal property taken, shall be brought in the United States district court for the district where the land is located without regard to the amount claimed. The United States may initiate proceedings at any time seeking a determination of just compensation in the district court in the manner provided by sections 1358 and 1403 of title 28, United States Code, and may deposit in the registry of the court the estimated just compensation, or a part thereof, in accordance with the procedure generally described by section 258a of title 40, United States Code. Interest shall not be allowed on such amounts as shall have been paid into the court. In the event that the Secretary determines that the fee simple title to any property (real or personal) taken under this section is not necessary for the purposes of this Act, he may, with particular attention to minimizing the payment of severance damages and to allow for the orderly removal of down timber, revest title to such property subject to such reservations, terms, and conditions, if any, as he deems appropriate to carry out the purposes of this Act, and may compensate the former owner for no more than the fair market value of the rights so reserved, except that the Secretary may not revest title to any property for which just compensation has been paid; or, the Secretary may sell at fair market value without regard to the requirements of the Federal Property and Administrative Services Act of 1949, as amended, such down timber as in his judgment may be removed without damage to the park, the proceeds from such sales being credited to the Treasury of the United States. If the State of California designates a right-of-way for a bypass highway around the eastern boundary of Prairie Creek Redwood State Park prior to October 1, 1984, the Secretary is authorized and directed to acquire such lands or interests in lands as may be necessary for such a highway and, subject to such conditions as the Secretary may determine are necessary to assure the adequate protection of Redwood National Park, shall thereupon donate the designated right-of-way to the State of California for a new bypass

highway from a point south of Prairie Creek Redwood State Park through the drainage of May Creek and Boyes Creek to extend along the eastern boundary of Prairie Creek Redwood State Park within Humboldt County. Such acreage as may be necessary in the judgment of the Secretary for this conveyance, and for a buffer thereof, shall be deemed to be a publicly owned highway for purposes of section 101(a)(2) of this amendment effective on the date of enactment of this section.".

(6) In subsection 3(e), delete "sixty days" in the last sentence and add the following sentences at the end of the subsection: "Effective on the date of enactment of this sentence, there are made available from the amounts provided in section 10 herein or as may be hereafter provided such sums as may be necessary for the acquisition of interests in land. Effective on October 1, 1978, there are authorized to be appropriated such sums as may be necessary for the implementation of contracts and cooperative agreements pursuant to this subsection: *Provided*, That it is the express intent of Congress that the Secretary shall to the greatest degree possible insure that such contracts and cooperative agreements provide for the maximum retention of senior employees by such owners and for their utilization in rehabilitation and other efforts. The Secretary, in consultation with the Secretary of Agriculture, is further authorized, pursuant to contract or cooperative agreement with agencies of the Federal Executive, the State of California, any political or governmental subdivision thereof, any corporation, not-for-profit corporation, private entity or person, to initiate, provide funds, equipment, and personnel for the development and implementation of a program for the rehabilitation of areas within and upstream from the park contributing significant sedimentation because of past logging disturbances and road conditions, and, to the extent feasible, to reduce risk of damage to streamside areas adjacent to Redwood Creek and for other reasons: *Provided further*, That authority to make payments under this subsection shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts. Such contracts or cooperative agreements shall be subject to such other conditions as the Secretary may determine necessary to assure the adequate protection of Redwood National Park generally, and to provide employment opportunities to those individuals affected by this taking and to contribute to the economic revival of Del Norte and Humboldt Counties in northern California. The Secretary shall undertake and publish studies on erosion and sedimentation originating within the hydrographic basin of Redwood Creek with particular effort to identify sources and causes, including differentiation between natural and man-aggravated conditions, and shall adapt his general management plan to benefit from the results of such

studies. The Secretary, or the Secretary of Agriculture, where appropriate, shall also manage any additional Federal lands under his jurisdiction that are within the hydrographic basin of Redwood Creek in a manner which will minimize sedimentation which could affect the park, and in coordination with plans for sediment management within the basin. To effectuate the provisions of this subsection, and to further develop scientific and professional information and data concerning the Redwood Forest ecosystem, and the various factors that may affect it, the Secretary may authorize access to the area subject to this subsection by designated representatives of the United States.".

(b) The first section of the Act of August 18, 1970 (84 Stat. 825), is amended by adding the following: "Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined in section 2 of this Act, shall be consistent with and founded in the purpose established by the first section of the Act of August 25, 1916, to the common benefit of all the people of the United States. The authorization of activities shall be construed and the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress.".

(c) Notwithstanding any provision of the Act of October 2, 1968, supra, the vesting in the United States of all right, title, and interest in, and the right to immediate possession of, all real property and all down tree personal property within the area indicated as "Proposed Additions" on the map entitled "Additional Lands, Redwood National Park, California," numbered 167–80005–D and dated March 1978, as established by subsection (a)(4) of the first section of this Act, shall be effective on the date of enactment of this section. The provisions of subsection 3(b)(3) of the Act of October 2, 1968, supra, shall also relate to the effective date of this section. From the appropriations authorized for fiscal year 1978 and succeeding fiscal years such sums as may be necessary may be expended for the acquisition of lands and interests in lands, and down tree personal property, authorized to be acquired, or acquired, pursuant to the provisions of this Act.

SEC. 102. (a) The Secretary, in consultation with the Secretaries of Agriculture, Commerce, and Labor, shall conduct an analysis of appropriate Federal actions that may be necessary or desirable to mitigate any adverse economic impacts to public and private segments of the local economy, other than the owners of properties taken by this Act, as a result of the addition of property to

Redwood National Park under the first section of this Act. The Secretaries shall also consider the benefits of making grants or entering into contracts or cooperative agreements with the State of California or Del Norte and Humboldt Counties as provided by subsection (b) for the purpose of development and implementation of a program of forest resource improvement and utilization, including, but not limited to, reforestation, erosion control, and other forest land conservation measures, fisheries and fish and wildlife habitat improvements, and wood energy facilities. Not later than January 1, 1979, the Secretary shall submit to the Speaker of the House of Representatives and the President of the Senate a report of his analysis, including his recommendations with respect to actions that should be taken to mitigate any significant short-term and long-term adverse effects on the local economy caused by such addition.

(b) The Secretary of Commerce and the Secretary of Labor, in consultation with the Secretary, and pursuant to his study, shall apply such existing programs as are necessary and appropriate to further mitigate identified employment and other adverse economic impacts on public and private segments of the local economy, other than with regard to the payment of just compensation to the owners of properties taken by this Act and by the Act of October 2, 1968, supra. In addition to the land rehabilitation and employment provisions of this Act, which should have a substantial positive economic effect on the local economy, the Secretaries of Commerce and Labor are further authorized and directed to implement existing authorities to establish employment programs, pursuant to such grants, contracts and cooperative agreements with agencies of the Federal Executive, the State of California, any political or governmental subdivision thereof, any corporation, not-for-profit corporation, private entity or person, for the development and implementation of such programs, as, in the discretion of the Secretaries of Commerce and Labor, may be necessary to provide employment opportunities to those individuals affected by this taking and to contribute to the economic revival of Del Norte and Humboldt Counties, in northern California. Effective on October 1, 1978, there are authorized such sums as may be necessary to carry out the employment and economic mitigation provisions of this Act: *Provided*, That the authority to make payments under this section shall be effective only to such extent or in such amounts as are provided in advance in appropriation Acts.

(c) The Secretary of Agriculture within one year after the date of enactment of this Act, shall prepare and transmit to Congress a study of timber harvest scheduling alternatives for the Six Rivers National Forest. Such alternatives shall exclude the timber inventories now standing on units of the Wilderness Preservation System

and shall be consistent with laws applicable to management of the national forests. In developing the alternatives, the Secretary shall take into consideration economic, silvicultural, environmental, and social factors.

PREFERENTIAL HIRING

SEC. 103. (a) In order to utilize the skills of individuals presently working in the woods and in the mills to the greatest degree possible to both ease the personal economic effects of this taking, and to assist in the necessary rehabilitation, protection, and improvement of lands acquired by this Act through implementation of sound rehabilitation and land use practices, the Secretary shall have power to appoint and fix the compensation of seven full-time and thirty-one temporary personnel to assist in carrying out such programs necessary for the protection and enhancement of Redwood National Park. In filling these positions, preference shall be given to affected employees (as defined in title II of this Act) for a period ending on September 30, 1984, notwithstanding applicable civil service laws and regulations.

(b) In order to effectively administer the expanded Redwood National Park created by this Act in a manner that will provide maximum protection to its resources and to provide for maximum visitor use and enjoyment to ease the local economic effects of this taking, the Secretary shall have power to appoint and fix the compensation of two full-time and twenty temporary employees in the competitive service. In filling these positions, preference shall be given to affected employees (as defined in title II) for a period ending on September 30, 1984, notwithstanding applicable civil service laws and regulations. The Secretary shall further have power to appoint and fix the compensation of an additional thirty-two full-time and forty temporary employees in the competitive service as provided by this subsection at the time of the donation of those park lands or interests in land owned by the State of California as are within the boundaries of Redwood National Park as provided herein. In filling these positions, preference shall be given to those State employees affected by this transfer for a period not to exceed six years from the date of transfer; permanent State civil service employees shall be provided the opportunity to transfer to a comparable Federal civil service classification notwithstanding applicable civil service laws and regulations.

(c) An affected employee shall be given full consideration for certain civilian jobs as provided in this section both with the Federal Government and with those private employers that have certain undertakings or programs that involve Federal participation or approval for

the period beginning on the date of enactment of this Act and ending September 30, 1984, if the positions will be primarily located in Humboldt or Del Norte Counties or other counties in California adjacent thereto, and if the employee is otherwise qualified under this section.

(d)(1) Any Federal agency that is creating or filling a civilian Federal job that is within the scope of clause (2)(A) of this subsection, pursuant to contract, civil service merit system, or otherwise, that will be primarily located in Humboldt or Del Norte Counties, California, or other counties in California adjacent thereto, must provide notice in advance of the availability of that job and must provide qualified affected employee applicants for these positions with full consideration for these positions if the further conditions set forth in clause (2)(B) of this subsection are met. The notice required by this paragraph shall be as provided by applicable law and regulation through the offices of the Employment and Training Services located in Humboldt and Del Norte Counties, California, and through such other means as are likely to gain the attention of affected employees.

(2) Consideration for employment under this section shall be provided under the following conditions:

(A) the job involves skills and training that could reasonably be expected to have been gained by individuals who have been employed as logging and related woods employees or sawmill, plywood, and other wood processing employees, or office employees, or that can reasonably be expected to be gained while so employed, or pursuant to retraining as provided herein; and

(B) the applicant has the ability, or can reasonably be expected to have the ability after appropriate training of reasonable duration as further provided herein, to perform the duties of the job: *Provided*, That the full consideration shall not be required with respect to those affected employee applicants requiring training in a situation where the schedule for completion of the work is such that the period during which said employee can reasonably be expected to work following completion of training is determined by the Secretary to be incommensurate with the time and funds required to provide said employee with the necessary training.

(e)(1) Any Federal agency involved in the manner provided herein with a private employer responsible for filing an employment position that is within the scope of clause (2)(A) of subsection (d), above, that will be primarily located in Humboldt or Del Norte Counties, or other counties in California adjacent thereto, is directed to require that any Federal contracts, grants, subsidies, loans, or other forms of funding assistance, and any Federal lease, permit, license, certificate, or other entitlement for use, not constituting an existing property right

as of the date of enactment of this Act, that is a condition to or a requirement of the conduct of harvesting and related activities or replanting and land rehabilitation or the conduct of wood processing and related activities or the conduct of highway construction and related activities shall be subject to and conditioned upon said private employer giving full consideration to affected employees as provided herein.

(2) Any private employer who participates with a Federal agency in the manner described above and who is, accordingly, subject to the requirements as provided herein, shall—

(A) provide notice of the availability of those jobs described in subsection (d)(2)(A) in the manner generally provided by subsection (d)(1); and

(B) provide full consideration to qualified affected employee applicants for these positions if the further conditions established by clause (2)(B)of subsection (d) are met.

(f) The Secretary is directed to seek and authorized to enter into agreements with affected employers and industry employers providing that full consideration shall be given with respect to the employment of affected employees who had been employed by affected employers in jobs that may become available in Humboldt and Del Norte Counties and other counties adjacent thereto. The execution and carrying out of such an agreement, or the giving of full consideration to the employment of affected employees under subsection (c) of this section, shall not subject an employer to any additional liability or obligations under any Federal or State equal employment law, rule, regulation, or order.

(g)(1) The Secretary, except as otherwise provided, shall be responsible for the implementation of this section and—

(A) is authorized and directed to make needed training available, upon application, to an affected employee applicant who, although not presently qualified for a position, can be reasonably expected to be qualified after appropriate training;

(B) is authorized to take such actions as may be necessary to ensure that an affected employee is not denied full consideration because of the need for training where there is no substantial reason to believe that the applicant would be unable to perform the duties of the job after proper training. If the job is one which must be filled while the affected employee would be in training, the Secretary shall encourage the employer to fill the job only on a temporary basis subject to the successful completion of the training by the affected employee;

(C) shall require that, in a case in which two or more affected employee applicants have approximately equal qualifications for a job for which they

are to receive full consideration, that applicant with the greatest creditable service shall be given preference among those applicants entitled to full consideration; and

(D) upon the filing of a complaint by an employee who alleges that said employee's rights to full consideration were disregarded, the Secretary shall make a finding on the merits of such complaint. If it is determined that there has been noncompliance with this section, the Secretary shall take such action as may be appropriate to correct the situation.

(2) To assist in implementing this section, agencies shall notify the Secretary, in advance, of any job opening as provided for by subsection (d) and of any Federal commitment as provided for by subsection (e).

(3) The Secretary shall—

(A) seek the cooperation of the State of California and the county and local governments within Humboldt and Del Norte Counties in the implementation of the provisions of this section and in the adoption of similar provisions for full consideration of affected employees with regard to State, county, and local jobs and activities; and

(B) appoint, from among nominees proposed by certified or recognized unions representing employees, a person or persons who shall serve as the Secretary's liaison with employees and their union and as consultant to the Secretary with regard to the administration of those provisions of this Act for which the Secretary is responsible.

(h) An employee, a group of employees, a certified or recognized union, or an authorized representative of such employee or group, aggrieved by any determination by the Secretary under this Act shall be entitled to judicial review of such determination in the same manner and under the same conditions as provided by section 250 of The Trade Act of 1974 (88 Stat. 2029).

(i) Nothing in this section shall be construed to affect any additional or alternative rights under a law, regulation, or contract (including, but not limited to, veteran preference and contracts between private employers and unions) in effect as of the date of enactment of this Act, and the implementation of this section shall be carried out in accord with applicable civil service laws and regulations except as otherwise provided for in this section. Employees appointed to Federal jobs pursuant to this section shall have their compensation fixed at rates not to exceed that now or hereafter prescribed for the highest rate of grade 15 of the General Schedule under section 5332 of title 5, United States Code.

SEC. 104. (a) The Secretary shall submit an annual written report to the Congress on January 1, 1979, and annually thereafter for ten years, reporting on the status of payment by the Secretary for real property acquired

pursuant to section 101(a)(4) and section 101(a)(2) of this amendment; the status of the actions taken regarding land management practices and watershed rehabilitation efforts authorized by section 101(a)(6) and section 102(b) of this amendment; the status of the efforts to mitigate adverse economic impacts as directed by this Act; this status of National Park Service employment requirements as authorized by section 103 of this amendment; the status of the new bypass highway and of the agreement for the donation of the State park lands as contemplated by section 101(a)(5) of this amendment; and, the status of the National Park Service general management plan for the park.

(b) No later than January 1, 1980, the Secretary shall submit to the Committee on Interior and Insular Affairs of the House of Representatives, and to the Committee on Energy and Natural Resources of the Senate, a comprehensive general management plan for Redwood National Park, to include but not be limited to the following:

(1) the objectives, goals, and proposed actions designed to assure the preservation and perpetuation of a natural redwood forest ecosystem;

(2) the type and level of visitor use to be accommodated by the park, by specific area, with specific indications of carrying capacities consistent with the protection of park resources;

(3) the type, extent, and estimated cost of development proposed to accommodate visitor use and to protect the resource, to include anticipated location of all major development areas, roads, and trails; and

(4) the specific locations and types of foot trail access to the Tall Trees Grove, of which one route shall, unless shown by the Secretary to be inadvisable, principally traverse the east side of Redwood Creek through the essentially virgin forest, connecting with the roadhead on the west side of the park east of Orick.

SEC. 105. Effective on October 1, 1978, there are hereby authorized to be appropriated $33,000,000 to carry out the rehabilitation provisions of this Act.

SEC. 106. (a) Notwithstanding any contrary provision of the Act entitled "An Act to provide for certain payments to be made to local governments by the Secretary of the Interior based upon the amount of certain public lands within the boundaries of such locality", approved October 20, 1976 (90 Stat. 2662), the Secretary is authorized and directed to make payments on a fiscal year basis to each unit of local government, in the manner provided by the Act of October 20, 1976, in which lands owned by the United States within Redwood National Park are located. Such payments may be used for any governmental purpose. The amount of such pay-

ments shall be computed as provided in subsections (b) and (c).

(b) Payment made for any fiscal year to a unit of local government shall include that amount determined pursuant to the provisions of section 2 of the Act of October 20, 1976.

(c) Payment made for any fiscal year to a unit of local government shall also include that amount determined pursuant to the provisions of section 3 of the Act of October 20, 1976: *Provided, however*, That any amount computed as provided by section 3(c)(1) of the Act of October 20, 1976, but not paid because of the limitation of subsection (c)(2) and subsection (d) of that section shall be carried forward and shall be applied to future years in which this portion of the total payment would not otherwise equal the amount of real property taxes assessed and levied on such property during the last full fiscal year before the fiscal year in which such land or interest was acquired for addition to Redwood National Park until such amount is exhausted.

(d) The Redwoods Community College District shall be considered as an affected school district for purpose of section 3(a) of the Act of October 20, 1976, as amended herein.

SEC. 107. The Secretary is further authorized, and the Congress specifically directs that it shall be a purpose of this Act, that the community services and employment opportunities provided by Redwoods United, Incorporated, a nonprofit corporation located in Manila, California, shall be maintained at the present rate of employment to the greatest degree practicable.

SEC. 108. The Congress further acknowledges and directs that the full faith and credit of the United States is pledged to the prompt payment of just compensation as provided for by the fifth amendment to the Constitution of the United States for those lands and properties taken by this Act.

SEC. 109. Unless otherwise indicated hereinbefore, a reference to the Secretary will refer to the Secretary of the Department of the Interior, except in subsections 103(d) through 103(i), where a reference to the Secretary will refer to the Secretary of the Department of Labor.

TITLE II

DEFINITIONS

SEC. 201. As used in this title, the term—

(1) "Secretary", unless otherwise indicated, means the Secretary of the Department of Labor;

(2) "expansion area" means the area indicated as "Proposed Additions" (exclusive of the park protection zone) on the map entitled "Additional Lands, Redwood National Park, Humboldt County, Cali-

fornia", numbered 167–80005–D and dated March 1978. The number of acres authorized to be included within the expansion area is forty-eight thousand acres, as further provided herein;

(3) "employee" means a person employed by an affected employer and, with such exceptions as the Secretary may determine, in an occupation not described by section 13(a)(1) of the Fair Labor Standards Act (29 U.S.C. 213(a)(1));

(4) "contract employees" are employees performing work pursuant to a contract or agreement for services within or directly related to the expansion area between an affected contract employer and an affected woods employer;

(5) "industry employer" means a corporation, partnership, joint venture, person, or other form of business entity (including a predecessor or successor by purchase, merger, or other form of acquisition), of which a working portion or division is an affected employer;

(6) "affected employer" means a corporation, partnership, joint venture, person, or other form of business entity (including a predecessor or a successor by purchase, merger, or other form of acquisition), or a working portion or division thereof, which is engaged in the harvest of timber or in related sawmill, plywood, and other wood processing operations, and which meets the qualifications set forth in the definition of affected woods employer, affected mill employer, or affected contract employer;

(7) "affected woods employer" means an affected employer engaged in the harvest of redwood timber who owns at least 3 per centum of the number of acres authorized to be included within the expansion area on January 1, 1977, and on the date of enactment of this section: *Provided*, That an affected woods employer shall be only that major portion or division of the industry employer directly responsible for such harvesting operations;

(8) "affected mill employer" means an affected employer engaged in sawmill, plywood, and other wood processing operations in Humboldt or Del Norte Counties in the State of California who has either (A) obtained 15 per centum or more of its raw wood materials directly from affected woods employers during calendar year 1977, or (B) is a wholly owned mill of an affected woods employer: *Provided*, That an affected mill employer shall be only that major portion or division of the industry employer directly responsible for such wood processing operations;

(9) "affected contract employer" means an affected employer providing services pursuant to contract with an affected woods employer, if at least 15

per centum of said employer's employee-hours worked during calendar year 1977 were within or directly related to the expansion area pursuant to such contract or contracts;

(10) "covered employee" means an employee who—

(A) had seniority under a collective bargaining agreement with an affected employer as of May 31, 1977, has at least twelve months of creditable service as of the date of enactment of this section, and has performed work for one or more affected employers on or after January 1, 1977, or

(B) has performed work for one or more affected employers for at least one thousand hours from January 1, 1977, through the period to the date of enactment of this section, and has a continuing employment relationship with an affected employer, as determined by the Secretary, as of the date of enactment of this section or, if laid off on or after May 31, 1977, had such a relationship as of the date of such layoff;

(11) "affected employee" means a covered employee who is either totally or partially laid off by an affected employer within a time period beginning on or after May 31, 1977, and ending September 30, 1980, unless extended, as provided in section 203, or is determined by the Secretary to be adversely affected by the expansion of the Redwood National Park. An employee shall be deemed adversely affected as of the date of the employee's layoff, downgrading, or termination;

(12) "total layoff" means a calendar week during which affected employers have made no work available to a covered employee and made no payment to said covered employee for time not worked, and "partial layoff" means a calendar week for which all pay received by a covered employee from affected employers is at least 10 per centum less than the layoff or vacation replacement benefit that would have been payable for that week had said covered employee suffered a total layoff: *Provided*, That the terms "total layoff" and "partial layoff" shall also apply to a covered employee who had received any workers' compensation benefits or unemployment compensation disability benefits after said covered employee becomes able to work and available for work and is otherwise within the meaning of total layoff and partial layoff as defined in this paragraph;

(13) "Federal agency" has the same meaning as "agency" in section 552(c) of title 5, United States Code;

(14) "suitable work" shall be defined—

(A) as set forth in the California Unemployment Insurance Code, or Federal law if applicable,

unless otherwise more restrictively defined by the Secretary, taking into account the unique characteristics of logging and related work; and

(B) with respect to an employee who has completed retraining paid for by the Secretary, as a job paying no less than the prevailing wage rate in the area for the occupation for which said employee was retrained; or

(C) as a job comparable with that which said employee would be required to accept pursuant to the seniority provisions of the applicable collective-bargaining agreement (or, if not covered by such an agreement, in accordance with the usual practice of the affected employer);

(15) "seniority" with respect to an employee covered by a collective-bargaining agreement with an affected employer, shall be determined as provided in such agreement and shall be deemed to refer to company seniority, if the agreement provides for such seniority and, otherwise, to plant seniority;

(16) "continuous service" with respect to employees not having seniority under a collective-bargaining agreement with an affected employer or an industry employer shall mean a period of time measured in months equal to the sum of all hours during which the employee performed work for said employer plus all hours for which the employee received pay for time not worked divided by one hundred and seventy-three;

(17) "performed work" shall include any time during which an employee worked for an affected employer or with respect to which an employee received pay from such an employer for time not worked, and shall also include any time during which an employee would have been at work for such an employer if not for service in the armed forces, for a leave (approved by the employer) for work with an employee organization, or for a disability for which said employee received workers' compensation, disability compensation benefits provided under California law, or social security disability pension benefits: *Provided*, That contract employees shall be deemed to have performed work during the period of such service or disability only if—

(A) the employee worked within or directly related to the expansion area immediately prior to the occurrence of such service or disability and

(B) the employee returned or sought to return to work for an affected contract employer immediately after the end of the service or disability if that was prior to the date of enactment.

The term "work performed", when used in relation to a period of time, shall also be deemed to include

any period during which an employee is deemed to have performed work;

(18) "terminal pay" means the payments to employees provided for in sections 207, 208, and 209 which, regardless of the designations used herein to distinguish among them are intended and shall be deemed to be severance pay and, as such, shall be treated for Federal income tax and State unemployment insurance purposes in the same manner as is provided by California State law;

(19) Notwithstanding any other provision of this Act, the Secretary shall reduce the amount of terminal pay for an employee, as calculated pursuant to section 207, 208, or 209, by the amount of the Federal and State income taxes which would be required to be withheld by an employer from wages equal to such terminal pay if paid to an employee with the same number of income tax exemptions as the recipient. For purposes of determining the amounts of such reductions with respect to severance payments made pursuant to sections 208 and 209, said severance payments shall be prorated over the number of weeks the equivalent sums would have been paid if the employees were eligible for and claiming the weekly layoff benefits provided in section 207. The Secretary shall withhold social security contributions from terminal pay in the same amounts as would be withheld if such pay (before the reductions provided for in this subsection) were wages and the Secretary shall make contributions on behalf of employees receiving terminal pay to the trust funds created under section 201 of the Social Security Act equal to the contributions required to be made by an employer paying wages equal to such unreduced terminal pay; and

(20) "Sixty-fifth birthday" means the last day of the month in which the sixty-fifth birthday occurs.

SEC. 202. The Secretary is authorized to develop the necessary procedures to implement this title.

AFFECTED EMPLOYEES

SEC. 203. The total or partial layoff of a covered employee employed by an affected employer during the period beginning May 31, 1977, and ending September 30, 1980, other than for a cause that would disqualify an employee for unemployment compensation, except as provided in section 205, is conclusively presumed to be attributable to the expansion of Redwood National Park: *Provided*, That the Secretary may, for good cause, extend this period for any group of covered employees by no more than one year at a time after September 30, 1980. Any covered employee laid off during that period by an

affected employer shall be considered an affected employee at any time said employee is on such layoff within the period ending September 30, 1984, or, if earlier, the end of said employee's period of protection as defined herein: *Provided, however*, That the number of affected employees with respect to an affected contract employer shall be limited in any week to that number of such employees otherwise affected as provided herein that is equal to the percentage of the affected employer's employee hours during calendar year 1977 that were worked within or directly related to the expansion area.

SEC. 204. (a) The Secretary shall provide, to the maximum extent feasible, for retention and accrual of all rights and benefits which affected employees would have had in an employment with affected employers during the period in which they are affected employees. The Secretary is authorized and shall seek to enter into such agreements as he may deem to be appropriate with affected employees and employers, labor organizations representing covered employees, and trustees of applicable pension and welfare funds, or to take such other actions as he deems appropriate to provide for affected employees (including the benefits provided for in section 207(d)) the following rights and benefits:

(1) retention and accrual of seniority rights, including recall rights (or, in the case of employees not covered by collective-bargaining agreements, application of the same preferences and privileges based upon length of continuous service as are applied under the affected employer's usual practices) under conditions no more burdensome to said employees than to those actively employed; and

(2) continuing entitlement to health and welfare benefits and accrual of pension rights and credits based upon length of employment and/or amounts of earnings to the same extent as and at no greater cost to said employees than would have been applicable had they been actively employed.

(b) The Secretary shall provide, additionally, for continuing entitlement to health and welfare benefits (other than group life and additional death, dismemberment, and loss of sight benefits) for employees who—

(1) retired from employment with an affected employer for reasons other than disability on or after May 31, 1977, but not later than September 30, 1984;

(2) are receiving pension benefits under a plan financed by industry employers;

(3) were age sixty-two or older but less than age sixty-five at the time of retirement; and

(4) are not eligible for benefits under title XVIII of the Social Security Act.

(c) The agreements described in subsection (a) of this section shall provide for the Secretary, effective October 1, 1977, to make payments on behalf of eligible affected

employees including employees eligible for the benefits provided for in section 207(d) to the applicable pension and welfare trust funds and to insurance companies. Such payments may be made in the form of grants and/or contributions equivalent to the difference between the amounts payable by their affected employers and labor organizations pursuant to collective-bargaining agreements (or, in the absence of such agreements, pursuant to established practice) and the amounts that would have been paid by their affected employers and their labor organizations had said employees worked or received pay for the periods for which they receive layoff benefits: *Provided*, That no payment shall be made to a pension fund on behalf of an employee who is receiving a pension from such fund. For purposes of determining the amounts of contributions calculated on the basis of worked or compensable hours, layoff and vacation replacement benefits shall be converted into the hours they represent in accordance with regulations to be issued by the Secretary.

(d) No person shall be subject to liability under the Employee Retirement Income Security Act of 1974, section 302 of the Labor-Management Relations Act, 1947, or any other law, solely by reason of the receipt of payments from the Secretary or the payment of benefits to affected employees in accordance with this section. Receipt of such payments and the payment of such benefits are deemed to be consistent with any relevant plan documents. No action taken pursuant to this section shall be deemed to place the Secretary in the position of an employer or a party in interest (including a fiduciary) for purposes of the Employee Retirement Income Security Act of 1974.

SEC. 205. (a) An application for unemployment compensation filed by a covered employee on or after the first Monday following the date of enactment shall be deemed an application for the benefits provided by this Act.

(b) An affected employee shall be eligible (unless said employee has received a social security retirement or disability benefit or a pension under a plan contributed to by an affected employer) for layoff and vacation replacement benefits, as defined herein, effective the first Monday following the date of enactment, for each week of total or partial layoff if, with respect to said week, said employee—

(1) is registered with the United States Employment and Training Service in Humboldt or Del Norte Counties or one of the adjacent counties in the Sate of California or at such other location as the Secretary may designate;

(2) is eligible for unemployment compensation benefits under the California Unemployment Insurance Code: *Provided*, That the Secretary is author-

ized and directed to provide for the payment of benefits under this title to an affected employee who is held ineligible or is disqualified for benefits under said code solely because of one or more of the following reasons: insufficient base period earnings; exhaustion of benefit rights; earnings in excess of the amount which would entitle the employee to a partial benefit for the week; the waiting week requirement; unavailability for work because of jury duty, National Guard duty, retraining authorized, financed or approved by a public agency, or because of a similar reason as determined by the Secretary; refusal of work which is not "suitable work" as defined in section 201(14); receipt of a worker's compensation or other benefit for partial disability which the employee would be entitled to receive while working; and any other cause of ineligibility with respect to which the Secretary determines that, under the circumstances, it would be unreasonable or otherwise contrary to the purpose of this Act to deny said employee a benefit provided for herein; and

(3) the employee's period of protection has not been exhausted or otherwise ended by acceptance of a severance payment.

SEC. 206. (a) The period of protection for an affected employee shall start with the beginning of the first week for which said employee is eligible to receive a layoff or vacation replacement benefit as provided by this title, and shall continue until the earliest of (i) the date said employee accepts a severance payment provided for below, (ii) a period equal to the length of the employee's creditable service is exhausted, or (iii) said employee's sixty-fifth birthday. In no event shall such period extend beyond September 30, 1984, except as provided by subsection (d) of section 207.

(b) Creditable service shall be computed as follows:

(1) a period equal to the length of an employee's seniority (or continuous service as defined herein) with said employee's last affected employer as of the date said employee's period of protection begins; plus

(2) a period equal to the sum of all prior periods during which the employee had seniority (or continuous service) with the same affected employer and with other industry employers: *Provided*, That if such seniority was broken (or such continuous service was interrupted) for more than three consecutive years for any reason other than employment with other affected or industry employers, periods of service in the Armed Forces or disabilities for which said employee received any workers' compensation benefits, unemployment compensation disability benefits, or disability benefits under the Social Security Act, any periods of seniority (or continuous service)

prior to the break in seniority (or interruption in continuous service) shall be disregarded.

(c) If necessary, in order to establish an employee's creditable service, the Secretary shall request authorization to examine said employee's social security wage record and shall compute such service from it by a method to be prescribed by regulation.

SEC. 207. (a) Except as further provided in this section, the amount of an eligible employee's weekly layoff benefit shall be equal to (1) the annual average of all hours of work performed by said employee for the last affected employer or whom the employee worked prior to the date of enactment of this section during those three of the five calendar years immediately preceding said date during which such hours were greatest, counting hours paid for at time and a half and double time as one and one-half and two hours, respectively, multiplied by (2) the wage rate applicable, during the week for which the benefit is payable, to the highest paid job held by said employee, other than by temporary assignment, with said affected employer during the period from January 1, 1977, through the date of enactment of this section, and divided by (3) fifty-two.

(b) The weekly benefit amount for an eligible employee with less than five calendar years of employment with one affected employer immediately prior to the enactment date shall be equal to the lessor of—

(1) the average benefit that would be payable with respect to the same week to those covered employees (if they were eligible in the same week) who had five or more calendar years of employment with the same affected employer (in accord with subsection (a) of this section) whose benefit amounts are computed on the basis of the wage rate for a job the same as, or most similar to, the highest paid job said employee had held, other than by temporary assignment, with said affected employer during the period from January 1, 1977, through the date of enactment of this section, or

(2) an amount calculated by substituting in clause (1) of subsection (a) the annual average of all hours of work performed by said employee for said employer during those calendar years for which said employee had performed work and throughout which he had seniority (or continuous service).

(c) Notwithstanding subsections (a) and (b), the Secretary shall classify as a "seasonal employee" any affected employee whose highest paid job held, other than by temporary assignment, with said affected employer during the period from January 1, 1977, through the date of enactment of this section was in an occupation in which the average annual number of weeks during which work was actually performed by all covered employees employed in said occupation during the five cal-

endar years preceding the enactment date was forty or less. With respect to such seasonal employees—

(1) the calculation of benefit amount set forth in subsection (a) shall be modified by—

(A) deducting from the hours for which said employee received pay those hours representing vacation pay and vacation pay increments and

(B) substituting for the fifty-two provided in clause (3) of subsection (a) a divisor equal to the average annual number of weeks for which said employee performed work for an affected employer in said occupation during those three of the five calendar years immediately preceding the date of enactment during which the number of such weeks was greatest: *Provided*, That this calculation shall be modified in accord with subsection (b) with respect to those employees who had less than five calendar years of employment with one affected employer immediately prior to the date of enactment of this section.

(2) the number of weekly benefits payable in any calendar year shall not exceed the annual average number of weeks for which a seasonal employee received pay from an affected employer for work performed in the employee's occupation, as established by paragraph (1)(B), and shall be payable only during those weeks of each year determined by the Secretary to be the usual season for that occupation;

(3) vacation pay and vacation pay increments shall be paid in the same amounts and at the same times of each year as they would have been paid had said employee performed work during all of the time for which said employee receives layoff benefits. Such pay is referred to herein as "vacation replacement benefits".

(d) Notwithstanding any other provision of this Act, the benefits for any affected employee who will reach the age of sixty on or before September 30, 1984, shall be extended after the end of the employee's period of protection (unless severance pay has been accepted) until the employee's sixty-fifth birthday, and shall be equal to said employee's weekly layoff benefit.

(e) The benefit amount provided by this section for any week of total or partial layoff shall be reduced by—

(1) the full amount of any earnings, including pay for time not worked with respect to the same week, from employment obtained pursuant to section 103, or employment by employers engaged in timber harvesting, or in related sawmill, plywood, and other wood processing operations;

(2) 50 per centum of earnings and pay for time not worked from any other employer with respect to that week; and

(3) the full amount of any unemployment compensation attributable to that week.

SEC. 208. (a) An affected employee (other than a short-service employee described in subsection (a) of section 209) shall be paid severance pay in accordance with this section if said employee:

(1) has been on a continuous layoff from employment with the employee's last affected employer for a period of at least twenty weeks subsequent to December 31, 1977;

(2) has no definite recall date for work with the affected employer by whom the employee was laid off and no offer of suitable work by any affected employer; and

(3) applies for severance pay during a week with respect to which said employee has not performed work for an affected employer: *Provided*, That this clause shall not result in denial of severance pay to an otherwise eligible employee who at the time of application is totally and permanently disabled as defined in the Social Security Act; or

(4) was permanently separated from employment with an affected employer during the period beginning May 31, 1977, and ending on the date of enactment of this Act, as a result of the closure of the mill or plant in which said employee was employed and has not, since said separation, been employed by an affected employer.

Provided, That an employee shall be deemed an affected employee for purposes of this section if said employee meets the requirements of clauses (1), (2), and (3) of section 204(b).

(b) The amount of severance pay payable to an employee shall be computed by multiplying the applicable number of weeks determined in accordance with subsection (c) by the amount of the weekly layoff benefit (without reduction for earnings or other benefits) which is payable, or would be payable if the employee were eligible, for the week in which the application was filed: *Provided*, That for a seasonal employee the amount so calculated, plus the amount of vacation replacement benefits applicable for that year shall be multiplied by the number of weeks in said employee's usual season, as determined in section 207(c), and the result divided by fifty-two.

(c) The number of weeks of severance pay shall be equal to one week for each month of the employee's creditable service up to a maximum of seventy-two weeks: *Provided*, That the severance payment to any employee shall not exceed the total amount of the weekly layoff and vacation replacement benefits which would have been payable if said employee were to be eligible for such benefits continuously from the week of application until

the end of the applicable period of protection (or, in the case of an employee described in the final proviso of subsection (a), until the earlier of said employee's sixty-fifth birthday or September 30, 1984), calculated on the basis of the weekly amounts of such benefits as of the date of application for severance pay.

(d) Acceptance of severance pay terminates the affected employee's period of protection and makes said employee ineligible thereafter for all other forms of terminal pay and for the protections provided in section 204, except as otherwise specifically provided in this Act.

(e) Before making a severance payment to an employee, the Secretary shall obtain said employee's written agreement that, upon resumption of employment in the industry within Humboldt and Del Norte Counties and the counties adjacent thereto in the State of California prior to September 30, 1980, or such later date established by the Secretary with respect to said employee pursuant to section 203, said employee will return it in weekly installments equal to a specified percentage of the employee's earnings in the industry, which the Secretary shall set at a reasonable level. The agreement shall include authorization for the Secretary to arrange with an employer for withholding of the applicable amounts from the employee's pay.

SHORT-SERVICE EMPLOYEES

SEC. 209. (a) Notwithstanding any other provision of this Act, an affected employee as defined in this title shall be ineligible for any benefit under this title except as provided in this section if:

(1) said employee will not reach age sixty before October 1, 1984; and

(2) said employee as of the date of becoming an affected employee, does not have service credit for pension purposes of at least five full years under a pension plan contributed to by industry employers.

(b) An affected employee described in subsection (a) shall be paid severance pay in accordance with this section if said employee meets the requirements of section 208(a).

(c) Said employee shall be paid a severance payment equal to forty times the hourly wage rate applicable at the time of application for severance pay to the highest paid job held by said employee, other than by temporary assignment, during calendar year 1977, with the employee's last affected employer for each one hundred and seventy-three hours for which said employee performed work for affected employers.

(d) Subsection (d) of section 208 shall be applicable to employees applying for and accepting severance pay-

ments pursuant to this section except that such employees shall remain eligible for allowances provided for in sections 211 and 212, and for retraining as provided for in section 210(a) and while in good faith engaged in such training shall be paid the same stipends and allowances as are generally applicable to individuals engaged in such retraining programs who are not employees as defined in this Act.

RETRAINING

SEC. 210. (a) An affected employee is eligible to apply for and the Secretary shall authorize training (including training for technical and professional occupations) at Government expense during said employee's period of protection if—

(1) the Secretary determines that there is no suitable employment available for the employee within a reasonable commuting area; and

(2) there is substantial reason to believe that the employee's employment prospects would be enhanced after successful completion of the training for which application has been filed.

(b) An affected employee engaged in training authorized by subsection (a) shall be paid layoff and vacation replacement benefits while in good faith engaged in such training and shall continue to be paid such benefits while so engaged.

SEC. 211. Upon application filed by an affected employee during said employee's period of protection, said employee shall be eligible for a job search allowance under the same terms, conditions, and amounts as provided in section 237 of the Trade Act of 1974 (19 U.S.C. 2297).

SEC. 212. (a) A relocation allowance shall be paid upon application by an affected employee during the applicable period of protection if—

(1) the Secretary determines that said employee cannot reasonably be expected to obtain suitable work in the commuting area in which said employee resides; and

(2) the employee has obtained—

(A) suitable employment affording a reasonable expectation of long-term duration in the area in which said employee wishes to relocate; or

(B) a bona fide offer of such employment; or

(3) the employee relocated during the period beginning May 31, 1977, and ending on the date of enactment, because of acceptance of employment requiring a change in residence to a location outside the commuting area in which said employee resided immediately prior to becoming an affected employee.

(b) The Secretary shall provide the same moving ex-

pense benefits for the same purposes as are set forth in the Regional Rail Reorganization Act of 1973 (Public Law 93–236).

ADMINISTRATION

SEC. 213. (a) The Secretary shall be responsible for paying promptly all benefits and payments provided by this title.

(b) Effective October 1, 1977, there are authorized to be appropriated annually such sums as may be required to meet the obligations provided for in this title.

(c) The Secretary shall have the authority to obtain information necessary to carry out the responsibilities created under this Act in the same manner as provided by section 249 of the Trade Act of 1974 (19 U.S.C. 2321).

(d) The Secretary shall offer all reasonable cooperation and assistance to individuals who believe they may qualify for the benefits, payments, preferential hiring rights, and other protections provided for employees under this Act. Among other things, the Secretary shall—

(1) provide all covered employees with literature stating their rights and obligations in nontechnical terms; and

(2) develop and implement procedures for the filing (including filing by mail in appropriate circumstances as determined by the Secretary) of applications, appeals, and complaints relating to the rights and entitlements established for employees by this title designed to facilitate prompt determinations and prompt payment to eligible applicants.

(e) The Secretary shall direct that notices, reports, applications, appeals, and information concerning the implementation of this title required to be filed with the Secretary shall be filed at the offices of the United States Employment and Training Service in Humboldt and Del Norte Counties of the State of California and that information required to facilitate employees' exercise of their rights under this title shall be kept available at such offices unless the Secretary shall designate additionally.

(f) In all cases where two or more constructions of the language of this title would be reasonable, the Secretary shall adopt and apply that construction which is most favorable to employees. The Secretary shall avoid inequities adverse to employees that otherwise would arise from an unduly literal interpretation of the language of this title.

Approved March 27, 1978.

Legislative History:

House Reports: No. 95–581 (Comm. on Interior and Insular Affairs), No. 95–581, pt. II (Comm. on Appropriations) and No. 95–931 (Comm. of Conference).

Senate Reports: No. 95–528 (Comm. on Energy and Natural Resources) and No. 95–578 (Comm. on Appropriations).

Congressional Record, Vol. 124 (1978):
Jan. 31, S. 1976 considered and passed Senate.
Feb. 9, considered and passed House.
Feb. 28, considered and passed Senate, amended, in lieu of S. 1976.
Mar. 14, House agreed to conference report.
Mar. 21, Senate agreed to conference report.
Weekly Compilation of Presidential Documents, Vol. 14, No. 13: Mar. 27, Presidential statement.

16. Rocky Mountain

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93-477)

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:

* * * * * * *

(9) Rocky Mountain National Park, Colorado: For the acquisition of lands authorized in subsection 301(6) of this Act, there are authorized to be appropriated not more than $2,423,740 and for development of such lands there are authorized to be appropriated not more than $318,000.

* * * * * * *

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of Interior shall revise the boundaries of the following units of the National Park System:

* * * * * * *

(7) Rocky Mountain National Park, Colorado: To add approximately 1,556.21 acres.

* * * * * * *

Approved October 26, 1974.

17. Sequoia

An Act to authorize the continued use of certain lands within the Sequoia National Park by portions of an existing hydroelectric project. (88 Stat. 1660) (P.L. 93–522)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to issue a permit to occupy and use lands of the United States within Sequoia National Park necessary for the continued operation, maintenance, and use of the hydroelectric project known as the Kaweah Number 3 project of Southern California Edison Company.

SEC. 2. The term of such permit shall expire not later than the expiration of existing or future licenses granted by the Federal Power Commission to Southern California Edison Company for said Kaweah Number 3 project (Federal Power Commission project numbered 298), but in no event shall the term of such permit extend for any period in excess of ten years following the date of its issuance, unless specifically authorized by law. Such permit shall contain such other terms and conditions as the Secretary of the Interior shall deem necessary for the protection and utilization of Sequoia National Park.

SEC. 3. Such permit shall specifically recite that the privileges granted thereby are to be exercised in accordance with the Federal Power Act (16 U.S.C. 791(a)–825(u)), and the rules and regulations thereunder which the Secretary of the Interior, after consultation with the Federal Power Commission, determines to be applicable.

SEC. 4. The National Park Service shall, not less than one hundred and eighty days prior to the termination date of such permit, report to the Congress, in writing, with respect to the impact of the operations of the hydroelectric project (known as the Kaweah numbered 3 project of Southern California Edison Company) on the Sequoia National Park.

Approved December 14, 1974.

Legislative History:
House Report No. 93–1360 (Comm. on Interior and Insular Affairs).
Senate Report No. 93–1236 accompanying S.J. Res. 237 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 120 (1974):
Oct. 7, considered and passed House.
Nov. 22 considered and passed Senate, amended.
Dec. 4, House concurred in Senate amendment.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE III—ADDITION OF MINERAL KING VALLEY TO SEQUOIA NATIONAL PARK

* * * * * * *

SEC. 314. (a) It is the purpose of this section to—

(1) assure the preservation for this and future generations of the outstanding natural and scenic features of the area commonly known as the Mineral King Valley and previously designated as the Sequoia National Game Refuge; and

(2) enhance the ecological values and public enjoyment of such area by adding such area to the Sequoia National Park.

(b)(1) In order to add to the Sequoia National Park (hereinafter in this section referred to as the "park") a certain area known as Mineral King Valley possessing unique natural and scenic values, there is hereby established as part of such park all lands, waters, and interests therein, constituting approximately sixteen thousand two hundred acres designated before the date of the enactment of this Act as the Sequoia National Game Refuge and as depicted on the drawing entitled "Boundary Map, Sequoia-Kings Canyon National Park", numbered 102–90,000 and dated April 1975. A copy of such drawing shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior. After advising the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate in writing, the Secretary is authorized to make minor revisions of the boundaries of the park when necessary by publication of a revised drawing or other boundary description in the Federal Register.

(2) The Sequoia National Game Refuge is hereby abolished and the Secretary of Agriculture shall transfer, without consideration, to the administrative jurisdiction of the Secretary, the area constituting such refuge, and any unexpended funds available for purposes of management of the refuge shall be available for purposes of management of the park.

(c)(1) Within the boundaries of the area added to the park pursuant to this section, the Secretary may acquire lands and interests in lands by donation, purchase with donated or appropriated funds, exchange, or transfer from other Federal departments or agencies.

(2) Where the private use of any property acquired pursuant to this subsection would, in the judgment of the Secretary, be compatible with the purposes of this section, the Secretary may, as a condition of such acquisition, permit the owner or owners of such property to retain for themselves and their successors or assigns rights of use and occupancy. Such rights of use and occupancy shall be for not more than twenty-five years or

for a term ending at the death of the owner or his or her spouse, whichever is later. The owner shall reserve such rights and elect the term to be reserved on the date of acquisition of the property. Except for so much of the property as is donated, the Secretary shall pay to the owner the fair market value of the property on the date of its acquisition, less the fair market value on that date of the right retained by the owner.

(3) A right of use and occupancy retained pursuant to paragraph (2) may be terminated by the Secretary upon his determination that the property or any portion thereof is being used in a manner which is incompatible with the purposes of this section. Such right shall terminate by operation of law upon notification by the Secretary to the holder of the right of such determination and tendering to him the amount equal to the fair market value of that portion which remains unexpired as of the date of such tender. In the case of any property which was used for noncommercial purposes during the ten calendar years immediately preceding the enactment of this Act, the commercial use of such property subsequent to the enactment of this Act shall be treated as incompatible with the purposes of this section. In the case of any property which was used for commercial purposes at any time during the ten calendar years immediately preceding the enactment of this Act, any substantial change or expansion of such commercial use subsequent to the enactment of this Act without the express approval of the Secretary shall be treated as incompatible with such purposes.

(4) In exercising his authority to acquire property under this section, the Secretary shall give prompt and careful consideration to any offer made by an individual owning property within the park to sell such property if such individual notifies the Secretary that the continued ownership of such property is causing, or would result in, undue hardship. Nothing in this section, or in any other provision of law, shall prevent the Secretary from exercising his authority to acquire property referred to in this subsection at any time after the date of the enactment of this Act.

(5) If any individual tract or parcel of land acquired is partly inside and partly outside the boundaries of the park the Secretary may, in order to minimize the payment of severance damages, acquire the whole of the tract or parcel.

(6) If the management plan prepared under subsection (e) provides for improved access to the area added to the park under this section, the Secretary is authorized to acquire, by donation, purchase with donated or appropriated funds, exchange or transfer from other Federal departments or agencies, the area comprising the road from State Route 198 to, and within, the Mineral King Valley together with a right-of-way for such road of a

width sufficient to include improvements to the road and all bridges, ditches, cuts, and fills appurtenant thereto, but not exceeding a maximum average width of two hundred feet. Property acquired from the State or any political subdivision thereof may be acquired by donation only. With regard to routes of access to and within the Mineral King Valley, the Secretary shall take such measures as are necessary to protect against the effects of siltation on the ecosystem of the park.

(7) The Secretary shall report to the committees of the Congress named in subsection (b)(1) the action taken by him pursuant to this subsection. Such report shall contain information sufficient to inform such committees of—

(A) the acquisitions made by him pursuant to this subsection during the period covered by such report;

(B) his reasons why all of such property authorized to be acquired and not so acquired as of the date of such report, if any, have not been acquired; and

(C) his schedule of a timetable for the acquisition of such property referred to in subparagraph (B).

Such report shall be submitted before the expiration of the second fiscal year beginning after the date on which the comprehensive management plan is submitted to the committees of Congress pursuant to subsection (e).

(d)(1) The area added to the park by this section shall be administered in accordance with this section and the provisions of law generally applicable to units of the National Park System including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. and following) and the Act of September 25, 1890 (26 Stat. 478; 16 U.S.C. 41 and following). Any other statutory authority available to the Secretary for the conservation and management of wildlife, wildlife habitat, and natural resources may be utilized to the extent he finds such authority will further the purposes of this section.

(2)(A) Except in the case of a lease or permit which the Secretary determines to be incompatible with the administration of the park pursuant to this section, any lease or permit on Federal land within the area added to the park under this section which is in effect immediately before the enactment of this Act shall continue in effect pursuant to its terms and conditions following the expansion of the park under this section.

(B) In the case of a lease or permit which is continued under subparagraph (A), upon notice to the Secretary by the lessee or permittee of his intention to seek renewal or extension of such lease or permit, the lease or permit shall be reviewed by the Secretary, and may be renewed or extended for an additional period of five years. Any such lease or permit shall be reviewed at the end of such renewal or extension period and may also be renewed or extended in the same manner for additional five-year periods thereafter. Any renewals or extensions of leases

or permits shall be granted only to those persons who were lessees or permittees of record on the date of enactment of this Act, and any such lease or permit shall provide that the lease or permit may be terminated by the Secretary at any time if the Secretary determines that such lease or permit is incompatible with the administration of the park pursuant to this section or that the land is needed for park purposes.

(3) The Act of December 14, 1974 (88 Stat. 1660) is amended by inserting the following new section after section 4:

"SEC. 5. Notwithstanding any other provision of law, any federally owned lands incorporated within the boundaries of Sequoia National Park subsequent to the date of enactment of this Act, which entail project works, developments, lands, or facilities which are components of Federal Power Commission Project Numbered 298, shall be subject to all provisions of this Act.".

(e)(1) Within two years from the date of enactment of this Act, the Secretary, in cooperation with the State of California, shall develop and submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, a comprehensive management plan for the area added to the park under this section. In the preparation of such plan, the Secretary shall give appropriate consideration to the need for the development of additional recreational opportunities and other public uses which are consistent with sound environmental management of the area and the policies of the National Park Service.

(2)(A) In preparing the comprehensive management plan required by this subsection and in preparing any subsequent revision of such plan, the Secretary shall provide for full public participation and shall consider the comments and views of all interested agencies, organizations, and individuals.

(B) For purposes of insuring such full public participation, the Secretary shall provide reasonable advance notice to State and local governments, interested Federal agencies, private organizations, and the general public of hearings, workshops, meetings, and other opportunities available for such participation. Such notice shall be published in newspapers of general circulation in the localities affected by the development and management of the park, published in the Federal Register, and communicated by other appropriate means. The Western Regional Advisory Committee of the National Park Service (or a subcommittee thereof) shall also be utilized for purposes of facilitating public involvement.

(C) The Secretaries or Directors of all Federal departments, agencies, and commissions having a relevant expertise are hereby authorized and directed to cooperate with the Secretary in his development of such plan and

to make such studies as the Secretary may request on a cost reimbursable basis.

(D) In preparing the comprehensive management plan required by this subsection, the Secretary shall consider technical information and other pertinent data assembled or produced by field studies or investigations conducted separately or jointly by the technical and administrative personnel of the Federal and State agencies involved in order to insure the permanent conservation of wildlife within the area added to the park by this section. Except in emergencies, rules and regulations pertaining to the management of wildlife within the area added to the park by this section shall be put into effect only after consultation with the State of California.

(f) There are hereby authorized to be appropriated such sums as may be necessary for the acquisition of land and interests therein described in this section.

(g) Effective upon the transfer referred to in subsection (b)(2), Public Law 85–648 (72 Stat. 604; 16 U.S.C. 45a–3) and section 6 of the Act of July 3, 1926 (44 Stat. 821; 16 U.S.C. 688) are hereby repealed. The repeal of such section 6 shall not be construed to prohibit or prevent the Secretary from exercising any authority applicable to the national parks respecting the protection of birds, game, or other wild animals.

(h) The Congress recognizes that the Mineral King Valley area has outstanding potential for certain year-round recreational opportunities, but the development of permanent facilities for downhill skiing within the area would be inconsistent with the preservation and enhancement of its ecological values.

* * * * * * *

Approved November 10, 1978.

18. Shenandoah

An Act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes. (90 Stat. 2692) (P.L. 94-567)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness, and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

* * * * * * *

(m) Shenandoah National Park, Virginia, wilderness comprising seventy-nine thousand and nineteen acres, and potential wilderness additions comprising five hundred and sixty acres, depicted on a map entitled "Wilderness Plan, Shenandoah National Park, Virginia", numbered 134-90,001 and dated June 1975, to be known as the Shenandoah Wilderness.

SEC. 2. A map and description of the boundaries of the areas designated in this Act shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the Superintendent of each area designated in the Act. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 3. All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness.

"SEC. 6. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved October 20, 1976.

19. Theodore Roosevelt

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE VI—MISCELLANEOUS PROVISIONS

* * * * * * *

THEODORE ROOSEVELT NATIONAL PARK

SEC. 610. The area formerly known as the "Theodore Roosevelt National Memorial Park", established by the Act of April 25, 1947 (61 Stat. 52), shall henceforth be known as the "Theodore Roosevelt National Park".

* * * * * * *

Approved November 10, 1978.

20. Virgin Islands

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the Natonal Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93-477)

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:

* * * * * * *

(10) Virgin Islands National Park, Virgin Islands: Section 4 of the Act of October 5, 1962 (76 Stat. 748; 16 U.S.C. 398f) is amended by changing "$1,250,000" to "$12,250,000".

* * * * * * *

Approved October 26, 1974.

An Act to authorize appropriations for certain insular areas of the United States, and for other purposes. (92 Stat. 487) (P.L. 95-348)

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

* * * * * * *

VIRGIN ISLANDS NATIONAL PARK

SEC. 7. (a)(1) The first paragraph of section 1 of the Act of October 5, 1962 (76 Stat. 746; 16 U.S.C. 398c), is amended by adding a comma after the words "adjoining lands, submerged lands, and waters" and inserting "and Hassel Island located in Saint Thomas Harbor and adjoining lands, submerged lands, and waters,".

(2) Such section 1 is further amended by inserting immediately before the last paragraph, the following:

"HASSEL ISLAND

"The area known as Hassel Island in Saint Thomas Harbor consisting of approximately 135 acres, together with such adjoining lands, submerged lands, and waters as the Secretary of the Interior deems appropriate, but the boundaries shall not, in any event, extend beyond 100 yards from the mean high water mark of the island.".

(b) Section 2 of such Act is amended by—

(1) inserting "(a)" after "SEC. 2.";

(2) adding at the end of the first sentence the following: "In acquiring such lands, up to 6.6 acres, the Secretary may, when agreed upon by the landowner involved, defer payment or schedule payments over a period of ten years and pay interest on the unpaid balance at a rate not exceeding the current prevailing commercial rate.", and

(3) adding the following at the end thereof:

"(b) The Secretary is authorized and directed to the maximum extent feasible to employ and train residents of the Virgin Islands to develop, maintain, and administer the Virgin Islands National Park.

"(c) Subject to continued protection and use of Hassel Island for park and recreation purposes, and such other conditions as the Secretary may deem appropriate, the Territory of the Virgin Islands may, within, but not after, five years after the date of the enactment of this subsection, by duly enacted legislation acquire all interests of the United States in Hassel Island by reimbursing the United States in an amount equal to the amount actually expended by the United States for the acquisition of lands and interests in lands and for the costs of construction of permanent improvements, if any.

"(d)(1) Except for property deemed necessary by the Secretary of the Interior for visitor facilities or administration of the park, any owner or owners of improved property on Hassel Island on the date of its acquisition, may retain for themselves a right of use and occupancy of the property for noncommercial residential purposes for twenty-five years or, in lieu thereof, for a term ending at the death of the owner or the owner's spouse, whichever is later. The owner shall elect the term to be reserved. 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. The authority of the Secretary to acquire the property commonly known as the Royal Mail (hotel) by condemnation shall be suspended for ten years from the date of enactment if such owner or owners agree, in writing, within ninety days after the enactment of this subsection to grant to the United States the right to purchase such property at a purchase price, mutually agreed upon by the Secretary and the landowner, which does not exceed the fixed value of said property on July 1, 1978.

"(2) As used in subsection (d)(1), 'improved property' means a single-family dwelling, the construction of which began before January 1, 1977, together with such lands as are in the same ownership and appurtenant buildings located thereon.

"(3) The Secretary may terminate a right of use and occupancy retained pursuant to subsection (d)(1) upon

his determination that such use and occupancy is being, or may be, exercised in a manner inconsistent with the purposes for which they were included within the park and upon tender to the holder of such right of the amount equal to the value of that portion of the right which remains unexpired on the date of termination.".

(4) Section 3 is amended by inserting "(a)" immediately after "SEC. 3." and by adding the following new subsection at the end thereof:

"(b) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed for entrance or admission into the Virgin Islands National Park.".

(5) Section 4 is amended to read as follows:

"SEC. 4. Effective October 1, 1978, there are authorized to be appropriated such sums as may be necessary for the acquisition of lands and interests in lands within the Virgin Islands National Park. For purposes of this section, acquisitions of land on Hassel Island shall be deemed to be acquisitions qualifying for payment under the provisions of paragraph (2) of the Act of June 10, 1977 (Public Law 95–42; 91 Stat. 210). In addition to such sums as may have heretofore been appropriated for development of public facilities within the Virgin Islands National Park, effective October 1, 1978, there are authorized to be appropriated not more than $1,000,000 for restoration and rehabilitation of historic structures and for development of public facilities on Hassel Island, and not more than $500,000 as a grant to the Territory of the Virgin Islands for its use in furthering projects undertaken pursuant to the Land and Water Conservation Fund Act, the Historic Preservation Act, or other comparable programs upon the transfer of title to the United States of all properties held by the territory on Hassel Island.".

(6) Section 2(c) of the Act entitled "An Act to authorize the establishment of the Virgin Islands National Park, and for other purposes" (70 Stat. 940; 16 U.S.C. 398) is amended by adding the following sentence at the end thereof: "Notwithstanding the acreage limitations and boundary designations contained in this section, the Secretary is authorized to accept through donation, or purchase from a willing seller, the real and personal property located on Lots 251–252 Estate Contant Enighed, Parcels 86B and 86AA Cruz Bay Quarter.".

AUTHORIZATIONS TO REMAIN AVAILABLE

SEC. 8. Any amount authorized by this Act or by the Act entitled "An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes" (Public Law 95–134; 91 Stat. 1159) but not appropriated for a fiscal year is authorized to be available for appropriation in succeeding fiscal years.

TECHNICAL AMENDMENTS

SEC. 9. Section 501 of the Act entitled "An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes" (Public Law 95–134; 91 Stat. 1159) is amended—

(1) by inserting ", notwithstanding any provision of law to the contrary," after "it is hereby declared to be the policy of the Congress"; and

(2) in subsection (a) by striking out "Notwithstanding any provision of law to the contrary, any" and inserting in lieu thereof "Any".

SEC. 10. Authorizations of moneys to be appropriated under this Act shall be effective on October 1, 1978.

* * * * * * *

Approved August 18, 1978.

21. Wind Cave

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(21) Wind Cave National Park, South Dakota: To add approximately two hundred and twenty-eight acres as generally depicted on the map entitled "Boundary Map, Wind Cave National Park, South Dakota", numbered 108–80,008, and dated July 1977: $227,000.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b)(1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved November 10, 1978.

22. Yellowstone

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE VI—MISCELLANEOUS PROVISIONS

* * * * * * *

FACILITIES AT YELLOWSTONE NATIONAL PARK

SEC. 601. (a) The Secretary is hereby authorized to acquire and upgrade the concession facilities owned by the Yellowstone Park Company at Yellowstone National Park in the State of Wyoming.

(b) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.

* * * * * * *

Approved November 10, 1978.

23. Zion

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

ZION NATIONAL PARK

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.

* * * * * * *

Approved October 21, 1976.

III. NATIONAL HISTORICAL PARKS

1. Appomattox Court 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. (90 Stat. 2732) (P.L. 94-578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

APPOMATTOX COURT HOUSE NATIONAL HISTORICAL PARK

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.

* * * * * * *

Approved October 21, 1976.

2. Boston

An Act to authorize the establishment of the Boston National Historical Park in the Commonwealth of Massachusetts. (88 Stat. 1184) (P.L. 93-431)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Boston National Historical Park Act of 1974".

SEC. 2. (a) In order to preserve for the benefit and inspiration of the people of the United States as a national historical park certain historic structures and properties of outstanding national significance located in Boston, Massachusetts, and associated with the American Revolution and the founding and growth of the United States, the Secretary of the Interior (hereinafter referred to as the "Secretary") may, in accordance with the provisions of this Act, acquire by donation or by purchase with donated funds, all lands and improvements thereon or interests therein comprising the following described areas:

(1) Faneuil Hall, located at Dock Square, Boston;

(2) Paul Revere House, 19 North Square, Boston;

(3) The area identified as the Old North Church area, 193 Salem Street, Boston;

(4) The Old State House, Washington and State Streets, Boston;

(5) Bunker Hill, Breeds Hill, Boston;

(6) Old South Meeting House, Milk and Washington Streets, Boston; and

(7) Charlestown Navy Yard.

(b) In the event that the properties described in this section are not donated to the United States or purchased with donated funds, they may be acquired by the Secretary with appropriated funds: *Provided*, That, except for privately held lands within the Charlestown Navy Yard as described in subsection (d) of this section, the Secretary shall not acquire any such properties by eminent domain so long as he determines that a binding, written cooperative agreement, assuring the preservation and historical integrity of such properties remains in force and effect. Lands owned by the Commonwealth of Massachusetts, or any of its political subdivisions, may be acquired only by donation.

(c) At such time as the Secretary determines that sufficient lands, improvements, and interests therein have been acquired or that cooperative agreements satisfying the preservation and historical objective of this Act have been executed, he may establish the Boston National Historical Park by publication of notice to that effect in the Federal Register, together with a detailed description or map setting forth the properties included therein.

(d) As used in this section, the Charlestown Navy Yard shall include the United States Ship Constitution

and the lands generally depicted on the map entitled "Boundary Map: Charlestown Naval Shipyard—U.S.S. Constitution, Boston National Historical Park", numbered BONA 20,000 and dated March 1974 which shall be on file and available in the offices of the Director of the National Park Service, Department of the Interior, Washington, D.C. All right, title, and interest in the Federal properties and improvements included therein shall be transferred to the Secretary of the Interior: *Provided*, That he may, by written agreement with the Secretary of the Navy, permit the continued use of any such buildings and facilities as the Secretary of the Interior determines to be necessary for the preservation and maintenance of the Constitution, which agreement shall provide that the Department of the Navy shall transfer to the Department of the Interior funds sufficient to cover the costs attributable to the functions and services which are provided by the Department of the Interior. The Secretary shall consult with representatives of the city of Boston and the Commonwealth of Massachusetts concerning the development of suitable transportation plans consistent with the purposes for which the Navy Yard was included in the historical park.

SEC. 3. (a) In addition to the properties described in section 2 of this Act, the Secretary shall study the properties described in this section to determine the feasibility and suitability of including them within the Boston National Historical Park. In making such studies, he may enter into tentative agreements with any owners thereof for their inclusion in said park and he may enter into options, for a nominal consideration, for the purchase of such properties, but no additional properties may be added to the park except by an act of the Congress. Studies shall be made of the following properties:

(1) Boston Common;

(2) Dillaway-Thomas House;

(3) Thomas Crease House (old Corner Book Store);

(4) Dorchester Heights; and

(5) the following burying grounds: King's Chapel, Granary, and Copp's Hill.

(b) In furtherance of the general purposes of this Act as prescribed in section 2, the Secretary is authorized to enter into cooperative agreements with the city of Boston, the Commonwealth of Massachusetts, or any private organization to mark, interpret, restore, and/or provide technical assistance for the preservation and interpretation of any properties listed in section 2, or portions thereof, which, in his opinion, would best be preserved in private, municipal, or State ownership, in connection with the Boston National Historical Park. Such agreements shall contain, but shall not be limited to, provisions that the Secretary, through the National Park Service, shall have right of access at all reasonable times to all public portions of the property covered by such

agreement for the purpose of conducting visitors through such properties and interpreting them to the public, that no changes or alterations shall be made in such properties except by mutual agreement between the Secretary and the other parties to such agreements, except that no limitation or control of any kind over the use of any such properties customarily used for church purposes shall be imposed by any agreement. The agreements may contain specific provisions which outline in detail the extent of the participation by the Secretary in the restoration, preservation, and maintenance of such historic properties.

(c) The Secretary may identify other significant sites of the colonial and Revolutionary periods of American history in the city of Boston, Massachusetts, and its environs, which are related to the historical park created by this Act, and, with the consent of the owner or owners thereof, may mark them appropriately and make reference to them in any interpretive literature.

SEC. 4. (a) There is established a Boston National Historical Park Advisory Commission (hereinafter referred to as the "Commission") which shall be composed of members appointed by the Secretary as follows:

(1) Three members appointed from recommendations submitted by the Governor of Massachusetts;

(2) Three members appointed from recommendations submitted by the mayor of the city of Boston; and

(3) One member to represent each owner with which the Secretary has concluded a cooperative agreement pursuant to section 3 of this Act, to be appointed from recommendations submitted by each such owner.

(b) The Commission shall terminate ten years from the date of establishment of the Boston National Historical Park.

(c) A vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment (and for the balance of the unexpired term). The Chairman of the Commission shall be designated by the Secretary.

(d) The Commission shall act and advise by affirmative vote of a majority of its members.

(e) The Secretary or his designee shall from time to time, but at least semiannually, consult with the Commission with respect to matters relating to the development of the Boston National Historical Park.

(f) Members of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this Act upon presentation of vouchers signed by the Chairman.

SEC. 5. The Secretary may acquire property or any interest therein by donation, purchase, or exchange for the visitor center, and notwithstanding any other pro-

vision of law, funds appropriated for the development and operation of the visitor center may be expended on property in which the Secretary has acquired less than the fee simple interest therein, including a leasehold interest.

SEC. 6. When established as provided in section 2 of this Act, the Boston National Historical Park shall be administered by the Secretary in accordance with the provisions of this Act, the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467).

SEC. 7. For the acquisition of lands or interests in lands designated by section 2 of this Act as components of the Boston National Historical Park, there is authorized to be appropriated not to exceed $2,740,000. For development of the components designated as paragraphs 1 through 6 in section 2, there is authorized to be appropriated not more than $12,818,000. For the development of the component designated as paragraph 7 in section 2, there is authorized to be appropriated not more than $11,500,000.

Approved October 1, 1974.

Legislative History:

House Report No. 93–1246 accompanying H.R. 7486 (Comm. on Interior and Insular Affairs).
Senate Report No. 93–599 (Comm. on Interior and Insular Affairs).
Congressional Record:
Vol. 119 (1973): Dec. 7, considered and passed Senate.
Vol. 120 (1974): Aug. 5, considered and passed House, amended, in lieu of H.R. 7486.
Sept. 18, Senate concurred in House amendment.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE III—ADDITION OF DORCHESTER HEIGHTS TO THE BOSTON NATIONAL HISTORICAL PARK

* * * * * * *

SEC. 310. (a) Section 2(a) of the Boston National Historical Park Act of 1974 (88 Stat. 1184) is amended—

(1) in paragraph (6) by striking out "and" at the end thereof;

(2) in paragraph (7) by striking out the period and inserting in lieu thereof "; and"; and

(3) by inserting at the end thereof the following new paragraph:

"(8) Dorchester Heights, Boston.".

(b) Section 3(a) of such Act is amended—

(1) in paragraph (3) by inserting "and" after the semicolon;

(2) by striking out "(4) Dorchester Heights; and"; and

(3) by striking out "(5)" and inserting in lieu thereof "(4)".

(c) There are authorized to be appropriated such sums as may be necessary for the acquisition of lands or interests in lands designated by subsection (a) of this section as a component of the Boston National Historical Park, and for the development of such component.

(d) Section 2(d) of such Act is amended by deleting the period at the end of the last sentence and inserting: "and the Secretary is authorized to grant, in accordance with such terms and conditions as he deems necessary and consistent with the purposes of this Act, easements and rights-of-way to the Commonwealth of Massachusetts or any political subdivision thereof including the Boston Redevelopment Authority for purposes of the vehicular, pedestrian and utility access to that portion of the Boston Navy Yard outside the boundaries of the Park. Such grants of easements and rights-of-way shall be upon the express condition that the grantee convey to the United States the property known as Building No. 107, being a part of the Boston Navy Yard and owned by the Boston Redevelopment Authority."

* * * * * * *

Approved November 10, 1978.

3. Chesapeake and Ohio Canal

An Act to dedicate the canal and towpath of the Chesapeake and Ohio Canal National Historical Park to Justice William O. Douglas, and for other purposes. (91 Stat. 21) (P.L. 95–11)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the canal and towpath of the Chesapeake and Ohio Canal National Historical Park are hereby dedicated to Justice William O. Douglas in grateful recognition of his long outstanding service as a prominent American conservationist and for his efforts to preserve and protect the canal and towpath from development.

SEC. 2. In order to carry out the provisions of this Act, the Secretary of the Interior is authorized and directed to provide such identification by signs, including, but not limited to changes in existing signs, materials, maps, markers, interpretive programs or other means as will appropriately inform the public of the contributions of Justice William O. Douglas.

SEC. 3.; The Secretary of the Interior is further authorized and directed to cause to be erected and maintained, within the exterior boundaries of the Chesapeake and Ohio Canal National Historical Park, an appropriate memorial to Justice William O. Douglas. Such memorial shall be of such design and be located at such place within the park as the Secretary shall determine.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Approved March 15, 1977.

Legislative History:

House Report No. 95–38 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 123 (1977):
Feb. 24, considered and passed Senate.
Mar. 2, considered and passed House.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE III—CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK

* * * * * * *

SEC. 320. Section 8(b) of the Act of January 8, 1971 (84 Stat. 1978) is amended by changing "$20,400,000" to "$28,400,000". The boundaries of the park are revised to include approximately 600 additional acres: *Provided, however*, That such additions shall not include any properties located between 30th Street and Thomas Jefferson

Street in the northwest section of the District of Columbia.

* * * * * * *

Approved November 10, 1978.

4. City of Refuge

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE III—NAME CHANGE; CITY OF REFUGE NATIONAL HISTORICAL PARK

* * * * * * *

SEC. 305. The Act of July 21, 1955 (69 Stat. 376) is hereby amended to redesignate the City of Refuge National Historical Park as the Puuhonua o Honaunau National Historical Park.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b)(1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

* * * * * * *

Approved November 10, 1978.

5. Colonial

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93-477)

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:

* * * * * * *

(2) Colonial National Historical Park, Virginia: Section 4 of the Act of July 3, 1930 (46 Stat. 856), as amended (16 U.S.C. 81f) is amended by changing "$2,777,000" to "$10,472,000".

* * * * * * *

Approved October 26, 1974.

6. Cumberland Gap

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93–477)

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:

* * * * * * *

(3) Cumberland Gap National Historical Park, Kentucky and Tennessee: For the acquisition of lands authorized in subsection 301(2) of this Act, there are authorized to be appropriated such sums as may be necessary, but not more than $427,500.

* * * * * * *

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:

* * * * * * *

(2) Cumberland Gap National Historical Park, Kentucky and Tennessee: In addition to any funds heretofore appropriated for said national historical park, there are hereby authorized to be appropriated not more than $160,000 for development.

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TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of Interior shall revise the boundaries of the following units of the National Park System:

* * * * * * *

(2) Cumberland Gap National Historical Park, Kentucky and Tennessee: Notwithstanding the provisions of the Act of June 11, 1940 (54 Stat. 262), as amended (16 U.S.C. 261–265), the Secretary of the Interior is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange not to exceed 60 acres of land or interests in

land located in Bell County, Kentucky, and Claiborne County, Tennessee, for addition to and inclusion in the said national historical park which, upon acquisition, shall become a part of the Cumberland National Historical Park subject to the laws, rules, and regulations governing such park.

* * * * * * *

Approved October 26, 1974.

7. Harpers Ferry

An Act to amend the Act of June 30, 1944, an Act "To provide for the establishment of the Harpers Ferry National Monument", and for other purposes. (88 Stat. 1420) (P.L. 93-466)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 30, 1944 (58 Stat. 645; 16 U.S.C. 450bb), an Act "To provide for the establishment of the Harpers Ferry National Monument", is amended as follows:

(1) In section 1, the first sentence is amended to read: "That, in order to carry out the purposes of this Act, the Secretary of the Interior is authorized to acquire lands or interests in lands, by donation, purchase with donated or appropriated funds, or exchange, within the boundaries as generally depicted on the drawing entitled 'Boundary Map, Harpers Ferry National Historical Park', numbered 385-40,000D and dated April 1974, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior: *Provided*, That after advising the Committees on Interior and Insular Affairs of the Congress of the United States, in writing, the Secretary may make minor revisions in the boundary, when necessary, by publication of a revised drawing or other boundary description in the Federal Register, but the total acreage shall not exceed two thousand acres: *Provided further*, That nothing herein shall be deemed to authorize the acquisition, without consent of the owner, of a fee simple interest in lands within the boundaries in which a less than fee interest has previously been acquired by the Secretary of the Interior."

(2) In section 3, delete the word "and" at the end of paragraph (1); change the period at the end of paragraph (2) to a semicolon and add "and"; and add the following new paragraph:

"(3) Provide, directly or by contract, subject to the provisions of the Act of June 7, 1974 (88 Stat. 192; 16 U.S.C. 4601-6a) an interpretive shuttle transportation service within, between, and among lands acquired for the purpose of this Act for such times and upon such terms as in his judgment will best accomplish the purposes of this Act."

(3) Revise section 4 to read as follows:

"In addition to such sums as have heretofore been appropriated, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not more than $1,300,000 for the acquisition of lands and interests in lands, and not more than $8,690,000 for development."

Approved October 24, 1974.

Legislative History:
House Report No. 93-1358 accompanying H.R. 12972 (Comm. on Interior and Insular Affairs).
Senate Report No. 93-874 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 120 (1974):
May 28, considered and passed Senate.
Oct. 7, considered and passed House, amended, in lieu of H.R. 12972.
Oct. 8, Senate concurred in House amendment.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(14) Harper's Ferry National Historical Park, Maryland-West Virginia: Section 4 of the Act of June 30, 1944 (58 Stat. 645), is amended further by changing "$8,690,000" to "$12,385,000".

* * * * * * *

Approved November 10, 1978.

8. Independence

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93–477)

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:

* * * * * * *

(5) Independence National Historical Park, Pennsylvania: Section 6 of the Act of June 28, 1948 (62 Stat. 1061, 1062), as amended (16 U.S.C. 407r), is amended by changing "$11,200,000." to "$12,792,000.".

* * * * * * *

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of Interior shall revise the boundaries of the following units of the National Park System:

* * * * * * *

(4) Independence National Historical Park, Pennsylvania: To add approximately 4.67 acres, which shall include the area bounded by Chestnut Street, Front Street, Walnut Street, and Second Street, to be known as Project F: *Provided*, That the authority of the Secretary of the Interior to acquire property by condemnation under this Act shall be suspended with respect to all property within the boundaries of the area known as Project F during the time the city of Philadelphia shall have in force and applicable to such property a duly adopted, valid zoning ordinance approved by the Secretary: *And provided further*, That no zoning ordinance or amendment of a zoning ordinance shall be approved by the Secretary which (1) contains any provision which he may consider adverse to the preservation and development of the Independence National Historical Park, or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under and any exception made to the application of such ordinance or amendment.

* * * * * * *

Approved October 26, 1974.

9. Jean Lafitte

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE IX—JEAN LAFITTE NATIONAL HISTORICAL PARK

* * * * * * *

SEC. 901. In order to preserve for the education, inspiration, and benefit of present and future generations significant examples of natural and historical resources of the Mississippi Delta region and to provide for their interpretation in such manner as to portray the development of cultural diversity in the region, there is authorized to be established in the State of Louisiana the Jean Lafitte National Historical Park and Preserve (hereinafter referred to as the "park"). The park shall consist of (1) the area of approximately twenty thousand acres generally depicted on the map entitled "Barataria Marsh Unit-Jean Lafitte National Historical Park and Preserve" numbered 90,000B and dated April 1978, which shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior; (2) the area known as Big Oak Island; (3) an area or areas within the French Quarter section of the city of New Orleans as may be designated by the Secretary of the Interior for an interpretive and administrative facility; (4) the Chalmette National Historical Park; and (5) such additional natural, cultural, and historical resources in the French Quarter and Garden District of New Orleans, forts in the delta region, plantations, and Acadian towns and villages in the Saint Martinville area and such other areas and sites as are subject to cooperative agreements in accordance with the provisions of this title.

SEC. 902. (a) Within the Barataria Marsh Unit the Secretary is authorized to acquire not to exceed eight thousand acres of lands, waters, and interests therein (hereinafter referred to as the "core area"), as depicted on the map referred to in the first section of this title, by donation, purchase with donated or appropriated funds, or exchange. The Secretary may also acquire by any of the foregoing methods such lands and interests therein, including leasehold interests, as he may designate in the French Quarter of New Orleans for development and operation as an interpretive and administrative facility. Lands, waters, and interests therein owned by the State of Louisiana or any political subdivision thereof may be acquired only by donation.

In acquiring property pursuant to this title, the Secretary may not acquire right to oil and gas without the consent of the owner, but the exercise of such rights shall be subject to such regulations as the Secretary may promulgate in furtherance of the purposes of this title.

(b) With respect to the lands, waters, and interests therein generally depicted as the "park protection zone" on the map referred to in the first section of this title, the Secretary shall, no later than six months from the date of enactment of this Act, in consultation with the affected State and local units of government, develop a set of guidelines or criteria applicable to the use and development of properties within the park protection zone to be enacted and enforced by the State or local units of government.

(c) The purpose of any guideline developed pursuant to subsection (b) of this section shall be to preserve and protect the following values within the core area:

(1) fresh water drainage patterns from the park protection zone into the core area;

(2) vegetative cover;

(3) integrity of ecological and biological systems; and

(4) water and air quality.

(d) Where the State or local units of government deem it appropriate, they may cede to the Secretary, and the Secretary is authorized to accept, the power and authority to confect and enforce a program or set of rules pursuant to the guidelines established under subsection (b) of this section for the purpose of protecting the values described in subsection (c) of this section.

(e) The Secretary, upon the failure of the State or local units of government to enact rules pursuant to subsection (b) of this section or enforce such rules so as to protect the values enumerated in subsection (c) of this section, may acquire such lands, servitudes, or interests in lands within the park protection zone as he deems necessary to protect the values enumerated in subsection (c) of this section.

(f) The Secretary may revise the boundaries of the park protection zone, notwithstanding any other provision of law, to include or exclude properties, but only with the consent of Jefferson Parish.

SEC. 903. Within the Barataria Marsh Unit, the owner or owners of improved property used for noncommercial residential purposes on a year-round basis may, as a condition of the acquisition of such property by the Secretary, elect to retain a right of use and occupancy of such property for noncommercial residential purposes if, in the judgment of the Secretary, the continued use of such property for a limited period would not unduly interfere with the development or management of the park. Such right of use and occupancy may be either a period ending on the death of the owner or his spouse,

whichever occurs last, or a term of not more than twenty-five years, at the election of the owner. Unless the property is donated, the Secretary shall pay to the owner the fair market value of the property less the fair market value of the right retained by the owner. Such right may be transferred or assigned and may be terminated by the Secretary, if he finds that the property is not used for noncommercial residential purposes, upon tender to the holder of the right an amount equal to the fair market value of the unexpired term. As used in this section, the term "improved property" means a single-family, year-round dwelling, the construction of which was begun before January 1, 1977, 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 which the Secretary finds is reasonably necessary for the owner's continued use and occupancy of the dwelling.

SEC. 904. In furtherance of the purposes of this title, and after consultation with the Commission created by section 7 of this title, the Secretary is authorized to enter into cooperative agreements with the owners of properties of natural, historical, or cultural significance, including but not limited to the resources described in paragraphs (1) through (5) of the first section of this title, pursuant to which the Secretary may mark, interpret, restore and/or provide technical assistance for the preservation and interpretation of such properties, and pursuant to which the Secretary may provide assistance including management services, program implementation, and incremental financial assistance in furtherance of the standards for administration of the park pursuant to section 906 of this title. Such agreements shall contain, but need not be limited to, provisions that the Secretary, through the National Park Service, shall have the right of access at all reasonable times to all public portions of the property covered by such agreement for the purpose of conducting visitors through such properties and interpreting them to the public, and that no changes or alterations shall be made in such properties except by mutual agreement between the Secretary and the other parties to such agreements. The agreements may contain specific provisions which outline in detail the extent of the participation by the Secretary in the restoration, preservation, interpretation, and maintenance of such properties.

SEC. 905. Within the Barataria Marsh Unit, the Secretary shall permit hunting, fishing (including commercial fishing), and trapping in accordance with applicable Federal and State laws, except that within the core area and on those lands acquired by the Secretary pursuant to section 902(c) of this title, he may designate zones where and establish periods when no hunting, fishing,

or trapping shall be permitted for reasons of public safety. Except in emergencies, any regulations of the Secretary promulgated under this section shall be put into effect only after consultation with the appropriate fish and game agency of Louisiana.

SEC. 906. The Secretary shall establish the park by publication of a notice to that effect in the Federal Register at such time as he finds that, consistent with the general management plan referred to in section 908, sufficient lands and interests therein (i) have been acquired for interpretive and administrative facilities, (ii) are being protected in the core area, and (iii) have been made the subject of cooperative agreements pursuant to section 904. Pending such establishment and thereafter the Secretary shall administer the park in accordance with the provisions of this title, the Act of August 25, 1916 (39 Stat. 535), the Act of August 21, 1935 (49 Stat. 666), and any other statutory authorities available to him for the conservation and management of natural, historical, and cultural resources.

SEC. 907. (a) There is established the Delta Region Preservation Commission (hereinafter referred to as the "Commission"), which shall consist of the following:

(1) two members appointed by the Governor of the State of Louisiana;

(2) two members appointed by the Secretary from recommendations submitted by the President of Jefferson Parish;

(3) two members appointed by the Secretary from recommendations submitted by the Jefferson Parish Council;

(4) two members appointed by the Secretary from recommendations submitted by the mayor of the city of New Orleans;

(5) one member appointed by the Secretary from recommendations submitted by the commercial fishing industry;

(6) three members appointed by the Secretary from recommendations submitted by local citizen conservation organizations in the delta region; and

(7) one member appointed by the Chairman of the National Endowment for the Arts.

(b) Members of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the non-Federal members of the Commission in carrying out their duties.

(c) The function of the Commission shall be to advise the Secretary in the selection of sites for inclusion in the park, in the development and implementation of a general management plan, and in the development and implementation of a comprehensive interpretive program of the natural, historic, and cultural resources of the region. The Commission shall inform interested mem-

bers of the public, the State of Louisiana and its political subdivisions, and interested Federal agencies with respect to existing and proposed actions and programs having a material effect on the perpetuation of a high-quality natural and cultural environment in the delta region.

(d) The Commission shall act and advise by affirmative vote of a majority of its members: *Provided*, That any recommendation of the Commission that affects the use or development, or lack thereof, of property located solely within a single parish or municipality shall have the concurrence of a majority of the members appointed from recommendations submitted by such parish or municipality.

(e) The Directors of the Heritage Conservation and Recreation Service and the National Park Service shall serve as ex officio members of the Commission and provide such staff support and technical services as may be necessary to carry out the functions of the Commission.

SEC. 908. (a) There is authorized to be appropriated, to carry out the provisions of this title, not to exceed $50,000,000 from the Land and Water Conservation Fund for acquisition of lands, waters, and interests therein and such sums as necessary for the development of essential facilities.

(b) Within three years from the date of enactment of this title, the Secretary, after consultation with the Commission, shall submit to the Committee on Interior and Insular Affairs of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate a general management plan for the park indicating—

(1) transportation alternatives for public access to the park;

(2) the number of visitors and types of public use within the park which can be accommodated in accordance with the protection of its resources;

(3) the location and estimated cost of facilities deemed necessary to accommodate such visitors and uses; and

(4) a statement setting forth the actions which have been and should be taken to assure appropriate protection, interpretation, and management of the areas known as Big Oak Island and Couba Island.

SEC. 909. The area described in the Act of October 9, 1962 (76 Stat. 755), as the "Chalmette National Historical Park" is hereby redesignated as the Chalmette Unit of the Jean Lafitte National Historical Park. Any references to the Chalmette National Historical Park shall be deemed to be references to said Chalmette Unit.

SEC. 910. By no later than the end of the first full fiscal year following the date of enactment of this section, the Secretary shall submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the

Senate, a comprehensive report with recommendations as to sites within the Mississippi River Delta Region which constitute nationally significant examples of natural resources within that region.

* * * * * * *

Approved November 10, 1978.

10. Kaloko-Honokohau

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE V—ESTABLISHMENT OF NEW AREAS AND ADDITIONS TO NATIONAL TRAILS SYSTEM

SUBTITLE A—PARKS, SEASHORES, ETC.

* * * * * * *

KALOKO-HONOKOHAU NATIONAL HISTORICAL PARK

SEC. 505. (a) In order to provide a center for the preservation, interpretation, and perpetuation of traditional native Hawaiian activities and culture, and to demonstrate historic land use patterns as well as to provide a needed resource for the education, enjoyment, and appreciation of such traditional native Hawaiian activities and culture by local residents and visitors, there is established the Kaloko-Honokohau National Historical Park (hereinafter in this section referred to as the "park") in Hawaii comprising approximately one thousand three hundred acres as generally depicted on the map entitled "Kaloko-Honokohau National Historical Park," numbered KHN-80,000, and dated May 1978, which shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

(b) Except for any lands owned by the State of Hawaii or its subdivisions, which may be acquired only by donation, the Secretary is authorized to acquire the lands described above by donation, exchange, or purchase through the use of donated or appropriated funds, notwithstanding any prior restriction of law.

(c) The Secretary shall administer the park in accordance with this section and the provisions of law generally applicable to units of the national park system, including the Acts approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 461-467), and August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.), and generally in accordance with the guidelines provided in the study report entitled "Kaloko-Honokohau" prepared by the Honokohau Study Advisory Commission and the National Park Service, May 1974, GPO 690-514.

(d)(1) In administering the park the Secretary may provide traditional native Hawaiian accommodations.

(2) The Secretary shall consult with and may enter into a cooperative management agreement with the State of Hawaii for the management of the submerged

lands within the authorized park boundary, following the marine management policies of the State of Hawaii.

(3) Commercial, recreational, and subsistence fishing and shoreline food gathering activities as well as access to and from the Honokohau small boat harbor by motor boats and other water craft shall be permitted wherever such activities are not inconsistent with the purposes for which the park is established, subject to regulation by the Secretary.

(4) The Secretary shall consult with and may enter into agreements with other governmental entities and private landowners to establish adequate controls on air and water quality and the scenic and esthetic values of the surrounding land and water areas. In consulting with and entering into any such agreements, the Secretary shall to the maximum extent feasible utilize the traditional native Hawaiian Ahupua's concept of land and water management.

(e) In carrying out the purposes of this section the Secretary is authorized and directed as appropriate to employ native Hawaiians. For the purposes of this section, native Hawaiians are defined as any lineal descendants of the race inhabiting the Hawaiian Islands prior to the year 1778.

(f)(1) There is hereby established the Kaloko-Honokohau Na Hoa Pili O Kaloko-Honokohau (The Friends of Kaloko-Honokohau), an Advisory Commission for the park. The Commission shall be composed of nine members, appointed by the Secretary, at least five of whom shall be selected from nominations provided by native Hawaiian organizations. All members of the Commission shall be residents of the State of Hawaii, and at least six members shall be native Hawaiians. Members of the Commission shall be appointed for five-year terms except that initial appointment(s) shall consist of two members appointed for a term of five years, two for a term of four years, two for a term of three years, two for a term of two years, and one for a term of one year. No member may serve more than one term consecutively.

(2) The Secretary shall designate one member of the Commission to be Chairman. Any vacancy in the Commission shall be filled by appointment for the remainder of the term.

(3) Members of the Commission shall serve without compensation. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this section on vouchers signed by the Chairman.

(4) The Superintendent of the park, the National Park Service State Director, Hawaii, a person appointed by the Governor of Hawaii, and a person appointed by the mayor of the county of Hawaii, shall serve as ex officio nonvoting members of the Commission.

(5) The Commission shall advise the Director, National Park Service, with respect to the historical, archeological, cultural, and interpretive programs of the park. The Commission shall afford particular emphasis to the quality of traditional native Hawaiian culture demonstrated in the park.

(6) The Commission shall meet not less than twice a year. Additional meetings may be called by the Chairman.

(7) The Advisory Commission shall terminate ten years after the date of enactment of this Act.

(g) There are hereby authorized to be appropriated not to exceed $25,000,000 for acquisition and $1,000,000 for development.

* * * * * * *

Approved November 10, 1978.

11. Klondike Gold Rush

An Act to authorize the Secretary of the Interior to establish the Klondike Gold Rush National Historical Park in the States of Alaska and Washington, and for other purposes. (90 Stat. 717) (P.L. 94-323)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to preserve in public ownership for the benefit and inspiration of the people of the United States, historic structures and trails associated with the Klondike Gold Rush of 1898, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to establish the Klondike Gold Rush National Historical Park (hereinafter referred to as the "park"), consisting of a Seattle unit, a Skagway unit, a Chilkoot Trail unit, and a White Pass Trail unit. The boundaries of the Skagway unit, the Chilkoot Trail unit, and the White Pass Trail unit shall be as generally depicted on a drawing consisting of two sheets entitled "Boundary Map, Klondike Gold Rush National Historical Park", numbered 20,013-B and dated May, 1973, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. Within the Pioneer Square Historic District in Seattle as depicted on a drawing entitled "Pioneer Square Historic District", numbered 20,010-B and dated May 19, 1973, which shall also be on file and available as aforesaid, the Secretary may select a suitable site for the Seattle unit and publish a description of the site in the Federal Register. The Secretary may relocate the site of the Seattle unit by publication of a new description in the Federal Register, and any property acquired for purposes of the unit prior to such relocation shall be subject to disposal in accordance with the Federal surplus property laws: *Provided*, That the Seattle unit shall be within the Pioneer Square Historic District. After advising the Committees on Interior and Insular Affairs of the Congress of the United States, in writing, 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 the total area of the park may not exceed thirteen thousand three hundred acres.

(b)(1) The Secretary may acquire lands, waters, and interests therein within the park by donation, purchase, lease, exchange, or transfer from another Federal agency. Lands or interests in lands owned by the State of Alaska or any political subdivision thereof may be acquired only by donation. Lands under the jurisdiction of any Federal agency may, with the concurrence of such agency, be transferred without consideration to the Secretary for the purposes of the park.

(2) The Secretary is authorized to acquire outside the boundaries of the park, by any of the above methods, not to exceed fifteen acres of land or interests therein located in, or in the vicinity of, the city of Skagway, Alaska, for an administrative site; and to acquire by any of the above methods, up to ten historic structures or interests in such structures located in the city of Skagway but outside the Skagway unit for relocation within such unit as the Secretary deems essential for adequate preservation and interpretation of the park.

(c) All lands acquired pursuant to this Act shall be taken by the Secretary subject to all valid existing rights granted by the United States for railroad, telephone, telegraph, and pipeline purposes. The Secretary is authorized to grant rights-of-way, easements, permits, and other benefits in, through and upon all lands acquired for the White Pass Trail unit for pipeline purposes, pursuant to the Acts of February 25, 1920 (41 Stat. 449), August 21, 1935 (49 Stat. 678), and August 12, 1953 (67 Stat. 557), and for railroad purposes pursuant to the Act of May 14, 1898 (30 Stat. 409): *Provided*, That significant adverse impacts to park resources will not result.

(d) The Secretary is authorized to grant to the State of Alaska a highway right-of-way across lands in the Chilkoot Trail unit, in the area of Dyea, for the purpose of linking the communities of Haines and Skagway by road if he finds that (1) there is no feasible and prudent alternative to the use of such lands, (2) the road proposal includes all possible planning to minimize harm to the park resulting from such road use, and (3) to grant such right-of-way will not have significant adverse effects on the historical and archeological resources of the park and its administration, protection, and management in accordance with the purposes of this Act.

SEC. 2. (a) The Secretary shall establish the park by publication of a notice to that effect in the Federal Register at such time as he deems sufficient lands, waters, and interests therein have been acquired for administration in accordance with the purposes of this Act. Pending such establishment and thereafter, the Secretary shall administer lands, waters, and interests therein acquired for the park in accordance with the provisions of the Act approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act approved August 21, 1935 (49 Stat. 666), as amended.

(b) The Secretary is authorized to cooperate and enter into agreements with other Federal agencies, State and local public bodies, and private interests, relating to planning, development, use, acquisition, or disposal (including as provided in section 5 of the Act of July 15, 1968, 82 Stat. 356; 16 U.S.C. 4601–22) of lands, structures, and waters in or adjacent to the park or otherwise affecting the administration, use, and enjoyment thereof,

in order to contribute to the development and management of such lands in a manner compatible with the purposes of the park. Such agreements, acquisitions, dispositions, development, or use and land-use plans shall provide for the preservation of historical sites and scenic areas, recreation, and visitor enjoyment to the fullest extent practicable.

(c) Notwithstanding any other provision of law, the Secretary may restore and rehabilitate property within the park pursuant to cooperative agreements without regard as to whether title thereto is in the United States.

SEC. 3. (a) The Secretary, in cooperation with the Secretary of State, is authorized to consult and cooperate with appropriate officials of the Government of Canada and Provincial or Territorial officials regarding planning and development of the park, and an international historical park. At such time as the Secretary shall advise the President of the United States that planning, development, and protection of the adjacent or related historic and scenic resources in Canada have been accomplished by the Government of Canada in a manner consistent with the purposes for which the park was established, and upon enactment of a provision similar to this section by the proper authority of the Canadian Government, the President is authorized to issue a proclamation designating and including the park as part of an international historical park to be known as Klondike Gold Rush International Historical Park.

(b) For purposes of administration, promotion, development, and support by appropriations, that part of the Klondike Gold Rush International Historical Park within the territory of the United States shall continue to be designated as the "Klondike Gold Rush National Historical Park".

SEC. 4. 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 $2,655,000 for the acquisition of lands and interests in lands, and not more than $5,885,000 for development.

Approved June 30, 1976.

Legislative History:

House Report No. 94-1153 accompanying H.R. 1194 (Comm. on Interior and Insular Affairs).
Senate Report No. 94-166 (Comm. on Interior and Insular Affairs).
Congressional Record:
Vol. 121 (1975): June 4, considered and passed Senate.
Vol. 122 (1976): June 8, considered and passed House, amended, in lieu of H.R. 1194.
June 18, Senate concurred in House amendments.

12. Lowell

An Act to provide for the establishment of the Lowell National Historical Park in the Commonwealth of Massachusetts, and for other purposes (92 Stat. 290) (P.L. 95–290)

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

FINDINGS AND PURPOSE

SECTION 1. (a) The Congress finds that—

(1) certain sites and structures in Lowell, Massachusetts, historically and culturally the most significant planned industrial city in the United States, symbolize in physical form the Industrial Revolution;

(2) the cultural heritage of many of the ethnic groups that immigrated to the United States during the late nineteenth and early twentieth centuries is still preserved in Lowell's neighborhoods;

(3) a very large proportion of the buildings, other structures, and districts in Lowell date to the period of the Industrial Revolution and are nationally significant historical resources, including the five-and-six-tenths-mile power canal system, seven original mill complexes, and significant examples of early housing, commercial structures, transportation facilities, and buildings associated with labor and social institutions; and

(4) despite the expenditure of substantial amounts of money by the city of Lowell and the Commonwealth of Massachusetts for historical and cultural preservation and interpretation in Lowell, the early buildings and other structures in Lowell may be lost without the assistance of the Federal Government.

(b) It is the purpose of this Act to preserve and interpret the nationally significant historical and cultural sites, structures, and districts in Lowell, Massachusetts, for the benefit and inspiration of present and future generations by implementing to the extent practicable the recommendations in the report of the Lowell Historic Canal District Commission.

DEFINITIONS

SEC. 2. For purposes of this Act—

(1) the term "park" means the Lowell National Historical Park, established by section 101 (a) (1) of this Act;

(2) the term "preservation district" means the Lowell Historic Preservation District, established by section 101 (a) (1) of this Act;

(3) the term "Commission" means the Lowell Historic Preservation Commission established by section 301 (a) of this Act;

(4) the term "Secretary" means the Secretary of the Interior; and

(5) the term "report of the Lowell Historic Canal District Commission" means the report submitted to the Congress by the Lowell Historic Canal District Commission pursuant to an Act entitled "An Act to provide for a plan for the preservation, interpretation development and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts, and for other purposes", approved January 4, 1975 (88 Stat. 2330).

TITLE I—ESTABLISHMENT OF PARK AND PRESERVATION DISTRICT

ESTABLISHMENTS; BOUNDARIES

SEC. 101. (a) (1) To carry out the purpose of this Act, there is established as a unit of the National Park System in the city of Lowell, Massachusetts, the Lowell National Historical Park. There is further established in an area adjacent to the park the Lowell Historic Preservation District, which will be administered by the Secretary and by the Commission in accordance with this Act. The boundaries of the park and preservation district shall be the boundaries depicted on the map entitled "Lowell National Historical Park, Massachusetts", dated March 1978, and numbered "Lowe-80,008A". Such map shall be on file and available for inspection in the office of the National Park Service, Department of the Interior, and the office of the city clerk, city of Lowell.

(2) The Secretary shall publish in the Federal Register, as soon as practicable after the date of the enactment of this Act, a detailed description and map of the boundaries established under paragraph (1) of this subsection.

(b) The Secretary may make minor revisions of the park and preservation district boundaries established under subsection (a) (1) of this section, after consulting with the Commission and the city manager of Lowell, by publication of a revised drawing or other boundary description in the Federal Register; but no waters, lands, or other property outside of the park or preservation district boundaries established under such subsection may be added to the park or preservation district without the consent of the city manager of Lowell and the city council of Lowell. A boundary revision made under this subsection shall be effective only after timely notice in writing is given to the Congress.

COOPERATION OF FEDERAL AGENCIES

SEC. 102. (a) Any Federal entity conducting or supporting activities directly affecting the park or preservation district shall—

(1) consult with, cooperate with, and to the maximum extent practicable, coordinate its activities with the Secretary and with the Commission; and

(2) conduct or support such activities in a manner which (A) to the maximum extent practicable is consistent with the standards and criteria established pursuant to section 302 (e) of this Act, and (B) will not have an adverse effect on the resources of the park or preservation district.

(b) No Federal entity may issue any license or permit to any person to conduct an activity within the park or preservation district unless such entity determines that the proposed activity will be conducted in a manner consistent with the standards and criteria established pursuant to section 302(e) of this Act and will not have an adverse effect on the resources of the park or preservation district.

AUTHORIZATION OF APPROPRIATIONS

SEC. 103. (a) There are authorized to be appropriated such sums as may be necessary to carry out this Act, except that—

(1) the total of the amounts authorized to be appropriated for the purpose of acquisition and development under the park management plan established pursuant to section 201(b) of this Act and emergency assistance under section 205(a) (1) of this Act shall not exceed $18,500,000; and

(2) the total of the amounts authorized to be appropriated for the purpose of carrying out section 302(b) (2) of this Act, for the payment of grants and loans under section 303 of this Act, for the acquisition of property under section 304 of this Act, and for carrying out any transportation program and any educational and cultural program described in section 302 (c) of this Act shall not exceed $21,500,000.

(b) No funds shall be authorized pursuant to this section prior to October 1, 1978.

(c) Funds appropriated under subsection (a) of this section shall remain available until expended.

(d) (1) Within 60 days after the date of the enactment of this Act, and on each subsequent October 1 and March 1, the Secretary shall submit to the Congress a statement certifying the aggregate amount of money expended by the Commonwealth of Massachusetts, the city of Lowell, and by any nonprofit entity for activities in the city of Lowell consistent with the purpose of this Act during the period beginning on January 1, 1974, and ending on the date such statement is submitted.

(2) The aggregate amount of funds made available by the Secretary to the Commission from funds appropriated under subsection (a) (2) of this section may not exceed the amount certified by the Secretary in the most

recent statement submitted to the Congress under paragraph (1) of this subsection.

SPENDING LIMITATIONS

SEC. 104. Notwithstanding any other provision of this Act, no authority to enter into agreements or to make payments under this Act shall be effective except to the extent, or in such amounts, as may be provided in advance in appropriation Acts.

TITLE II—ROLE OF THE SECRETARY

PARK MANAGEMENT PLAN

SEC. 201. (a) The Secretary shall submit a statement to the Congress, within two years after the date on which funds are made available to carry out this Act, which—

(1) reports on the progress that the Secretary has made in acquiring the properties identified under section 202 of this Act, and describes the way the Secretary intends to use these properties;

(2) identifies the properties within the park and preservation district respecting which the Secretary has entered into or intends to enter into agreements relating to interpretive exhibits or programs under section 203 (a) of this Act;

(3) (A) reports on the progress of the Secretary in leasing a portion of the Lowell Manufacturing Company, located on Market Street, for the purpose of establishing a visitors' center in close proximity to parking and other transportation facilities, and (B) identifies any other property within the park which the Secretary has leased or intends to lease for purposes of the park;

(4) reports any other activities which the Secretary has taken or intends to take to carry out the purpose of this Act; and

(5) contains a tentative budget for the park and preservation district for the subsequent five fiscal years.

(b) (1) Not later than three years after the date on which funds are made available to carry out this Act, the Secretary shall establish and submit to the Congress a park management plan containing the information described in subsection (a) of this section. Such plan shall, upon request, be available to the public.

(2) After consulting with the Commission, the city manager of Lowell, and the Commonwealth of Massachusetts, the Secretary may make revisions in the park management plan established pursuant to paragraph (1) of this subsection by publication of such revisions in the Federal Register. A revision made under this paragraph shall be effective 90 days after written notice of the revision is submitted to the Congress.

ACQUISITION OF PROPERTY

SEC. 202. (a) (1) The Secretary is authorized to acquire the properties designated in paragraph (2) of this subsection, or any interest therein, by donation, purchase with donated or appropriated funds, condemnation, or otherwise. Any property or interest therein owned by the Commonwealth of Massachusetts or any political subdivision thereof may be required only by donation. The Secretary may initiate condemnation proceedings under this paragraph only after making every reasonable effort to acquire property through negotiations and purchase, and consulting with the Commission (if established) and the city council of Lowell.

(2) The properties referred to in paragraph (1) of this subsection are the following:

(A) The Linus Childs House, 63 Kirk Street.

(B) The H and H Paper Company (commonly referred to as Boott Mill Boarding House), 42 French Street.

(C) Old City Hall, 226 Merrimack Street.

(D) Merrimack Gatehouse, 269 Merrimack Street.

(E) The Wannalancit Textile Company, 562 Suffolk Street.

(F) The structures containing the Jade Pagoda and Solomon's Yard Goods, 210 and 200 Merrimack Street.

(b) Until the date on which the Commission conducts its first meeting, the Secretary may acquire any property within the park or preservation district not designated in subsection (a) (2) of this section, or any interest therein, if such property—

(1) is identified in the report of the Lowell Historical Canal District Commission as a property which should be preserved, restored, managed, developed, or maintained in a manner consistent with the purpose of this Act;

(2) is listed in the National Register of Historic Places, as maintained by the Secretary pursuant to section 101 (a) of the Act entitled "An Act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes", approved October 15, 1966 (16 U.S.C. 470a), and section 2 (b) of the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (16 U.S.C. 462); or

(3) is determined by the Secretary to be of national significance; and would be subject to demolition or major alteration in a manner inconsistent with the purposes of this Act unless acquired by the Secretary. Such property may be acquired only as provided in subsection (a) (1) of this section.

(c) The Secretary may acquire easements within

the park for the purpose of carrying out this Act. Such easements may be acquired only as provided in subsection (a) (1) of this section.

AGREEMENTS AND TECHNICAL ASSISTANCE

SEC. 203. (a) The Secretary may enter into agreements with any owner of property with national historic or cultural significance within the park to provide for interpretive exhibits or programs. Such agreements shall provide, whenever appropriate, that—

(1) the public may have access to such property at specified, reasonable times for purposes of viewing such property or the exhibits or attending the programs established by the Secretary under this subsection; and

(2) the Secretary may make such minor improvements to such property as the Secretary deems necessary to enhance the public use and enjoyment of such property, exhibits, and programs.

(b) (1) The Secretary shall provide, upon request, technical assistance to—

(A) the city of Lowell to assist the city in establishing regulations or laws consistent with the standards and criteria established pursuant to section 302 (e) of this Act; and

(B) the Commission to assist the Commission in establishing the index and the standards and criteria required by section 302 of this Act.

(2) The Secretary may provide to any owner of property within the park or preservation district, the Commission, the Commonwealth of Massachusetts, the city of Lowell, and any other Federal entity or any institution such technical assistance as the Secretary considers appropriate to carry out the purpose of this Act.

WITHHOLDING OF FUNDS

SEC. 204. The Secretary may refuse to obligate or expend any money appropriated for the purposes described in section 103 (a) (1) of this Act or section 103 (a) (2) of this Act if the Secretary determines that—

(a) the city of Lowell has failed to establish regulations or laws consistent with the standards and criteria established pursuant to section 302 (e) of this Act within one year after the date such standards and criteria have been established, except that the Secretary may extend such one-year period for not more than six months if the Secretary determines that the city has made a good faith effort to establish such regulations or laws;

(b) the city of Lowell has failed to notify the Commission of (1) applications for building permits or zoning variances respecting any property which is included in the index established pursuant to section 302 (d) of this Act, or (2) any proposals of the city of Lowell to change

the regulations or laws described in paragraph (c) (1) of this subsection;

(c) (1) during the period before the city of Lowell has established regulations or laws consistent with the standards and criteria established pursuant to section 302 (e) of this Act, the city of Lowell has granted any building permit or zoning variance or has taken any other action respecting any property within the park or preservation district, which either the Secretary or the Commission consider to be inconsistent with such standards and criteria;

(2) after the city of Lowell has established the regulations or laws described in subparagraph (1) of this paragraph, the city of Lowell has granted any building permit or zoning variance or has taken any other action respecting any property within the park or preservation district, which either the Secretary or the Commission consider to be inconsistent with such regulations or laws; or

(d) the Commission has not made good faith efforts to (1) provide for the preservation, restoration, management, development, or maintenance of property within the park and preservation district or (2) carry out the park preservation plan approved under section 302 of this Act.

GENERAL ADMINISTRATIVE FUNCTIONS

SEC. 205. (a) (1) The Secretary, acting through the National Park Service, shall take appropriate actions to implement to the extent practicable the park management plan established pursuant to section 201 (b) of this Act. In carrying out such plan, the Secretary shall administer the park in accordance with laws, rules, and regulations applicable to the national park system. Before the date on which the Commission conducts its first meeting, the Secretary may take any other action the Secretary deems necessary to provide owners of property with national historic or cultural significance within the park or preservation district with emergency assistance for the purpose of preserving and protecting their property in a manner consistent with the purpose of this Act.

(2) Subject to sections 204 and 302 (b) of this Act, the Secretary shall make available to the Commission any funds appropriated under section 103 (a) (2) of this Act for the purpose of carrying out title III of this Act.

(b) Notwithstanding any other provisions of law, the Secretary may accept donations of funds, property, or services from individuals, foundations, corporations, and other private entities, and from public entities, for the purpose of implementing the park management plan.

(c) The Secretary may sponsor or coordinate within the park and preservation district such educational or cultural programs as the Secretary considers appropriate

to encourage appreciation of the resources of the park and preservation district.

(d) The Secretary may acquire such leases respecting property within the park as may be necessary to carry out the purpose of this Act.

TITLE III—ROLE OF THE COMMISSION

ESTABLISHMENT OF LOWELL HISTORIC PRESERVATION COMMISSION

SEC. 301. (a) There is established within the Department of the Interior a commission to be known as the Lowell Historic Preservation Commission which shall administer the preservation district and provide certain services within the park in accordance with this title. The Commission shall consist of fifteen members appointed by the Secretary as follows:

(1) Three members who are members of the city council of Lowell, appointed from recommendations made by the mayor of Lowell.

(2) Three members appointed from recommendations made by the city manager of Lowell of persons who are representative of organized labor, the business community, local neighborhoods, and cultural institutions, and who are not elected officials.

(3) One member appointed from recommendations made by the president of the University of Lowell.

(4) Three members appointed from recommendations made by the Governor of the Commonwealth of Massachusetts.

(5) One member appointed from recommendations made by the Secretary of Commerce and who shall be an employee of the Department of Commerce.

(6) One member appointed from recommendations made by the Secretary of Transportation and who shall be an employee of the Department of Transportation.

(7) One member appointed from recommendations made by the Secretary of Housing and Urban Development and who shall be an employee of the Department of Housing and Urban Development.

(8) Two members who are qualified to serve on the Commission because of their familiarity with programs of the Department of the Interior involving national parks and historic preservation and who shall be an employee of the Department of the Interior.

(b) If any member of the Commission who was appointed to the Commission under paragraph (1) or (4) of subsection (a) of this section as a member of the city council of Lowell or any other government leaves that office, or if any member of the Commission who was

appointed from persons who are not elected officials of any government becomes an elected official of a government, such person may continue as a member of the Commission for not longer than the thirty-day period beginning on the date such person leaves that office or becomes such an elected official, as the case may be.

(c) (1) Except as provided in paragraph (2) of this subsection, members shall be appointed for terms of two years. A member may be reappointed only three times unless such member was originally appointed to fill a vacancy pursuant to subsection (e) (1) of this section, in which case such member may be reappointed four times.

(2) Of the members first appointed pursuant to subsection (a) of this section, the following shall be appointed for terms of three years:

(A) The members appointed pursuant to paragraphs (2), (3), and (8) of such subsection.

(B) One of the members appointed pursuant to paragraph (4) of such subsection, as designated by the Secretary at the time of appointment upon recommendation of the Governor.

(d) The chairman of the Commission shall be elected by the members of the Commission. The term of the chairman shall be two years.

(e) (1) Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(2) Any member appointed to fill a vacancy shall serve for the remainder of the term for which his predecessor was appointed. Any member may serve after the expiration of his term for a period not longer than thirty days.

(f) Eight members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

(g) The Commission shall meet at least once each month, at the call of the chairman or a majority of its members.

(h) (1) Except as provided in paragraph (2) of this subsection, members of the Commission shall each be entitled to receive $100 for each day (including travel time) during which they are engaged in the performance of the duties of the Commission.

(2) Members of the Commission who are full-time officers or employees of the United States, the city of Lowell, or the Commonwealth of Massachusetts shall receive no additional pay on account of their service on the Commission.

(3) While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5 of the United States Code.

(i) The Commission established pursuant to this Act, shall cease to exist ten years from the date of enactment of this Act.

PARK PRESERVATION PLAN AND INDEX

SEC. 302. (a) (1) Within one year after the date on which the Commission conducts its first meeting, the Commission shall submit to the Secretary a draft park preservation plan meeting the requirements of subsection (c) of this section. The Secretary shall review the draft park preservation plan and, within ninety days after the date on which such plan is submitted to the Secretary, suggest appropriate changes in such plan to the Commission.

(2) Within eighteen months after the date on which the Commission conducts its first meeting, the Commission shall submit to the Secretary a park preservation plan which meets the requirements of subsection (c) of this section. The Secretary shall, within ninety days after the date on which such plan is submitted to the Secretary, approve or disapprove such plan. The Secretary may not approve such plan unless the Secretary determines that such plan would adequately carry out the purpose of this Act.

(3) If the Secretary disapproves a park preservation plan, the Secretary shall advise the Commission of the reasons for such disapproval together with the recommendations of the Secretary for revision of such plan. Within such period as the Secretary may designate, the Commission shall submit a revised park preservation plan to the Secretary. The Secretary shall approve or disapprove any revised park preservation plan in the same manner as required in paragraph (2) of this subsection for the approval or disapproval of the original park preservation plan.

(4) If the Secretary approves a park preservation plan, the Secretary shall publish notice of such approval in the Federal Register and shall forward copies of the approved plan to the Congress.

(5) Any park preservation plan or draft plan submitted to the Secretary under this subsection shall, upon request, be available to the public.

(6) No changes other than minor revisions may be made in the approved park preservation plan without the approval of the Secretary. The secretary shall approve or disapprove any proposed change in the approved park preservation plan, except minor revisions in the same manner as required in paragraph (2) of this subsection for the approval or disapproval of the original park preservation plan.

(b) (1) Except as provided in paragraph (2) of this subsection, the Secretary shall not make any funds available

to the Commission to carry out section 303 or 304 of this Act until a park preservation plan has been approved under subsection (a) of this section.

(2) Before a park preservation plan is approved under subsection (a) of this section, the Secretary may make available to the Commission such funds as the Commission may request to carry out any activity specified in paragraph (3) of this section. However, no funds shall be made available under this paragraph unless a proposal describing such activity is reviewed and approved by the Secretary.

(3) The Commission may request funds from the Secretary—

(A) carry out activities to preserve, restore, manage, develop, or maintain any property identified in subsection (c) (1) of this section;

(B) take any action the Commission considers necessary to provide owners of property with national historical or cultural significance within the park or preservation district with emergency assistance for the purpose of preserving and protecting their property in a manner consistent with the purpose of this Act; or

(C) acquire in accordance with section 304 of this Act, any property within the park which—

(i) is identified in the report of the Lowell Historic Canal District Commission as a property which should be preserved, restored, managed, developed, or maintained in a manner consistent with the purpose of this Act;

(ii) is listed in the National Register of Historic Places, as maintained by the Secretary pursuant to section 101 (a) of the Act entitled "An Act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes", approved October 15, 1966 (16 U.S.C. 470a), and section 2 (b) of the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (16 U.S.C. 462); or

(iii) is determined by the Secretary to be of national significance;

and would be subject to demolition or major alteration in a manner inconsistent with the purpose of this Act unless acquired by the Commission.

(c) Any plan submitted to the Secretary under subsection (a) of this section shall—

(1) describe the manner in which the Commission, to the extent practicable in accordance with the recommendations in the report of the Lowell Historic Canal District Commission, proposes to pro-

vide for the preservation, restoration, management, development, or maintenance of—

(A) the Welles Block, 169 Merrimack Street;

(B) the Jordan Marsh Company Building, 153 Merrimack Street and 15 Kirk Street;

(C) The Yorick Club, 91 Dutton Street;

(D) the Lowell Gas Light Company, 22 Shattuck Street;

(E) St. Anne's Church and Rectory, 237 Merrimack Street;

(F) Lowell Institution for Savings, 18 Shattuck Street;

(G) the Ahepa Building, 31 Kirk Street;

(H) Boott Mill, Foot of John Street;

(I) Lowell Manufacturing Company on Market Street; and

(J) the structure commonly referred to as the Early Residence, 45, 47, and 49 Kirk Street;

(2) identify the properties included in the index established pursuant to subsection (d) of this section;

(3) identify the properties which the Commission intends to acquire under section 304 of this Act and specify how such properties shall be used;

(4) include the standards and criteria established pursuant to subsection (e) of this section;

(5) provide a detailed description of the manner in which the Commission intends to implement the grant and loan programs under section 303 of this Act, including information relating to the estimated amount of such grants and the manner in which such grants shall be awarded by the Commission;

(6) provide for a transportation program by which the Commission shall provide, directly or by agreement with any person or any public or private entity, transportation services and facilities for park and preservation district visitors, including barge equipment, docking facilities, and local rail facilities;

(7) provide for educational and cultural programs to encourage appreciation of the resources of the park and preservation district; and

(8) include a tentative budget for the subsequent five fiscal years.

(d) The Commission shall establish, within one year after the date on which the Commission conducts its first meeting, an index which includes—

(1) any property in the park or preservation district (except for any property identified in section 201(a)(2) of this Act) which should be preserved, restored, managed, developed, maintained, or acquired by the Commission because of its national historic or cultural significance; and

(2) any property which should be preserved, restored, managed, developed, or maintained in a manner compatible with the purpose of this Act because

of its proximity to (A) any property referred to in paragraph (1) of this subsection, or (B) any property designated in section 201(a)(2) of this Act.

The index may be modified only by a majority vote of the members of the Commission, taken when a quorum is present.

(e)(1) The Commission shall establish standards and criteria applicable to the construction, preservation, restoration, alteration, and use of all properties within the preservation district with the advice of the Commonwwealth of Massachusetts and of the Secretary, and the consent of the city manager of Lowell.

(2) The Commission shall establish the standards and criteria described in paragraph (1) of this subsection for any property within the park with the advice of the Commonwealth of Massachusetts and the city manager of Lowell and subject to the review and approval of the Secretary.

(3) The Commission shall establish standards and criteria under paragraphs (1) and (2) of this subsection within one year after the date on which the Commission conducts its first meeting. Such standards and criteria may be revised in the same manner in which they were originally established.

(4) The Secretary shall publish the standards and criteria established under paragraphs (1) and (2) of this subsection, and any revisions thereof, in the Federal Register.

LOANS, GRANTS, AND TECHNICAL ASSISTANCE

SEC. 303. (a) The Commission may make loans to the Lowell Development and Financial Corporation (established under chapter 844 of the Massachusetts General Laws and hereinafter referred to as the "corporation") to enable the corporation to provide low interest loans for the preservation, restoration, or development of any property described in section 302(d)(1) of this Act. The Commission may make any such loan to the corporation only after entering into a loan agreement with the corporation which includes the following terms:

(1) The loan to the corporation shall have a maturity of thirty-five years. At the end of such period, the corporation shall repay to the Secretary of the Treasury (in a lump sum) for deposit in the general fund of the Treasury the full amount of the loan and any additional amounts accruing to the corporation pursuant to this subsection excepting those amounts expended by the corporation for reasonable administrative expenses.

(2) The money received from the Commission, and any interest earned on such money, may be obligated by the corporation only for low interest loans made under paragraphs (6) and (7) of this subsection, except that the corporation may use such money to the

extent the Commission considers reasonable to satisfy the costs of the corporation in administering the loan or procuring loan guarantees or insurance.

(3) Within five years after receiving the loan from the Commission, the corporation shall make loans under paragraphs (6) and (7) of this subsection which, in the aggregate, obligate the full amount of money received from the Commission (minus any amount required to satisfy the costs described in paragraph (2) of this subsection).

(4) As loans made under paragraphs (6) and (7) of this subsection are repaid, the corporation shall make additional loans under such paragraphs with the money made available for obligation by such repayments.

(5) The corporation shall make available to the Commission and to the Secretary, upon request, all accounts, financial records, and other information related to loans made under paragraphs (6) and (7) of this subsection.

(6) Before the corporation approves any application for a low interest loan for which money has been made available to the corporation by the Commission, the corporation shall require the prospective borrower to furnish the corporation with a statement from the Commission stating that the Commission has reviewed the application and has determined that any loan received by the prospective borrower will be spent in a manner consistent with—

(A) the standards and criteria established pursuant to section 302(e) of this Act, and

(B) the goals of the park preservation plan approved under section 302(a) of this Act.

(7) The corporation may approve any application for a low interest loan which meets the terms and conditions prescribed by the corporation with the approval of the Commission and for which money has been made available to the corporation by the Commission if—

(A) the prospective borrower furnishes the corporation with the statement described in paragraph (6) of this subsection;

(B) the corporation determines that such borrower has sufficient financial resources to repay the loan; and

(C) such borrower satisfies any other applicable credit criteria established by the corporation.

In order to determine whether the corporation has complied with this subsection, the Commission, or such other appropriate person or entity as the Commission may designate, shall conduct an audit at least once every two years of all accounts, financial records, and other information related to loans made under paragraphs (6) and (7) of this subsection. If the Commission determines, after conducting a hearing on the record, that the cor-

poration has substantially failed to comply with this subsection, the outstanding balance of any loan made to the corporation under this subsection shall become payable in full upon the demand of the Commission.

(b)(1) The Commission may make grants to owners of property described in section 302(d)(1) of this Act for the preservation, restoration, management, development, or maintenance of such property in a manner consistent with the standards and criteria established pursuant to section 302(e) of this Act.

(2) The Commission, with the approval of the Secretary, may make grants to any person or any public or private entity to provide for (i) educational and cultural programs which encourage appreciation of the resources of the park and preservation district, or (ii) any planning, transportation, maintenance, or other services the Commission considers necessary to carry out the purposes of this Act.

(3) Grants under this subsection shall be made under agreements which specify the amount of the grant, the installments (if any) by which the grant shall be paid to the grant recipient, the purpose for which the grant may be used, and any other condition the Commission considers appropriate. The Commission shall be entitled, under the terms of any grant agreement, to recover from the recipient any funds used in a manner inconsistent with such grant agreement.

(c) The Commission with the advice of the Secretary may provide technical assistance to—

(1) owners of property within the park or preservation district to assist such owners in (A) making repairs to or improvements in any property included in the index established pursuant to section 302(d) of this Act, or (B) applying for loans under subsection (a) of this section; and

(2) any other person or public or private entity to assist such person or entity in taking actions consistent with the purpose of this Act.

(d) The Commission shall make available to the Secretary, upon request, all accounts, financial records, and other information of the Commission relating to grants and loans made under this section.

(e) The Secretary shall make an annual report to the Congress describing the loans, grants, and technical assistance provided under this section and under section 203 of this Act. Such report shall specify the amount, recipient, and purpose of any loan, grant or technical assistance so provided and contain such additional information as the Secretary considers appropriate.

ACQUISITION AND DISPOSITION OF PROPERTY

SEC. 304. (a)(1) The Commission may acquire any property designated in paragraph (3) of this subsection, any property described in section 302(d)(1) of this Act, or any interest therein, by donation, by purchase with

donated or appropriated funds, or by condemnation in accordance with paragraph (2) of this subsection.

(2) Only properties within the park or property designated in paragraph (3) of this subsection may be acquired by the Commission by condemnation. The Commission may initiate condemnation proceedings only after making every reasonable effort to acquire any such property through negotiations and purchase and consulting with the city council of Lowell. No lands or interests therein may be acquired by the Commission by condemnation without the approval of the Secretary.

(3) The Commission may acquire in accordance with paragraph (1) of this subsection the following properties, or any interest therein:

(A) World Furniture Building, 125 Central Street; and

(B) The Martin Building, 102–122 Central Street.

(b) The Commission, with the approval of the Secretary, may sell or lease any property which it acquires under subsection (a) of this section subject to such deed restrictions or other conditions as the Commission deems appropriate to carry out the purpose of this Act.

(c) Pursuant to a written agreement between the Commission and the Commonwealth of Massachusetts, the Commission, with the approval of the Secretary, may sell, donate, lease, or in any other manner the Commission and the Secretary deem appropriate make available to the Commonwealth any property which the Commission has acquired under subsection (a) of this section in order to provide for the administration or maintenance of such property by the Commonwealth in a manner consistent with the purpose of this Act.

POWERS OF COMMISSION

SEC. 305. (a) The Commission may for the purpose of carrying out this Act hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission may deem advisable. The Commission may administer oaths or affirmations to witnesses appearing before it.

(b) When so authorized by the Commission, any member or agent of the Commission may take any action which the Commission is authorized to take by this section.

(c) Subject to section 552a of title 5. United States Code, the Commission may secure directly from any department or agency of the United States information necesssary to enable it to carry out this Act. Upon request of the chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

(d) Notwithstanding any other provision of law, the Commission may seek and accept donations of funds,

property, or services from individuals, foundations, corporations, and other private entities, and from public entities, for the purpose of carrying out its duties.

(e) The Commission may use its funds to obtain money from any source under any program or law requiring the recipient of such money to make a contribution in order to receive such money.

(f) The Commission may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

(g) The Commission may obtain by purchase, rental, donation, or otherwise, such property, facilities, and services as may be needed to carry out its duties. Any acquisition of property by the Commission shall be in accordance with section 304 of this Act: *Provided, however,* That the Commission may not acquire lands or interests therein pursuant to this subsection by condemnation. Upon the termination of the Commission, all property, personal and real, and unexpended funds shall be transferred to the Department of the Interior.

STAFF OF COMMISSION

SEC. 306. (a) The Commission shall have a Director who shall be appointed by the Commission and who shall be paid at a rate not to exceed the rate of pay payable for grade GS–15 of the General Schedule.

(b) The Commission may appoint and fix the pay of such additional personnel as the Commission deems desirable.

(c) The Director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51, and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no individual so appointed may receive pay in excess of the annual rate of basic pay payable for grade GS–15 of the General Schedule.

(d) Subject to such rules as may be adopted by the Commission, the Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, United States Code, but at rates determined by the Commission to be reasonable.

(e)(1) Upon request of the Commission, the head of any Federal agency represented by members on the Commission may detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist it in carrying out its duties under this Act.

(2) The Administrator of the General Services Administration shall provide to the Commission on a reim-

bursable basis such administrative support services as the Commission may request.

Approved June 5, 1978.

Legislative History:

House Report No. 95-1023 (Comm. on Interior and Insular Affairs).
Senate Report No. 95-813 (Comm. on Energy and Natural Resources).
Congressional Record, Vol. 124 (1978):
Apr. 3, considered and failed passage in House.
Apr. 11, considered and passed House.
May 18, considered and passed Senate, amended.
May 23, House concurred in Senate amendments.
Weekly Compilation of Presidential Documents, Vol. 14, No. 23:
June 5, Presidential statement.

13. Morristown

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93-477)

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:

* * * * * * *

(8) Morristown National Historical Park, New Jersey: Section 3 of the Act of September 18, 1964 (78 Stat. 957) is amended by changing "$281,000" to "$2,111,000".

* * * * * * *

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of Interior shall revise the boundaries of the following units of the National Park System:

* * * * * * *

(6) Morristown National Historical Park, New Jersey: The Act of September 18, 1964 (78 Stat. 957) is amended changing "two hundred and eighty-one acres" in both places in which it appears in the first section to "465 acres" and change the period to a colon and insert *"Provided,* That title to the property known as the Cross estate may not be accepted until the property is vacant."

* * * * * * *

Approved October 26, 1974.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

MORRISTOWN NATIONAL HISTORICAL PARK

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".

* * * * * * *

Approved October 21, 1976.

14. Nez Perce

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

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:

* * * * * * *

(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".

* * * * * * *

Approved October 21, 1976.

15. Pu'uhonua o Hōnaunau

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE III—NAME CHANGE; CITY OF REFUGE NATIONAL HISTORICAL PARK

* * * * * * *

SEC. 305. The Act of July 21, 1955 (69 Stat. 376) is hereby amended to redesignate the City of Refuge National Historical Park as the Puuhonua o Hōnaunau National Historical Park.

* * * * * * *

Approved November 10, 1978.

16. San Antonio Missions

An Act to amend the Pennsylvania Avenue Development Corporation Act of 1972; to provide for the establishment of the San Antonio Missions National Historical Park; and for other purposes. (92 Stat. 3635) (P.L. 95-629)

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

TITLE II

SEC. 201. (a) In order to provide for the preservation, restoration, and interpretation of the Spanish Missions of San Antonio, Texas, for the benefit and enjoyment of present and future generations of Americans, there is hereby established the San Antonio Missions National Historical Park (hereafter in this section referred to as the "park") consisting of Concepcion, San Jose, San Juan, and Espada Missions, together with areas and features historically associated therewith, as generally depicted on the drawing entitled "Boundary Map, San Antonio Missions National Historical Park", numbered 930-80,022-C and dated May 1978, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, and in the offices of the Superintendent of the park. After advising the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the United States House of Representatives, in writing, the Secretary of the Interior (hereinafter referred to as the "Secretary") may make minor revisions of the boundaries of the park when necessary by publication of a revised drawing or other boundary description in the Federal Register.

(b) For the purposes of this section, the Secretary is authorized—

(1) to acquire by donation, purchase with donated or appropriated funds, or exchange, lands and interests therein constituting the following generally described areas in the historic missions district of the city of San Antonio, Texas—

(A) Mission San Jose y San Miguel de Aguayo;

(B) Mission Nuestra Senora de la Purisima Concepcion de Acuna;

(C) Mission San Francisco de la Espada;

(D) Espada Acequia, the section of approximately five miles along the west side of and parallel to the San Antonio River;

(E) Espada Dam and Aqueduct;

(F) Mission San Juan Capistrano;

(G) San Juan Acequia, on the east side of the San Antonio River; and

(H) such lands and interests therein which the Secretary determines are necessary or desirable to provide for public access to, and interpretation and protection of, the foregoing; and

(2) to enter cooperative agreements with the owners of any historic properties, including properties referred to in paragraph (1), in furtherance of the purposes of this section.

Each agreement under paragraph (2) shall provide among other things that the owner will hold and preserve the historic property in perpetuity and will not undertake or permit the alteration or removal of historic features or the erection of markers, structures, or buildings without the prior concurrence of the Secretary, and that the public shall have reasonable access to those portions of the property to which access is necessary in the judgment of the Secretary for the proper appreciation and interpretation of its historical and architectural value. Pursuant to such cooperative agreements and notwithstanding any other provision of law to the contrary the Secretary may, directly or by contract, construct, reconstruct, rehabilitate, or develop such buildings, structures, and related facilities including roads, trails, and other interpretive facilities on real property not in Federal ownership and may maintain and operate programs in connection therewith as he deems appropriate. Any lands or interest therein owned by the Catholic Archdiocese of San Antonio, the State of Texas, or any political subdivision of such State, including the San Antonio River Authority, may be acquired by donation only: *Provided,* That the Secretary shall submit all proposed cooperative agreements to the Department of Justice for a determination that the proposed agreements do not violate the constitutional provisions regarding the separation of church and state.

(c)(1) With the exception of any property deemed necessary by the Secretary for visitor facilities or administration of the park, any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the property for noncommercial residential purposes, 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 owner shall elect the term to be reserved. 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) A right of use and occupancy retained or enjoyed pursuant to this subsection may be terminated with respect to the entire property by the Secretary upon his determination that the property or any portion thereof had ceased to be used for noncommercial residential purposes and upon tender to the holder of a right an amount

equal to the fair market value, as of the date of tender, of that portion of the right which remains unexpired on the date of termination.

(3) The term "improved property", as used in this subsection, shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1978 (hereinafter referred to as a "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment or the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

(d) The Secretary is authorized and directed to take prompt and appropriate action in accordance with the provisions of this section and any cooperative agreement hereunder to assure the protection and preservation of the historical and architectural values of the missions and the areas and features historically associated therewith within the boundaries of the park. The park shall be administered by the Secretary in accordance with this section and provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467).

(e)(1) There is hereby authorized to be established by the Secretary, a San Antonio Missions Advisory Commission. The Commission shall be composed of seven members, each appointed for a term of two years by the Secretary, as follows:

(A) one member to be appointed from recommendations made by the Governor of the State of Texas;

(B) one member to be appointed from recommendations made by the County Commissioners of Bexar County, Texas;

(C) one member to be appointed from recommendations made by the City Council of the City of San Antonio, Texas;

(D) one member to be appointed to represent non-Federal property owners whose property is operated and maintained in accordance with cooperative agreements with the Secretary pursuant to subsection (b) (2);

(E) one member from the membership of a local conservation or historical organization; and

(F) two members representing the general public.

The Secretary shall designate one member to be Chairman of the Commission and may fill any vacancy in the same manner in which the original appointment was made.

(2) Members of the Commission shall serve without compensation as such, but the Secretary may pay expenses reasonably incurred by the Commission and may

reimburse members for reasonable expenses incurred in carrying out their responsibilities under this section on vouchers signed by the Chairman.

(3) All appointments to the Commission shall be made by the Secretary within six months after the date of the enactment of this Act and the Secretary, or his designee, shall from time to time, but at least semiannually, meet and consult with the Advisory Commission in matters relating to the park and with respect to carrying out the provisions of this section.

(4) Unless extended by Act of Congress, this Commission shall terminate ten years after the date of its first meeting with the Secretary or his designee.

(f)(1) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section, but not more than $10,000,000 for the acquisition of lands and interests in lands.

(2) For the development of essential public facilities there are authorized to be appropriated not more than $500,000. Within one year from the date of enactment of this Act, the Secretary shall develop and transmit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a final master plan for the development of the park consistent with the objectives of this section, indicating (A) the facilities needed to accommodate the health, safety, and interpretive needs of the visiting public; (B) the location and estimated cost of all facilities; and (C) the projected need for any additional facilities within the park.

Approved November 10, 1978.

Legislative History:

House Report No. 95-1544 (Comm. on Interior and Insular Affairs).
Senate Report No. 95-743 (Comm. on Energy and Natural Resources).
Congressional Record, Vol. 124 (1978):
Apr. 24, considered and passed Senate.
Oct. 14, considered and passed House, amended.
Oct. 15, Senate concurred in House amendment with an amendment, House concurred in Senate amendments.
Weekly Compilation of Presidential Documents, Vol. 14, No. 45:
Nov. 10, Presidential statement.

17. San Juan Island

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(22) San Juan Island National Historical Park, Washington: Section 4 of the Act of September 9, 1966 (80 Stat. 737), is amended by changing "$3,542,000" to "$5,575,000".

* * * * * * *

Approved November 10, 1978.

18. Sitka

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(23) Sitka National Historical Park, Alaska: Section 3 of the Act of October 18, 1972 (86 Stat. 904), is amended by changing "$691,000 (June 1971 prices)" to "$1,571,000", by changing the comma following "development" to a period, and by deleting the remainder of the sentence following said period.

* * * * * * *

Approved November 10, 1978.

19. Valley Forge

An Act to authorize the Secretary of the Interior to establish the Valley Forge National Historical Park in the Commonwealth of Pennsylvania, and for other purposes. (90 Stat. 796) (94–337)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve and commemorate for the people of the United States the area associated with the heroic suffering, hardship, and determination and resolve of General George Washington's Continental Army during the winter of 1777–1778 at Valley Forge, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to establish the Valley Forge National Historical Park (hereinafter referred to as the "park"), in the Commonwealth of Pennsylvania.

SEC. 2. (a) The park shall comprise the area generally depicted on the map entitled "Valley Forge National Historical Park", dated February 1976, and numbered VF–91,000, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and in the offices of the superintendent of the park. After advising the Committees on Interior and Insular Affairs of the United States Congress, in writing, the Secretary may make minor revisions of the boundaries of the park when necessary by publication of a revised map or other boundary description in the Federal Register.

(b) Within the boundaries of the park, the Secretary may acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer. Any property owned by the Commonwealth of Pennsylvania or any political subdivision thereof may be acquired only by donation. The effective date of such donation shall not be prior to October 1, 1976.

(c) Except for property deemed by the Secretary to be essential for visitor facilities, or for access to or administration of the park, any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed twenty-five years, or in lieu thereof, for a term ending at the death of the owner, or the death of his or her spouse, whichever is the later. The owner shall elect the term to be reserved. Unless the property is wholly or partially donated, 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.

(d) The Secretary may terminate a right of 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 this Act, and upon tender to the holder of the right of an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

(e) The term "improved property", as used in this section shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1975 (hereafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated.

SEC. 3. When the Secretary determines that lands and interests therein have been acquired in an amount sufficient to constitute an administerable unit, he shall establish the park by publication of a notice to that effect in the Federal Register: *Provided,* That the park shall not be established until the Secretary receives commitments which he deems to be sufficient from the Commonwealth of Pennsylvania that the appropriations made by acts 320 and 352 of 1974, and act 12A of 1975, of the Legislature of the Commonwealth of Pennsylvania, will continue to be available and obligated for development purposes within the park. The Secretary shall administer the property acquired for such park in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666), as amended.

SEC. 4. (a) 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 $8,622,000 for the acquisition of lands and interests in lands.

(b) For the development of essential public facilities there are authorized to be appropriated not more than $500,000. Within three years from the date of establishment of the park pursuant to this Act, the Secretary shall, after consulting with the Governor of the Commonwealth of Pennsylvania, develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a final master plan for the development of the park consistent with the 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 park.

* * * * * * *

Approved July 4, 1976.

Legislative History:

House Report No. 94–1142 (Comm. on Interior and Insular Affairs).
Senate Report No. 94–817 accompanying S. 1776 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
June 8, considered and passed House.
June 11, considered and passed Senate.
Weekly Compilation of Presidential Documents, Vol. 12, No. 27
July 4, Presidential statement.

20. War in the Pacific

An Act to authorize appropriations for certain insular areas of the United States, and for other purposes. (92 Stat. 487) (P.L. 95-348)

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

WAR IN THE PACIFIC NATIONAL HISTORICAL PARK

SEC. 6. (a) In order to commemorate the bravery and sacrifice of those participating in the campaigns of the Pacific theater of World War II and to conserve and interpret outstanding natural, scenic, and historic values and objects on the island of Guam for the benefit and enjoyment of present and future generations, the War in the Pacific National Historical Park (hereinafter in this section referred to as the "park") is hereby established.

(b) The boundaries of the park shall be as generally depicted on the drawing entitled "Boundary Map, War in the Pacific National Historical Park, Guam" numbered P-24-80,000-B and dated March 1978, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior. Following ninety days notice to the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate, the Secretary may make minor revisions of the boundary of the park by publication of a revised map in the Federal Register.

(c) Within the boundaries of the park, the Secretary may acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer.

(d) Other points on the island of Guam relevant to the park may be identified, established, and marked by the Secretary in agreement with the Governor of Guam.

(e) The Secretary shall administer property acquired in accordance with the laws generally applicable to the management of units of the National Park System.

(f) The Secretary is authorized to seek the assistance of appropriate historians to interpret the historical aspects of the park. To the greatest extent possible, interpretative activities will be conducted in the following three languages: English, Chamorro, and Japanese.

(g) The Secretary is authorized to enter into negotiations with the Secretary of Defense for the berthing and interpretation of a naval vessel of World War II vintage which shall be accessible to the public on the island of Guam.

(h) Within two years from the date of enactment of this Act, the Secretary shall develop and transmit to the

committees named in subsection (b) a general management plan for the national historical park consistent with the purposes of this section. Within five years from the date of enactment, the Secretary, through the Director of the National Park Service, shall conduct and transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives a study of additional areas and sites associated with the Pacific campaign of World War II. The study shall contain a description and evaluation of each area or site, and an estimated cost of acquisition, development, and maintenance of the area or site, if appropriate, together with such additional authority as may be needed to enable him to implement his recommendations. The Secretary shall concentrate his study within Guam and the Northern Mariana Islands, but shall also investigate additional areas and sites within the Trust Territory of the Pacific Islands to the extent possible, and may include other areas and sites in the Pacific area if practicable.

(i) The Secretary is authorized and directed, to the maximum extent feasible, to employ and train residents of Guam or of the Northern Mariana Islands to develop, maintain, and administer the park.

(j) Notwithstanding any provision of law to the contrary, no fee or charge shall be imposed for entrance or admission into the War in the Pacific National Historical Park.

(k) For the purposes of the park established under this section, effective October 1, 1978, there are authorized to be appropriated such sums as may be necessary, but not to exceed $16,000,000 for the acquisition of lands or interests in lands and $500,000 for development.

AUTHORIZATIONS TO REMAIN AVAILABLE

SEC. 8. Any amount authorized by this Act or by the Act entitled "An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes" (Public Law 95–134; 91 Stat. 1159) but not appropriated for a fiscal year is authorized to be available for appropriation in succeeding fiscal years.

TECHNICAL AMENDMENTS

SEC. 9. Section 501 of the Act entitled "An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes" (Public Law 95–134; 91 Stat. 1159) is amended—

(1) by inserting ", notwithstanding any provision of law to the contrary," after "it is hereby declared to be the policy of the Congress"; and

(2) in subsection (a) by striking out "Notwithstanding any provision of law to the contrary, any" and inserting in lieu thereof "Any".

SEC. 10. Authorizations of moneys to be appropriated under this Act shall be effective on October 1, 1978.

* * * * * * *

Approved August 18, 1978.

IV. NATIONAL MILITARY PARKS

1. Monocacy

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

MONOCACY NATIONAL MILITARY PARK

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."

* * * * * * *

Approved October 21, 1976.

2. Moores Creek

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93-477)

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:

* * * * * * *

(7) Moores Creek National Military Park, North Carolina: The Act of September 27, 1944 (58 Stat. 746) is amended by adding the following new section:

"SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than $243,000 shall be appropriated for the acquisition of lands and interests in lands and not more than $325,000 shall be appropriated for development.".

* * * * * * *

TITLE IV—MISCELLANEOUS PROVISIONS

* * * * * * *

SEC. 402. The Act of September 27, 1944 (58 Stat. 746), providing for the Moores Creek National Military Park is amended by changing the words "accept in behalf of the United States donations of" to "acquire by donation, purchase, or exchange", and by changing "to be accepted" to "acquired".

* * * * * * *

Approved October 26, 1974.

3. Vicksburg

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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

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:

* * * * * * *

(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":

* * * * * * *

Approved October 21, 1976.

V. NATIONAL BATTLEFIELDS

1. Antietam

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—ANTIETAM NATIONAL BATTLEFIELD

* * * * * * *

SEC. 319. (a) In furtherance of the purposes of the Act entitled "An Act to provide for the protection and preservation of the Antietam Battlefield in the State of Maryland", approved April 22, 1960 (74 Stat. 79), and other Acts relative thereto, the Secretary is hereby authorized to acquire only scenic easements over the additional lands generally depicted on the map entitled "Boundary Map, Antietam National Battlefield, Washington County, Maryland," numbered 302-80,005-A and dated June 1977.

(b) The Antietam National Battlefield Site established pursuant to such Act of April 22, 1960, including only scenic easements acquired pursuant to subsection (a) of this section, is hereby redesignated the "Antietam National Battlefield". The boundaries of such battlefield are hereby revised to include the area generally depicted on the map referenced in subsection (a) of this section, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

* * * * * * *

Approved November 10, 1978.

2. Cowpens

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(7) Cowpens National Battlefield Site, South Carolina: Section 402 of the Act of April 11, 1972 (86 Stat. 120), is amended by changing "$3,108,000" to "$5,108,000".

* * * * * * *

Approved November 10, 1978.

3. Fort Necessity

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93-477)

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:

* * * * * * *

(4) Fort Necessity National Battlefield, Pennsylvania: Section 5 of the Act of August 10, 1961, (75 Stat. 336), is amended by changing "$115,000" to "$722,000".

* * * * * * *

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of Interior shall revise the boundaries of the following units of the National Park System:

* * * * * * *

(3) Fort Necessity National Battlefield, Pennsylvania: To add approximately 411 acres;

* * * * * * *

Approved October 26, 1974.

4. Monocacy

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

MONOCACY NATIONAL BATTLEFIELD

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.".

* * * * * * *

Approved October 21, 1976.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be

necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(12) Monocacy National Battlefield, Maryland: To add approximately five hundred and eighty-seven acres as generally depicted on the map entitled, "Boundary Map, Monocacy National Battlefield", numbered 894-40,001, and dated May 1978: $3,500,000.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b) (1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conser-

vation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved November 10, 1978.

5. Petersburg

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—ADDITION OF EPPES MANOR TO PETERSBURG NATIONAL BATTLEFIELD

* * * * * * *

SEC. 313. (a) The Secretary is authorized to acquire the historic Eppes Manor, and such other lands adjacent thereto, not to exceed twenty-one acres, for addition to the Petersburg National Battlefield, as generally depicted on the map entitled "Petersburg National Battlefield, Virginia", numbered APMA 80,001, and dated May 1978.

(b) There are hereby authorized to be appropriated not to exceed $2,200,000 to carry out the purposes of this section.

* * * * * * *

Approved November 10, 1978.

6. Wilson's Creek

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(29) Wilson's Creek National Battlefield, Missouri: Section 3 of the Act of December 16, 1970 (84 Stat. 1441), is amended by changing "$2,285,000 (March 1969 prices)," to "$5,640,000.", and deleting the remaining portion of the sentence following the period.

* * * * * * *

Approved November 10, 1978.

VI. NATIONAL HISTORIC SITES

1. Adams

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—ADAMS NATIONAL HISTORIC SITE, MASSACHUSETTS

* * * * * * *

SEC. 312. (a) In order to preserve for the benefit, education, and inspiration of present and future generations the birthplaces of John Adams and John Quincy Adams, the Secretary is authorized to accept the conveyance, without monetary consideration, of the property known as the John Adams Birthplace at 133 Franklin Street, and the property known as the John Quincy Adams Birthplace at 141 Franklin Street, in Quincy, Massachusetts, together with such adjacent real property as may be desirable, for administration as part of the Adams National Historic Site in Quincy, Massachusetts. Together with, or following such conveyance, the Secretary is authorized to accept the conveyance, without monetary consideration, of furnishings and personal property relating to such birthplaces, after consultation with appropriate officials of the city of Quincy and with the owner or owners of such furnishings and personal property.

(b) The Secretary shall administer the properties acquired pursuant to subsection (a) of this section as part of the Adams National Historic Site in accordance with this section and the provisions of law generally applicable to national historic sites, including the Act of August 25, 1916 (39 Stat. 535) and the Act of August 21, 1935 (49 Stat. 666).

* * * * * * *

Approved November 10, 1978.

2. Allegheny Portage Railroad

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE III—ALLEGHENY PORTAGE RAILROAD NATIONAL HISTORIC SITE AND JOHNSTOWN FLOOD NATIONAL MEMORIAL

* * * * * * *

SEC. 307. (a) The Secretary is authorized to revise the boundaries of the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial in Pennsylvania to add approximately five hundred and twenty-six acres and sixty-seven acres respectively. Sections 302 and 303 of this Act shall be applicable to such boundary revision.

(b) In addition to amounts otherwise available for such purposes there are authorized to be appropriated not more than $2,743,000 for land acquisition and $4,280,000 for development to carry out the purposes of this section.

* * * * * * *

Approved November 10, 1978.

3. Andersonville

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(2) Andersonville National Historic Site, Georgia: Section 4 of the Act of October 16, 1970 (84 Stat. 989), is amended by changing "1,605,000" to "$2,-205,000 for development,", and by deleting "(March 1969 prices), for development, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuation in construction costs as indicated by engineering cost indices applicable to the types of construction involved herein.".

* * * * * * *

Approved November 10, 1978.

4. Andrew Johnson

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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

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".

* * * * * * *

Approved October 21, 1976.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(3) Andrew Johnson National Historic Site, Tennessee: Section 3 of the Act of December 11, 1963 (77 Stat. 350) is amended by changing "266,000" to "$286,000".

* * * * * * *

Approved November 10, 1978.

5. Bent's Old Fort

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(1) Bent's Old Fort National Historic Site, Colorado: To add approximately six hundred and twenty-two acres as generally depicted on the map entitled "Boundary Map, Bent's Old Fort National Historic Site, Colorado", numbered 417-80,007-A, and dated June 1976: $842,000.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b) (1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved November 10, 1978.

6. Carl Sandburg Home

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(6) Carl Sandburg Home National Historic Site, North Carolina: Section 3 of the Act of October 17, 1968 (82 Stat. 1154), is amended by changing "$952,000" to "$1,662,000".

* * * * * * *

Approved November 10, 1978.

7. Clara Barton

An Act to provide for the establishment of the Clara Barton National Historic Site, Maryland; John Day Fossil Beds National Monument, Oregon; Knife River Indian Villages National Historic Site, North Dakota; Springfield Armory National Historic Site, Massachusetts; Tuskegee Institute National Historic Site, Alabama; Martin Van Buren National Historic Site, New York; and Sewall-Belmont House National Historic Site, Washington, District of Columbia; and for other purposes. (88 Stat. 1461) (P.L. 93-486)

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

TITLE I

SEC. 101. (a) Unless otherwise provided hereafter, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by purchase with donated or appropriated funds, donation, exchange, or by transfer from another Federal agency such lands and interests in lands as hereafter provided for establishment as units of the national park system, as follows:

* * * * * * *

(1) for establishment as the Clara Barton National Historic Site, Maryland, those lands depicted on the map entitled "Boundary Map, Clara Barton National Historic Site, Maryland", numbered NHS-CLBA 90,001 and dated February 1974, which shall include the land and improvements occupied by Clara Barton, founder of the American Red Cross located at 5801 Oxford Road, Glen Echo, Maryland; *Provided,* That the above-mentioned land and improvements may be acquired only by donation: *And provided further.* That the donation of any privately owned lands within the historic site may not be accepted unless and until the property is vacant.

(b) The Secretary may also acquire personal property associated with the areas referred to in subsection (a) of this section. Lands and interests therein owned by a State or any political subdivision thereof which are acquired for the purposes of subsection (a) of this section may be acquired only by donation.

SEC. 102. (a) When the Secretary determines that an adequate interest in lands has been acquired to constitute an administrable unit for each of the areas described in section 1 of this Act, he may, after notifying the Committees on Interior and Insular Affairs of the United States Congress of his intention to do so at least fourteen days in advance, declare the establishment of such unit by publication of a notice to that effect in the Federal Register. Such notice shall contain a map or other description of the boundaries of the unit, together with an

explanation of the interests acquired and the costs incident thereto. The Secretary may refrain from acquiring property for establishment of any unit authorized by this Act where, in his judgment, satisfactory agreements or donations with respect to properties which are needed for the protection and administration of a particular unit have not been consummated with the owners of such properties.

(b) Pending the establishment of each unit and, thereafter, the Secretary shall administer the property acquired pursuant to this Act in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and, to the extent applicable, the provisions of the Act of August 21, 1935 (49 Stat. 666), as amended.

SEC. 104. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, the following:

* * * * * * *

(a) Clara Barton National Historic Site, $812,000 for acquisition of lands and interests in lands and for development:

* * * * * * *

Approved October 26, 1974.

8. Edgar Allan Poe

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE V—ESTABLISHMENT OF NEW AREAS AND ADDITIONS TO NATIONAL TRAILS SYSTEM

SUBTITLE A—PARKS, SEASHORES, ETC.

* * * * * * *

EDGAR ALLAN POE NATIONAL HISTORIC SITE

SEC. 503. (a) In recognition of the literary importance attained by Edgar Allan Poe, there is hereby authorized to be established the Edgar Allan Poe National Historic Site.

(b) The Secretary is authorized to acquire by donation, purchase or exchange the lands and buildings within the area described in subsection (c). The lands and buildings acquired by the Secretary under this section shall comprise the Edgar Allan Poe National Historic Site and shall be administered by the Secretary through the National Park Service. The Secretary shall administer, maintain, protect, and develop the site subject to the provisions of law generally applicable to national historic sites.

(c) The lands and buildings specified in subsection (b) comprise that area of Philadelphia, Pennsylvania, known as the Poe House complex and includes the house at the rear of 530 North Seventh Street, the adjoining three-story brick residence on the front of the land backing up to and including the building at 532 North Seventh Street, and the North Garden of approximately seven thousand and eighty square feet and the South Garden of approximately nine thousand three hundred and fifty square feet.

(d) As soon as the Secretary finds that a substantial portion of the acquisition authorized under subsection (b) has been completed, he shall establish the Edgar Allan Poe National Historic Site by publication of notice thereof in the Federal Register.

(e) There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this section.

* * * * * * *

Approved November 10, 1978.

9. Edison

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

EDISON NATIONAL HISTORIC SITE

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.".

* * * * * * *

Approved October 21, 1976.

10. Eisenhower

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(5) Eisenhower National Historic Site, Pennsylvania: To add approximately one hundred ninety-five and eighty-three one-hundredths acres as generally depicted on the map entitled "Boundary Map, Eisenhower National Historic Site, Adams County, Pennsylvania", numbered 446–40,001B, and dated April 1978: $166,000.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b) (1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved November 10, 1978.

11. Eleanor Roosevelt

An Act to authorize the establishment of the Eleanor Roosevelt National Historic Site in the State of New York, and for other purposes. (91 Stat. 171) (P.L. 95-32)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to commemorate for the education, inspiration, and benefit of present and future generations the life and work of an outstanding woman in American history, Eleanor Roosevelt, to provide, in a manner compatible with preservation, interpretation, and use thereof by and for the general public, a site for continuing studies, lectures, seminars, and other endeavors relating to the issues to which she devoted her considerable intellect and humanitarian concerns, and to conserve for public use and enjoyment in a manner compatible with the foregoing purposes an area of natural open space in an expanding urbanized environment, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to establish the Eleanor Roosevelt National Historic Site, including the former home of Eleanor Roosevelt, Val-Kill, as depicted on the map entitled "Boundary Map, Eleanor Roosevelt National Historic Site", numbered ELRO-90,000-NHS and dated May 1977. Said map shall be on file and available for public inspection in the offices of the Secretary of the Interior, Washington, District of Columbia. The Secretary is authorized to acquire such land and improvements thereon by donation, purchase with donated or appropriated funds, or exchange.

SEC. 2. (a) Except as otherwise provided in this Act, the site shall be renovated, maintained, and administered by the Secretary in accordance with the provisions of this Act, the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666), as amended.

(b) The acquisition, renovation, administration, and management of the site and its conservation for public use and enjoyment shall be carried out by the Secretary and the studies, lectures, seminars, and other endeavors relating to the issues to which Eleanor Roosevelt devoted her intellect and concern may be carried out under cooperative agreements between the Secretary and qualified public or private entities. Such agreements shall contain provisions authorizing the Secretary or his designated representatives to enter upon the site at all reasonable times for purposes of renovation, maintenance, administration, interpretation, and visitor conduct, assuring that no changes or alterations are made to the site inconsistent with its historic significance, and may include such other provisions assuring the conduct of studies, lectures, seminars, and other endeavors as are mutually agreeable to the Secretary and the public or

private entities responsible for conducting the same under such agreements.

SEC. 3. The Secretary shall erect or cause to be erected and maintained an appropriate monument or memorial to Eleanor Roosevelt within the boundaries of the site.

SEC. 4 (a) There is authorized to be appropriated to carry out the provisions of this Act, not to exceed $575,000 for acquisition of land and interests in lands, and not to exceed $420,000 for development, not more than $50,000 of which may be made available for the purposes of section 3 of this Act.

(b) Within three years from the effective date of this Act the Secretary shall develop and transmit to the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate a general management plan for the use and development of the site consistent with the purposes of this Act, indicating—

(1) the lands and interests in lands adjacent or related to the site which are deemed necessary or desirable for the purposes of resource protection, scenic integrity, or management and administration of the area in furtherance of the purposes of this Act and the estimated cost thereof;

(2) the number of visitors and types of public use within the site which can be accommodated in accordance with the protection of its resources; and

(3) the location and estimated cost of facilities deemed necessary to accommodate such visitors and uses.

* * * * * * *

Approved May 26, 1977.

Legislative History:

House Report No. 95-264 (Comm. on Interior and Insular Affairs).
Senate Report No. 95-148 accompanying S. 1125 (Comm. on Energy and Natural Resources).
Congressional Record, Vol. 123 (1977):
May 9, considered and passed House.
May 17, considered and passed Senate.
Weekly Compilation of Presidential Documents, Vol. 13, No. 22:
May 26, Presidential statement.

12. Eugene O'Neill

To Act to authorize the establishment of the Eugene O'Neill National Historic Site, to provide for a cooperative agreement in the operation of the Cherokee Strip Living Museum and for other purposes. (90 Stat. 2501) (P.L. 94-539)

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 hereby authorized to accept the donation of, or purchase with funds donated for the acquisition of, all or any part of the property (comprising approximately fourteen acres) and improvements thereon at Danville, California, formerly owned by Eugene O'Neill. Such property is hereby designated as the Eugene O'Neill National Historic Site in commemoration of the contribution of Eugene O'Neill to American literature and drama.

SEC. 2. The National historic site established pursuant to this Act if acquired by the Secretary of the Interior shall be administered by him in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666), as amended, as a memorial to Eugene O'Neill and a park for the performing arts and related educational programs. Whether acquired or not, the Secretary of the Interior is authorized directly or by means of cooperative agreements with the Eugene O'Neill Foundation, Tao House, to preserve, interpret, restore, program, adapt for public use and/or provide technical assistance for the Eugene O'Neill National Historic Site in accordance with the provisions of this Act: *Provided,* That prior to entering into any cooperative agreement the Secretary shall transmit a copy of the proposed agreement together with a report explaining the reasons for the agreement to the Committees on Interior and Insular Affairs of the Senate and House of Representatives.

TITLE II

SEC. 201. The Secretary of the Interior is authorized to accept, subject to the consummation of the cooperative agreement referred to in Section 202, the donation of the Cherokee Strip Living Museum in Arkansas City, Kansas, and may administer such museum in accordance with such authorities as are available to him.

SEC. 202. The Secretary may enter into a cooperative agreement with any responsible and competent organization satisfactory to him for the management and operation of the museum, and is authorized to render such technical advice and operating assistance as he may deem appropriate, the conditions of which are to be provided for in the cooperative agreement.

Approved October 18, 1976.

Legislative History:

House Report No. 94–1681 accompanying H.R. 9126 (Comm. on Interior and Insular Affairs).
Senate Report No. 94–809 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
May 13, considered and passed Senate.
Sept. 27, considered and passed House, amended, in lieu of H.R. 9126,
Oct. 1, Senate agreed to House amendments with an amendment; House agreed to Senate amendment with an amendment; Senate concurred in House amendment.
Weekly Compilation of Presidential Documents, Vol. 12, No. 43:
Oct. 19, Presidential statement.

13. Fort Bowie

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(9) Fort Bowie National Historic Site, Arizona: Section 4 of the Act of August 30, 1964 (78 Stat. 681), is amended by deleting "$550,000 to carry out the purposes of this Act.", and inserting in lieu thereof: "$85,000 for land acquisition and $1,043,000 for development".

* * * * * * *

Approved November 10, 1978.

14. Fort Laramie

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE III—FORT LARAMIE NATIONAL HISTORIC SITE

* * * * * * *

SEC. 308. (a) The first section of the Act entitled "An Act to revise the boundaries and change the name of the Fort Laramie National Monument, Wyoming, and for other purposes", approved April 29, 1960 (74 Stat. 83), is amended to read as follows: "That in order to preserve the sites of historic buildings and roads associated with Fort Laramie, the boundaries of the Fort Laramie National Historic Site shall hereafter comprise the area generally depicted on the map entitled 'Boundary Map, Fort Laramie National Historic Site', numbered 375–90,001, and dated September 1977. The map shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior".

(b) The first sentence of section 2 of such Act is amended by inserting between the words "boundary" and "described" the phrase "as depicted on the map.".

* * * * * * *

Approved November 10, 1978.

15. Fort Larned

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

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:

* * * * * * *

(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".

* * * * * * *

Approved October 21, 1976.

16. Fort Scott

An Act to authorize establishment of the Fort Scott National Historic Site, Kansas, and for other purposes. (92 Stat. 1610) (95-484)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to commemorate the significant role played by Fort Scott in the opening of the West, as well as the Civil War and the strife in the State of Kansas that preceded it, the Secretary of the Interior may acquire by donation the land and interests in land, together with buildings and improvements thereon, known as Fort Scott, located in the city of Fort Scott, Bourbon County, Kansas: *Provided,* that the buildings so acquired shall not include the structure known as "Lunette Blair".

SEC. 2. When the site of Fort Scott has been acquired by the United States as provided in section 1 of this Act, the Secretary of the Interior shall establish such area as the Fort Scott National Historic Site, by publication of notice and boundary map thereof in the Federal Register.

SEC. 3. The Secretary of the Interior shall administer, protect, develop, and maintain the Fort Scott National Historic Site subject 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, and the provisions of the Act entitled "An Act to provide for the preservation of historic America sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat. 666).

SEC. 4. Sections 3 and 4 of the Act entitled "An Act to provide for the commemoration of certain historical events in the State of Kansas, and for other purposes", approved August 31, 1965 (79 Stat. 588), as amended, are hereby repealed: *Provided,* That all obligations pursuant to contracts for the development and construction of Fort Scott heretofore entered into by the city of Fort Scott to be paid with funds under the authority of section 3 of the aforesaid Act, shall be assumed by the Secretary: *Provided further,* That any remaining balance of funds appropriated pursuant to section 4 of the Act of August 31, 1965, as amended, shall be available for the purposes of carrying out this Act.

SEC. 5. In addition to such sums as might be made available to the historic site by the preceding section, effective October 1, 1979, there are hereby authorized to be appropriated such sums as may be necessary for the development of the Fort Scott National Historic Site, as provided in this Act.

Approved October 19, 1978.

Legislative History:
House Report No. 95-1644 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 124 (1978):
Sept. 29, considered and passed House.
Oct. 4, considered and passed Senate.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE XII—FORT SCOTT NATIONAL HISTORIC SITE

* * * * * * *

SEC. 1201. In order to commemorate the significant role played by Fort Scott in the opening of the West, as well as the Civil War and the strife in the State of Kansas that preceded it, the Secretary of the Interior may acquire by donation the land and interests in land, together with buildings and improvements thereon, known as Fort Scott, located in the city of Fort Scott, Bourbon County, Kansas: *Provided,* That the buildings so acquired shall not include the structure known as "Lunette Blair".

SEC. 1202. When the site of Fort Scott has been acquired by the United States as provided in section 1 of this Act, the Secretary of the Interior shall establish such area as the Fort Scott National Historic Site, by publication of notice and boundary map thereof in the Federal Register.

SEC. 1203. The Secretary of the Interior shall administer, protect, develop, and maintain the Fort Scott National Historic Site subject 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, and the provisions of the Act entitled "An Act to provide for the preservation of historic America sites, buildings, objects, and antiquities of national significance and for other purposes", approved August 21, 1935 (49 Stat. 666).

SEC. 1204. Sections 3 and 4 of the Act entitled "An Act to provide for the commemoration of certain historical events in the State of Kansas, and for other purposes", approved August 31, 1965 (79 Stat. 588), as amended, are hereby repealed: *Provided,* That all obligations pursuant to contracts for the development and construction of Fort Scott heretofore entered into by the city of Fort Scott to be paid with funds under the authority of section 3 of the aforesaid Act, shall be assumed by the Secretary: *Provided further,* That any remaining balance of funds appropriated pursuant to section 4 of

the Act of August 31, 1965, as amended, shall be available for the purposes of carrying out this Act.

SEC. 1205. In addition to such sums as might be made available to the historic site by the preceding section, effective October 1, 1979, there are hereby authorized to be appropriated such sums as may be necessary for the development of the Fort Scott National Historic Site, as provided in this Act.

* * * * * * *

Approved November 10, 1978.

17. Fort Smith

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

FORT SMITH NATIONAL HISTORIC SITE

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.".

* * * * * * *

Approved October 21, 1976.

18. Fort Union Trading Post

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—FORT UNION TRADING POST NATIONAL HISTORIC SITE

* * * * * * *

SEC. 309. (a) The first section of the Act entitled "An Act to authorize establishment of the Fort Union Trading Post National Historic Site, North Dakota and Montana, and for other purposes", approved June 20, 1966 (80 Stat. 211), is amended by deleting "located in Williams County, North Dakota, and such additional lands and interests in lands in Williams County, North Dakota, and Roosevelt County, Montana," and inserting in lieu thereof "located in the States of North Dakota and Montana," and by deleting "400 acres" and inserting in lieu thereof "450 acres as generally depicted on the map entitled 'Fort Union Trading Post, Montana-North Dakota', numbered 436-80,025, and dated February 1977".

(b) Section 4 of such Act is amended by deleting "$613,000 for the acquisition of lands and interests in lands and for the development" and inserting in lieu thereof "$280,000 for the acquisition of lands and $4,416,000 for development: *Provided further,* That the Secretary is directed to study the possible reconstruction of the historic remains of Fort Union, and the Secretary is further directed to transmit to the Congress, within one year of the enactment of this Act, a recommendation on the reconstruction of the fort based on historic documentation.".

* * * * * * *

Approved November 10, 1978.

19. Home of Franklin D. Roosevelt

An Act to amend the joint resolution of July 18, 1939 (53 Stat. 1062), to provide for the acceptance of additional lands for the Home of Franklin D. Roosevelt National Historic Site, and for other purposes. (89 Stat. 81) (P.L. 94–19)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title III of the joint resolution approved July 18, 1939 (53 Stat. 1062), is amended as follows:

(1) Amend section 301 to read as follows:

"SEC. 301. The head of any executive department may accept for and in the name of the United States, title to any part or parts of the said Hyde Park estate and title to any contiguous property or properties located in the town of Hyde Park, Dutchess County, State of New York, which shall be donated to the United States for use in connection with any designated governmental function in the administration of this area. The title to any such property may be accepted under this section notwithstanding that it may be subject to the life estate of the donor or of any other person or persons now living: *Provided,* That during the continuance of any life estate reserved therein no expense to the United States in connection with the ordinary maintenance of the property so acquired shall be incurred: *Provided further,* That the acceptance hereunder by the United States of the title to property in which any life estate is reserved shall not during the existence of such life estate exempt the property from taxation by the town of Hyde Park, Dutchess County, or the State of New York as other real property in the said town, county, or State is taxed under the applicable laws relating to taxation of real property.".

(2) A new section 304 is added, to read as follows:

"SEC. 304. In addition to such amounts as have been appropriated prior to the enactment of this section, there are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title, but not to exceed $104,000 for development purposes.".

* * * * * * *

Approved April 30, 1975.

Legislative History:

House Report No. 94–149 (Comm. on Interior and Insular Affairs).
Senate Report No. 94–98 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 121 (1975):
Apr. 21, considered and passed House.
Apr. 29, considered and passed Senate.

20. Friendship Hill

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE V—ESTABLISHMENT OF NEW AREAS AND ADDITIONS TO NATIONAL TRAILS SYSTEM

SUBTITLE A—PARKS, SEASHORES, ETC.

* * * * * * *

FRIENDSHIP HILL NATIONAL HISTORIC SITE

SEC. 509. (a) The Secretary is authorized to establish the Friendship Hill National Historic Site in the State of Pennsylvania, including the former home of Albert Gallatin, as depicted on the map entitled "FRHI-80000" dated February 1978. Said map shall be on file and available for public inspection in the offices of the Director, National Park Service, Washington, District of Columbia. The Secretary is authorized to acquire such land, improvements, and any personal property of cultural and historical value thereon by donation, purchase with donated or appropriated funds, or exchange.

(b) Pending establishment of the site and thereafter the Secretary shall administer property acquired pursuant to this section in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467), as amended.

(c)(1) There are hereby authorized to be appropriated from the Land and Water Conservation Fund, such sums as may be necessary to carry out the purposes of this section.

(2) For the development of essential facilities there are authorized to be appropriated for the fiscal year ending September 30, 1980, and for succeeding fiscal years, such sums as may be necessary to carry out the purposes of this section, but not to exceed $100,000. Within three years from the effective date of this section, the Secretary shall develop and transmit to the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate a general management plan for the use and development of the site consistent with the purposes of this section, indicating—

(A) the lands and interests in lands adjacent or related to the site which are deemed necessary or desirable for the purposes of resource protection, scenic integrity, or management and administration

of the area in furtherance of the purposes of this section and the estimated cost thereof;

(B) the number of visitors and types of public use within the site which can be accommodated in accordance with the protection of its resources; and

(C) the location and estimated cost of facilities deemed necessary to accommodate such visitors and uses.

* * * * * * *

Approved November 10, 1978.

21. Golden Spike

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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

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:

* * * * * * *

(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".

* * * * * * *

Approved October 21, 1976.

22. Grant Kohrs Ranch

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(11) Grant Kohrs Ranch National Historic Site, Montana: Section 4 of the Act of August 25, 1972 (86 Stat. 632), is amended to read as follows: "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 $752,000 for land acquisition and not to exceed $2,075,000 for development."; the additional sums herein authorized for land acquisition may be used to acquire the fee simple title to lands over which the United States has acquired easements or other less than fee interests.

* * * * * * *

Approved November 10, 1978.

23. Hampton

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE XIII—REPORT AND BOUNDARY REVISION

* * * * * * *

HAMPTON NATIONAL HISTORIC SITE

SEC. 1302. (a) In order to preserve, as part of the Hampton National Historic Site, lands and buildings historically associated with Hampton Mansion, the exterior boundaries of such historic site are hereby revised to include the following described lands:

All that certain tract or parcel of land lying and being situated in Baltimore County, Maryland, and being more particularly described as follows:

Beginning at a point on the northwest side of Hampton Lane (50 feet wide), said corner being common to the lands now or formerly of Hampton Village, Incorporated and the lands of Gertrude C. Ridgely, et al; thence, with the northern right-of-way line of said Hampton Lane, the two following courses and distances:

north 69 degrees 19 minutes 40 seconds east, 188.75 feet; and easterly by a line curving toward the right having a radius of 408.59 feet for a distance of 196 feet (the chord bearing of north 83 degrees 04 minutes 12 seconds east, 194.12 feet); thence, leaving said Hampton Road, north 14 degrees 20 minutes 20 seconds east, 1,095,18 feet to the westernmost corner of Lot numbered 1 as shown on Plat "D" of Hampton and filed for record in Plat Book G.L.B. numbered 20, folio 32; thence, running along the southerly line of the lots fronting on Saint Francis Road (as shown on said plat) on a line parallel to and 200 feet from said street, south 68 degrees 25 minutes 30 seconds west, 777.75 feet to a point on the easterly side of a 40 feet wide road; thence, with said road, north 21 degrees 34 minutes 30 seconds west, 200.00 feet to a point on the southerly right-of-way line of Saint Francis Road; thence, leaving said 40 feet wide road and with said Saint Francis Road, south 69 degrees 25 minutes 30 seconds west, 40.00 feet to a point on the westerly side of said 40 feet wide road; thence, leaving said Saint Francis Road and with said 40 feet wide road, south 21 degrees 34 minutes 30 seconds east, 200.00 feet to a pipe;

thence, leaving said 40 foot wide road, south 68 degrees 25 minutes 30 seconds west, 200.00 feet to a corner common to said Hampton Village, Incorporated and the lands of subject owner; thence, with said Hampton Village, Incorporated, south 21 degrees 29 minutes 33 seconds east, 835.03 feet to the point of beginning.

Containing 14.02 acres, more or less.

(b) The Secretary of the Interior (hereinafter referred to as the "Secretary") in furtherance of the purposes of this section, is authorized to acquire by donation, purchase, or exchange lands and interests in lands described in subsection (a) of this section.

(c) The Secretary shall administer lands acquired under the authority of this section as part of the Hampton National Historic Site in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented and the Act of August 21, 1935 (49 Stat. 666).

(d) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.

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Approved November 10, 1978.

24. Hubbell Trading Post

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(15) Hubbell Trading Post National Historic Site, Arizona: Section 3 of the Act of August 28, 1965 (79 Stat. 584), is amended by changing "$952,000" to "$977,000".

* * * * * * *

Approved November 10, 1978.

25. Jefferson National Expansion Memorial

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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

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:

* * * * * * *

(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".

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Approved October 21, 1976.

26. John Muir

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(17) John Muir National Historic Site, California: Section 3 of the Act of August 31, 1964 (78 Stat. 753), is amended by striking out "$300,000 for land acquisition and restoration of the buildings thereon." and inserting in lieu thereof "$224,000 for land acquisition and $1,285,000 for development".

* * * * * * *

Approved November 10, 1978.

27. Knife River Indian Villages

An Act to provide for the establishment of the Clara Barton National Historic Site, Maryland; John Day Fossil Beds National Monument, Oregon; Knife River Indian Villages National Historic Site, North Dakota; Springfield Armory National Historic Site, Massachusetts; Tuskegee Institute National Historic Site, Alabama; Martin Van Buren National Historic Site, New York; and Sewall-Belmont House National Historic Site, Washington, District of Columbia; and for other purposes. (88 Stat. 1461) (P.L. 93-486)

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

TITLE I

SEC. 101. (a) Unless otherwise provided hereafter, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by purchase with donated or appropriated funds, donation, exchange, or by transfer from another Federal agency such lands and interests in lands as hereafter provided for establishment as units of the national park system, as follows:

* * * * * * *

(3) for establishment as the Knife River Indian Villages National Historic Site, North Dakota, those lands depicted on the map entitled "Boundary Map, Knife River Indian Villages National Historic Site, North Dakota", numbered 468-20,012 and dated July 1970.

(b) The Secretary may also acquire personal property associated with the areas referred to in subsection (a) of this section. Lands and interests therein owned by a State or any political subdivision thereof which are acquired for the purposes of subsection (a) of this section may be acquired only by donation.

SEC. 102. (a) When the Secretary determines that an adequate interest in lands has been acquired to constitute an administrable unit for each of the areas described in section 1 of this Act, he may, after notifying the Committees on Interior and Insular Affairs of the United States Congress of his intention to do so at least fourteen days in advance, declare the establishment of such unit by publication of a notice to that effect in the Federal Register. Such notice shall contain a map or other description of the boundaries of the unit, together with an explanation of the interests acquired and the costs incident thereto. The Secretary may refrain from acquiring property for establishment of any unit authorized by this Act where, in his judgment, satisfactory agreements or donations with respect to properties which are needed for the protection and administration of a particular unit

have not been consummated with the owners of such properties.

(b) Pending the establishment of each unit and, thereafter, the Secretary shall administer the property acquired pursuant to this Act in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and, to the extent applicable, the provisions of the Act of August 21, 1935 (49 Stat. 666), as amended.

SEC. 104. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, the following:

* * * * * * *

(c) Knife River Indian Villages National Historic Site, $600,000 for the acquisition of lands and interests in lands and $2,268,000 for development:

* * * * * * *

Approved October 26, 1974.

28. Lincoln Home

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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:

* * * * * * *

(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".

* * * * * * *

Approved October 21, 1976.

29. Longfellow

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(19) Longfellow National Historic Site, Massachusetts: Section 4 of the Act of October 9, 1972 (86 Stat. 791), is amended by changing $586,000 (May 1971 prices)" to "$682,000 for development.", and by deleting "of the area, 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.".

* * * * * * *

Approved November 10, 1978.

30. Maggie L. Walker

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE V—ESTABLISHMENT OF NEW AREAS AND ADDITIONS TO NATIONAL TRAILS SYSTEM

SUBTITLE A — PARKS, SEASHORES, ETC.

* * * * * * *

MAGGIE L. WALKER NATIONAL HISTORIC SITE

SEC. 511. (a) The Secretary is authorized to establish the Maggie L. Walker National Historic Site (hereinafter in this section referred to as the "historic site") in the city of Richmond, Virginia.

(b) The historic site shall comprise the area extending east from the western boundary of the Maggie L. Walker House at 113 East Leigh Street in Richmond, Virginia, to Third Street and extending north from an east-west line which coincides with the front property line of such house to an east-west line which coincides with the north side of the alleyway immediately at the rear of such house. Following timely notice in writing to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate of his intention to do so, the Secretary may make minor revisions in the boundaries of the historic site by publication of a map or other revised boundary description in the Federal Register.

(c) Within the boundaries of the historic site, the Secretary may acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Any property within such boundaries owned by the State of Virginia or any political subdivision thereof may be acquired only by donation.

(d) When the Secretary determines that lands and interests therein have been acquired in an amount sufficient to constitute an administerable unit, he shall establish the historic site by publication of a notice to that effect in the Federal Register. Pending such establishment and thereafter, the Secretary shall administer the historic site in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1, 2–4), and the Act of August 21, 1935 (49 Stat. 666), as amended (16 U.S.C. 461 et seq.). Funds available for the historic site shall be available for restoration and rehabilitation of properties therein in accordance with

cooperative agreements entered into pursuant to section 2(e) of the Act of August 21, 1935, supra.

(e)(1) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, but not more than $795,000 for acquisition of lands and interests in land and not more than $500,000 for the development of essential facilities.

(2) Within three complete fiscal years from the date of enactment of this section, the Secretary shall develop and transmit to the Committees referred to in subsection (b) a general management plan for the historic site consistent with the purposes of this section. Such plan shall indicate—

(i) facilities needed to accommodate the health, safety, and educational needs of the public;

(ii) the location and estimated cost of all facilities; and

(iii) the projected need for any additional facilities.

* * * * * * *

Approved November 10, 1978.

31. Martin Van Buren

An Act to provide for the establishment of the Clara Barton National Historic Site, Maryland; John Day Fossil Beds National Monument, Oregon; Knife River Indian Villages National Historic Site, North Dakota; Springfield Armory National Historic Site, Massachusetts; Tuskegee Institute National Historic Site, Alabama; Martin Van Buren National Historic Site, New York; and Sewall-Belmont House National Historic Site, Washington, District of Columbia, and for other purposes. (88 Stat. 1461) (P.L. 93-486)

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

TITLE I

SEC. 101. (a) Unless otherwise provided hereafter, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by purchase with donated or appropriated funds, donation, exchange, or by transfer from another Federal agency such lands and interests in lands as hereafter provided for establishment as units of the national park system, as follows:

* * * * * * *

(6) for establishment as the Martin Van Buren National Historic Site, New York, those lands depicted on the map entitled "Boundary Map, Martin Van Buren National Historic Site, New York", numbered NHS-MAVA-91,001 and dated January 1974, which shall include the home of Martin Van Buren, eighth President of the United States.

(b) The Secretary may also acquire personal property associated with the areas referred to in subsection (a) of this section. Lands and interests therein owned by a State or any political subdivision thereof which are acquired for the purposes of subsection (a) of this section may be acquired only by donation.

SEC. 102. (a) When the Secretary determines that an adequate interest in lands has been acquired to constitute an administrable unit for each of the areas described in section 1 of this Act, he may, after notifying the Committees on Interior and Insular Affairs of the United States Congress of his intention to do so at least fourteen days in advance, declare the establishment of such unit by publication of a notice to that effect in the Federal Register. Such notice shall contain a map or other description of the boundaries of the unit, together with an explanation of the interests acquired and the costs incident thereto. The Secretary may refrain from acquiring property for establishment of any unit authorized by this Act where, in his judgment, satisfactory agreements or donations with respect to properties which are needed for the protection and administration of a particular unit

have not been consummated with the owners of such properties.

(b) Pending the establishment of each unit and, thereafter, the Secretary shall administer the property acquired pursuant to this Act in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and, to the extent applicable, the provisions of the Act of August 21, 1935 (49 Stat. 666), as amended.

SEC. 104. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, the following:

* * * * * * *

(f) Martin Van Buren National Historic Site, $213,000 for acquisition of lands and interests in lands and $2,737,000 for development.

* * * * * * *

Approved October 26, 1974.

32. Ninety Six

An Act to provide for the establishment of the Ninety Six National Historic Site in the State of South Carolina, and for other purposes. (90 Stat. 1196) (94–393)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve and commemorate for the benefit and enjoyment of present and future generations an area of unique historical significance associated with the settlement and development of the English Colonies in America and with the southern campaign of the American Revolutionary War, including the Star Fort, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands and interests therein by donation, purchase, or exchange, not to exceed one thousand one hundred and twenty acres, in the vicinity of the Old Ninety Six and Star Fort National Historic Landmark in the State of South Carolina, for establishment as the Ninety Six National Historic Site, as generally depicted on the map entitled "96 New Area Study Alternative 2. Ninety Six Site, Ninety Six, South Carolina. Sheet 8 of 17", and dated May 1976, which shall be on file and available for public inspection in the offices of the National Park Service, Washington, District of Columbia: *Provided,* That lands and interests therein owned by the State of South Carolina or any political subdivision thereof may be acquired only by donation. The Secretary shall establish the historic site by publication of a notice to that effect in the Federal Register at such time as he determines that sufficient property to constitute an administrable unit has been acquired. After advising the Committees on Interior and Insular Affairs of the United States Senate and House of Representatives in writing, the Secretary may from time to time revise the boundaries of the historic site, but the total acreage of the site shall not exceed one thousand one hundred and twenty acres.

SEC. 2. Pending establishment of the site and thereafter, the Secretary shall administer property acquired pursuant to this Act in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467), as amended.

SEC. 3. 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 $320,000 for the acquisition of lands and interests in lands.

(b) For the development of essential public facilities there are authorized to be appropriated not more than $2,463,000. Within two years from the date of establish ment of the historic site pursuant to this Act, the Secretary shall, after consulting with the Governor of the State of South Carolina, develop and transmit to the

Committees on Interior and Insular Affairs of the United States Congress a general management plan for the development of the historic site consistent with the 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 Ninety Six National Historic Site.

Approved August 19, 1976.

Legislative History:

House Report No. 94-1143 accompanying H. R. 9549 (Comm. on Interior and Insular Affairs).
Senate Report No. 94-810 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976)
May 13, considered and passed Senate.
June 8, considered and passed House, amended, in lieu of H.R. 9549.
June 30, Senate concurred in House amendments with amendments.
Aug. 10, House concurred in Senate amendments.

33. Palo Alto Battlefield

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE V—ESTABLISHMENT OF NEW AREAS AND ADDITIONS TO NATIONAL TRAILS SYSTEM

SUBTITLE A — PARKS, SEASHORES, ETC.

* * * * * * *

PALO ALTO BATTLEFIELD NATIONAL HISTORIC SITE

SEC. 506. (a) In order to preserve and commemorate for the benefit and enjoyment of present and future generations an area of unique historical significance as one of only two important battles of the Mexican War fought on American soil, the Secretary is authorized to establish the Palo Alto Battlefield National Historic Site in the State of Texas.

(b) For the purposes of this section, the Secretary is authorized to acquire by donation, purchase, or exchange, not to exceed fifty acres of lands and interests therein, comprising the initial unit, in the vicinity of the site of the battle of Palo Alto, at the junction of Farm Roads 1847 and 511, 6.3 miles north of Brownsville, Texas. The Secretary shall complete a study and recommend to the Congress such additions as are required to fully protect the historic integrity of the battlefield by June 30, 1979. The Secretary shall establish the historic site by publication of a notice to that effect in the Federal Register at such time as he determines that sufficient property to constitute an administrable unit has been acquired. Pending such establishment and thereafter, the Secretary shall administer the property acquired pursuant to this section in accordance with this section and provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535) and the Act of August 21, 1935 (49 Stat. 666).

(c) There are authorized to be appropriated such sums as may be necessary for lands and interests in lands and $200,000 for development to carry out the provisions of this section.

* * * * * * *

Approved November 10, 1978.

34. Saint-Gaudens

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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:

* * * * * * *

(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."

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TITLE II—DEVELOPMNT 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:

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(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".

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TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

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.".

* * * * * * *

Approved October 21, 1976.

35. Salem Maritime

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(15) Salem Maritime National Historic Site, Massachusetts: To add approximately fifteen one-hundredths of an acre as generally depicted on the map entitled "Salem Maritime National Historic Site Boundary Map", numbered 373-80,010, and dated February 1978; $67,500.

SEC. 302. Within twelve months after the date of the enactment of the Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b) (1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved November 10, 1978.

36. San Juan

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93–477)

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

TITLE IV—MISCELLANEOUS PROVISIONS

* * * * * * *

SAN JUAN NATIONAL HISTORIC SITE

SEC. 403. (a) The Secretary of the Interior, in cooperation with the Secretary of the Army, shall cause to be conducted such studies as they deem reasonable and necessary to determine the causes and extent of the damage to the foundations of the historic structures of the San Juan National Historic Site and shall transmit to the Congress, as soon as possible, but no later than one year after the date of the enactment of this Act, the alternative courses of action, together with their recommendations, which might be taken to assure the historical integrity of such structures and the safety of the visiting public. Pending the submission of such recommendations, the Secretary of the Interior shall take every reasonable precaution to assure the public safety and the maximum public enjoyment of the historic site.

(b) To carry out the purposes of this section, there are authorized to be appropriated such sums as may be necessary, but not more than $100,000

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Approved October 26, 1974.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

SAN JUAN NATIONAL HISTORIC SITE

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.".

* * * * * * *

Approved October 21, 1976.

37. Sewall-Belmont House

An Act to provide for the establishment of the Clara Barton National Historic Site, Maryland; John Day Fossil Beds National Monument, Oregon; Knife River Indian Villages National Historic Site, North Dakota; Springfield Army National Historic Site, Massachusetts; Tuskegee Institute National Historic Site, Alabama; Martin Van Buren National Historic Site, New York; and Sewall-Belmont House National Historic Site, Washington, District of Columbia; and for other purposes. (88 Stat. 1461) (P.L. 93-486)

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

TITLE II

* * * * * * *

SEWALL-BELMONT HOUSE NATIONAL HISTORIC SITE

SEC. 201. In order to preserve for the benefit and inspiration of the people of the United States as a national historic site, the Sewall-Belmont House within the District of Columbia, the Secretary of the Interior is authorized to enter into a cooperative agreement to assist in the preservation and interpretation of such house.

SEC. 202. The property subject to cooperative agreement pursuant to section 101 of this Act is hereby designated as the "Sewall-Belmont House National Historic Site".

SEC. 203. The cooperative agreement shall contain, but shall not be limited to, provisions that the Secretary, through the National Park Service, shall have right of access at all reasonable times to all public portions of the property covered by such agreement for the purpose of conducting visitors through such property and interpreting it to the public, that no changes or alterations shall be made in such property except by mutual agreement between the Secretary and the other parties to such agreement. The agreement may contain specific provisions which outline in detail the extent of the participation by the Secretary in the restoration, preservation, and maintenance of the historic site.

SEC. 204. 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 $500,000.

* * * * * * *

Approved October 26, 1974.

38. Springfield Armory

An Act to provide for the establishment of the Clara Barton National Historic Site, Maryland; John Day Fossil Beds National Monument, Oregon; Knife River Indian Villages National Historic Site, North Dakota; Springfield Armory National Historic Site, Massachusetts; Tuskegee Institute National Historic Site, Alabama; Martin Van Buren National Historic Site, New York; and Sewall-Belmont House National Historic Site, Washington, District of Columbia; and for other purposes. (88 Stat. 1461) (P.L. 93-486)

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

TITLE I

SEC. 101. (a) Unless otherwise provided hereafter, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by purchase with donated or appropriated funds, donation, exchange, or by transfer from another Federal agency such lands and interests in lands as hereafter provided for establishment as units of the national park system, as follows:

* * * * * * *

(4) for establishment as the Springfield Armory National Historic Site, Massachusetts, those lands depicted on the map entitled "Boundary Map, Springfield Armory National Historic Site, Massachusetts", numbered NHS-SPAR-91,003 and dated January 1974, the oldest manufacturing arsenal in the United States: *Provided,* That the historic site shall not be established unless an agreement is executed which will assure the historical integrity of the site and until such lands as are needed for the historic site are donated for this purpose.

(b) The Secretary may also acquire personal property associated with the areas referred to in subsection (a) of this section. Lands and interests therein owned by a State or any political subdivision thereof which are acquired for the purposes of subsection (a) of this section may be acquired only by donation.

SEC. 102. (a) When the Secretary determines that an adequate interest in lands has been acquired to constitute an administrable unit for each of the areas described in section 1 of this Act, he may, after notifying the Committees on Interior and Insular Affairs of the United States Congress of his intention to do so at least fourteen days in advance, declare the establishment of such unit by publication of a notice to that effect in the Federal Register. Such notice shall contain a map or other description of the boundaries of the unit, together with an explanation of the interests acquired and the costs incident thereto. The Secretary may refrain from acquiring

property for establishment of any unit authorized by this Act where, in his judgment, satisfactory agreements or donations with respect to properties which are needed for the protection and administration of a particular unit have not been consummated with the owners of such properties.

(b) Pending the establishment of each unit and, thereafter, the Secretary shall administer the property acquired pursuant to this Act in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and, to the extent applicable, the provisions of the Act of August 21, 1935 (49 Stat. 666), as amended.

SEC. 104. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, the following:

* * * * * * *

(d) Springfield Armory National Historic Site, 5,300,000 for development:

* * * * * * *

Approved October 26, 1974.

39. Thaddeus Kosciuszko Home

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(25) Thaddeus Kosciuszko Home National Historic Site, Pennsylvania: Section 3 of the Act of October 21, 1972 (86 Stat. 1046), is amended by changing "$592,000" to "$742,000".

* * * * * * *

Approved November 10, 1978.

40. Theodore Roosevelt Inaugural

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE VI—MISCELLANEOUS PROVISIONS

* * * * * * *

THEODORE ROOSEVELT INAUGURAL NATIONAL HISTORIC SITE

SEC. 609. The first section of the Act entitled "An Act to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, New York, as a national historic site", approved November 2, 1966 (Public Law 89-708), is amended by striking out "at no expense to the United States" and inserting in lieu thereof "at no direct operating expense to the Department of the Interior,"

* * * * * * *

Approved November 10, 1978.

41. Thomas Stone

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE V—ESTABLISHMENT OF NEW AREAS AND ADDITIONS TO NATIONAL TRAILS SYSTEM

SUBTITLE A — PARKS, SEASHORES, ETC.

* * * * * * *

THOMAS STONE NATIONAL HISTORIC SITE

SEC. 510. (a) The Secretary is authorized to acquire by donation, exchange, or purchase with donated or appropriated funds, the Thomas Stone home and grounds, known as Habre-de-Venture, located on Rose Hill Road near La Plata in Charles County, Maryland, for establishment as the Thomas Stone National Historic Site.

(b) The national historic site shall be established by the Secretary by the publication of notice to that effect in the Federal Register at such time that he determines he has sufficient ownership to constitute an administrable unit. After such publication, the site shall be administered by the Secretary pursuant to the provisions of this section and the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467).

(c) To carry out the purposes of this section, there is hereby authorized to be appropriated not to exceed $600,000 for the acquisition of lands and interests therein and not to exceed $400,000 for development.

* * * * * * *

Approved November 10, 1978.

42. Tuskegee Institute

An Act to provide for the establishment of the Clara Barton National Historic Site, Maryland; John Day Fossil Beds National Monument, Oregon; Knife River Indian Villages National Historic Site, North Dakota; Springfield Armory National Historic Site, Massachusetts; Tuskegee Institute National Historic Site, Alabama; Martin Van Buren National Historic Site, New York; and Sewall-Belmont House National Historic Site, Washington, District of Columbia; and for other purposes. (88 Stat. 1461) (P.L. 93-486)

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

TITLE I

SEC. 101. (a) Unless otherwise provided hereafter, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by purchase with donated or appropriated funds, donation, exchange, or by transfer from another Federal agency such lands and interests in lands as hereafter provided for establishment as units of the national park system, as follows:

* * * * * * *

(5) for establishment as the Tuskegee Institute National Historic Site, Alabama, those lands depicted on the map entitled "Boundary Map, Tuskegee Institute National Historic Site, Alabama", numbered NHS-TI 20,000-C and dated September 1973, which shall include the home of Booker T. Washington, the Carver Museum, and an antebellum property adjacent to the campus of Tuskegee Institute, known as Grey Columns.

SEC. 103. Notwithstanding any other provision of law, the Secretary is authorized to construct roads on real property in non-Federal ownership within the boundaries of the Tuskegee Institute National Historic Site. Any roads so constructed shall be controlled and maintained by the owners of the real property.

(b) The Secretary may also acquire personal property associated with the areas referred to in subsection (a) of this section. Lands and interests therein owned by a State or any political subdivision thereof which are acquired for the purposes of subsection (a) of this section may be acquired only by donation.

SEC. 102. (a) When the Secretary determines that an adequate interest in lands has been acquired to constitute an administrable unit for each of the areas described in section 1 of this Act, he may, after notifying the Committees on Interior and Insular Affairs of the United States Congress of his intention to do so at least fourteen days in advance, declare the establishment of such unit by publication of a notice to that effect in the Federal

Register. Such notice shall contain a map or other description of the boundaries of the unit, together with an explanation of the interests acquired and the costs incident thereto. The Secretary may refrain from acquiring property for establishment of any unit authorized by this Act where, in his judgment, satisfactory agreements or donations with respect to properties which are needed for the protection and administration of a particular unit have not been consummated with the owners of such properties.

(b) Pending the establishment of each unit and, thereafter, the Secretary shall administer the property acquired pursuant to this Act in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and, to the extent applicable, the provisions of the Act of August 21, 1935 (49 Stat. 666), as amended.

SEC. 104. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, the following:

* * * * * * *

(e) Tuskegee Institute National Historic Site, $185,000 for the acquisition of lands and interests in lands and $2,722,000 for development.

* * * * * * *

Approved October 26, 1974.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(26) Tuskegee Institute National Historic Site, Alabama: Section 104(e) of the Act of October 26, 1974 (88 Stat. 1463), is amended by changing "$2,722,000" to "$2,862,000".

* * * * * * *

Approved November 10, 1978.

43. William Howard Taft

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(28) William Howard Taft National Historic Site, Ohio: Section 3 of the Act of December 2, 1969 (83 Stat. 273), is amended by changing "$318,000" to "$1,888,000".

* * * * * * *

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(20) William Howard Taft National Historic Site, Ohio: To add approximately three acres as generally depicted on the map entitled "Boundary Map, William Howard Taft National Historic Site, Ohio", numbered 448-40,021, and dated January 1977.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not

to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b) (1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved November 10, 1978.

VII. NATIONAL MEMORIALS AND MEMORIAL PARK

1. Albert Einstein

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE VI—MISCELLANEOUS PROVISIONS

* * * * * * *

ALBERT EINSTEIN MEMORIAL

SEC. 612. The Secretary of the Interior is authorized to convey for nominal consideration to the National Academy of Sciences, United States Reservation 332A, located on the south side of Square Numbered 88 between 21st Street, 22d Street and Constitution Avenue in the District of Columbia to erect and maintain a Memorial to Albert Einstein. The title to said property shall remain with the National Academy of Sciences so long as the property is used for access. At such time as the property is no longer used for memorial purposes or public access is restricted, title to said property shall revert to the United States.

* * * * * * *

Approved November 10, 1978.

2. American Memorial Park

An Act to authorize appropriations for certain insular areas of the United States, and for other purposes. (92 Stat. 487) (P.L. 95-348)

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

* * * * * * *

AMERICAN MEMORIAL PARK

SEC. 5. (a) The Secretary, acting through the Director of the National Park Service, is authorized and directed to develop, maintain, and administer the existing American Memorial Park (hereinafter in this section referred to as the "park"), located at Tanapag Harbor Reservation, Saipan. The park shall be administered for the primary purpose of honoring the dead in the World War II Mariana Islands campaign.

(b) The Secretary is authorized and directed to the maximum extent feasible to employ and train residents of the Mariana Islands to develop, maintain, and administer the park.

(c) Other points in the Northern Mariana Islands relevant to the park may be identified, established, and marked by the Secretary in agreement with the Governor of the Northern Marianas.

(d) The Secretary shall provide for interpretative activities at the park, for which he is authorized to seek the assistance of appropriate historians to interpret the historical aspects of the park. To the greatest extent possible, interpretative activities shall be conducted in the following four languages: English, Chamorro, Carolinian, and Japanese.

(e) Notwithstanding any provision of law to the contrary, no fee or charge may be imposed for entrance or admission into the American Memorial Park.

(f) The Secretary shall transfer administration of the park to the government of the Northern Mariana Islands at such time as the Governor, acting pursuant to legislation enacted in accordance with sections 5 and 7 or article II of the Constitution on the Northern Mariana Islands, requests such a transfer. All improvements, including real and personal property, shall thereupon be transferred without cost to the government of the Northern Mariana Islands and thereafter the full cost of development, administration, and maintenance for the park shall be borne by the government of the Northern Mariana Islands, except as provided in subsection (g) of this section.

(g) For the development, maintenance, and operation of the park (but not for any acquisition of land or interests in lands), there is hereby authorized to be appropriated

not to exceed $3,000,000 effective October 1, 1978. Amounts appropriated pursuant to this subsection shall remain available until expended.

(h) Nothing contained in this Act is intended to alter or diminish the authority to exercise the five year option contained in article VIII of Public Law 94–241.

AUTHORIZATIONS TO REMAIN AVAILABLE

SEC. 8. Any amount authorized by this Act or by the Act entitled "An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes" (Public Law 95–134; 91 Stat. 1159) but not appropriated for a fiscal year is authorized to be available for appropriation in succeeding fiscal years.

TECHNICAL AMENDMENTS

SEC. 9. Section 501 of the Act entitled "An Act to authorize certain appropriations for the territories of the United States, to amend certain Acts relating thereto, and for other purposes" (Public Law 95–134; 91 Stat. 1159) is amended—

(1) by inserting ", notwithstanding any provision of law to the contrary," after "it is hereby declared to be the policy of the Congress"; and

(2) in subsection (a) by striking out "Notwithstanding any provision of law to the contrary, any" and inserting in lieu thereof "Any".

SEC. 10. Authorizations of moneys to be appropriated under this Act shall be effective on October 1, 1978.

* * * * * * *

Approved August 18, 1978.

3. Arkansas Post

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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

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:

* * * * * * *

(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".

* * * * * * *

Approved October 21, 1976.

4. Chamizal

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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

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:

* * * * * * *

(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".

* * * * * * *

Approved October 21, 1976.

5. Coronado

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park Systems are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(4) Coronado National Memorial, Arizona: To add approximately three thousand and forty acres and delete approximately twelve hundred acres as generally depicted on the map entitled "Land Status Map 01, Coronado National Memorial, Cochise County, Arizona", numbered 8630/80,001, and dated October 1977; $1,410,000.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b) (1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved November 10, 1978.

6. De Soto

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(8) De Soto National Memorial, Florida: Section 3 of the Act of March 11, 1948 (62 Stat. 78), as amended, is further amended changing "$3,108,000" to "$15,108,000".

* * * * * * *

Approved November 10, 1978.

7. Father Marquette

An Act to provide for establishment of the Father Marquette National Memorial near Saint Ignace, Michigan, and for other purposes. (89 Stat. 848) (P.L. 94-160)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the area of Saint Ignace, Michigan, is recognized as an appropriate location for a national memorial to commemorate Father Jacques Marquette, who was buried there in 1678, and that the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to take appropriate action, as hereinafter provided, to commemorate the advent and history of Father Marquette in North America, including his establishment on a mission at Saint Ignace in 1671, and his historic exploration, in company with Louis Joliet, of the Mississippi River in 1673.

SEC. 2. The Secretary shall enter into an agreement, satisfactory to him, with the Governor of the State of Michigan providing for the location, design, construction, and operation by the State of Michigan of the Father Marquette National Memorial in the area of Saint Ignace, Michigan. Upon conclusion of that agreement, and when in the opinion of the Secretary sufficient lands have been acquired by the State of Michigan to constitute an efficiently administrable memorial for the purposes of this Act, the Secretary is authorized to designate the Father Marquette National Memorial by publication of notice thereof in the Federal Register.

SEC. 3. In conjunction with the development and operation of the memorial provided for by this Act, the Secretary is authorized to render to the State of Michigan such assistance, including, but not limited to, technical advice and grants of funds for land acquisition and development, as he deems appropriate to promote public understanding and appreciation of the significant role of Jacques Marquette in the history of the Nation: *Provided,* That before any such assistance is rendered by the Secretary, the agreement referred to in section 2 of this Act shall have been concluded.

SEC. 4. There are hereby authorized to be appropriated such sums, but not to exceed $1,000,000, as may be necessary for assistance rendered by the Secretary pursuant to the provisions of this Act.

* * * * * * *

Approved December 20, 1975.

Legislative History:

House Report No. 94-546 (Comm. on Interior and Insular Affairs).
Senate Report No. 94-492 (Comm. on Rules and Administration).
Congressional Record, Vol. 121 (1975):
Nov. 4, considered and passed House.
Dec. 11, considered and passed Senate.

8. Fort Caroline

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(6) Fort Caroline National Memorial, Florida: To add approximately ten acres as generally depicted on the map entitled "Boundary Map, Fort Caroline National Memorial, Florida", numbered 5310/80,-000-A, and dated April 1978: $170,000.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b) (1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted

from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

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TITLE III—BLACK HAMMOCK ISLAND

* * * * * * *

SEC. 306. The lot on Black Hammock Island, identified by warranty deed numbered 70–56,903, recorded among the land records of Duval County, Florida, on November 23, 1970, owned by the Federal Government, shall, pursuant to the Act of December 18, 1967 (81 Stat. 656; 16 U.S.C. 19g, 19h), be deeded to the National Park Foundation to be sold at fair market value. The proceeds of such sale shall be remitted to the National Park Service for land acquisition and development of the Fort Caroline National Memorial.

* * * * * * *

Approved November 10, 1978.

9. Fort Clatsop

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—FORT CLATSOP NATIONAL MEMORIAL

* * * * * * *

SEC. 311. Section 2 of the Act of May 29, 1958 (72 Stat. 153; 16 U.S.C. 450mm–1), is amended to read as follows:

"SEC. 2. The Secretary of the Interior shall designate for inclusion in Fort Clatsop National Memorial land and improvements thereon located in Clatsop County, Oregon, which are associated with the winter encampment of the Lewis and Clark Expedition, known as Fort Clatsop, including the site of the salt cairn (specifically, lot number 18, block 1, Cartwright Park Addition of Seaside, Oregon) utilized by that expedition and adjacent portions of the old trail which led overland from the fort to the coast: *Provided,* That the total area so designated shall contain no more than one hundred and thirty acres.".

* * * * * * *

Approved November 10, 1978.

10. Johnstown Flood

An Act to authorize additional appropriations for the acquisition of land and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE III—ALLEGHENY PORTAGE RAILROAD NATIONAL HISTORIC SITE AND JOHNSTOWN FLOOD NATIONAL MEMORIAL

* * * * * * *

SEC. 307. (a) The Secretary is authorized to revise the boundaries of the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial in Pennsylvania to add approximately five hundred and twenty-six acres and sixty-seven acres respectively. Sections 302 and 303 of this Act shall be applicable to such boundary revision.

(b) In addition to amounts otherwise available for such purposes there are authorized to be appropriated not more than $2,743,000 for land acquisition and $4,280,000 for development to carry out the purposes of this section.

* * * * * * *

Approved November 10, 1978.

11. Perry's Victory and International Peace

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(21) Perry's Victory and International Peace Memorial, Ohio: Section 4 of the Act of October 26, 1972 (86 Stat. 1181), is amended by changing "$5,177,000" to "$9,327,000".

* * * * * * *

Approved November 10, 1978.

12. Theodore Roosevelt

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(16) Theodore Roosevelt National Memorial Park, North Dakota: To add approximately one hundred and forty-six acres, and delete approximately one hundred and sixty acres as generally depicted on map entitled "Boundary Map Theodore Roosevelt National Memorial Park-North Unit McKenzie County/ North Dakota", numbered 387/ 80,020, and dated July 1977.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b) (1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public

lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

TITLE IV—WILDERNESS

SEC. 401. The following lands are hereby designated as wilderness in accordance with section 3(c) Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), and shall be administered by the Secretary in accordance with applicable provisions of the Wilderness Act:

* * * * * * *

(8) Theodore Roosevelt National Memorial Park, North Dakota, wilderness comprising approximately twenty-nine thousand nine hundred and twenty acres, depicted on maps entitled "Theodore Roosevelt National Memorial Park, North Dakota" (North Unit and South Unit) numbered 387–20,007–E and dated January 1978, to be known as the Theodore Roosevelt Wilderness.

SEC. 402. A map and description of the boundaries of the areas designated in this title shall be on file and

available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in this title. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 403. Any lands which represent potential wilderness additions in this title, upon publication in the Federal Register of a notice by the Secretary that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

SEC. 404. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved November 10, 1978.

VIII. NATIONAL MONUMENTS

1. Agate Fossil Beds

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(1) Agate Fossil Beds National Monument, Nebraska: Section 4 of the Act of June 5, 1965 (79 Stat. 123), is amended by changing "$1,842,000" to "$2,012,000".

* * * * * * *

Approved November 10, 1978.

2. Alibates Flint Quarries and Texas Panhandle Pueblo Culture

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—ALIBATES FLINT QUARRIES AND TEXAS PANHANDLE PUEBLO CULTURE NATIONAL MONUMENT

* * * * * * *

SEC. 321. (a) The first section of the Act of August 31, 1965 (79 Stat. 587) is amended by adding at the end thereof the following: "The national monument shall comprise the area generally depicted on the map entitled 'Boundary Map Alibates Flint Quarries', numbered 432-80,021, and dated November 1976. Minor boundary adjustments may be made from time to time by the Secretary.".

(b) Section 3 of such Act is amended by deleting "$260,000" and inserting "$4,291,000" in lieu thereof.

(c) The Act of August 31, 1965 (79 Stat. 587) is hereby amended to redesignate the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument as the Alibates Flint Quarries National Monument.

* * * * * * *

Approved November 10, 1978.

3. Badlands

An Act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes. (90 Stat. 2692) (P.L. 94–567)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness, and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

* * * * * * *

(1) Badlands National Monument, South Dakota, wilderness comprising sixty-four thousand two hundred and fifty acres, depicted on a map entitled "Wilderness Plan, Badlands National Monument, South Dakota", numbered 137–29,010–B and dated May 1976, to be known as the Badlands Wilderness.

SEC. 2. A map and description of the boundaries of the areas designated in this Act shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the Superintendent of each area designated in the Act. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 3. All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness.

SEC. 6. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved October 20, 1976.

4. Bandelier

An Act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes. (90 Stat. 2692) (P.L. 94-567)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness, and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

* * * * * * *

(a) Bandelier National Monument, New Mexico, wilderness comprising twenty-three thousand two hundred and sixty-seven acres, depicted on a map entitled "Wilderness Plan, Bandelier National Monument, New Mexico", numbered 315-20,014-B and dated May 1976, to be known as the Bandelier Wilderness.

SEC. 2. A map and description of the boundaries of the areas designated in this Act shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the Superintendent of each area designated in the Act. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 3. All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness.

SEC. 6. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved October 20, 1976.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

BANDELIER NATIONAL MONUMENT

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.

* * * * * * *

Approved October 21, 1976.

5. Biscayne

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93–477)

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) Biscayne National Monument, Florida: Section 5 of the Act of October 18, 1968 (82 Stat. 1188, 1189) is amended by changing "$24,575,000" to "$28,350,000":

* * * * * * *

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of Interior shall revise the boundaries of the following units of the National Park System:

* * * * * * *

(1) Biscayne National Monument, Florida: To add approximately 8,738 acres of land and water, including all of Swan Key and Gold Key.

* * * * * * *

Approved October 26, 1974.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(4) Biscayne National Monument, Florida: Section 5 of the Act of October 18, 1968 (82 Stat.

1188), is amended by changing "$2,900,000" to "$6,565,000".

* * * * * * *

Approved November 10, 1978.

6. Black Canyon of the Gunnison

An Act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes. (90 Stat. 2692) (P.L. 94-567)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness, and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

* * * * * * *

(b) Black Canyon of the Gunnison National Monument, Colorado, wilderness comprising eleven thousand one hundred and eighty acres, depicted on a map entitled "Wilderness Plan, Black Canyon of the Gunnison National Monument, Colorado", numbered 144-20,017 and dated May 1973, to be known as the Black Canyon of the Gunnison Wilderness.

SEC. 2. A map and description of the boundaries of the areas designated in this Act shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the Superintendent of each area designated in the Act. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 3. All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness.

SEC. 6. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved October 20, 1976.

7. Channel Islands

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93-477)

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

TITLE II—DEVELOPMENT CEILING INCREASES

SEC. 201. The limitations on appropriations for development of units of he 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.

* * * * * * *

TITLE IV—MISCELLANEOUS PROVISIONS

* * * * * * *

CHANNEL ISLANDS NATIONAL MONUMENT

SEC. 401. The Secretary of the Interior is authorized to accept the donation of the fee simple title of not to exceed five acres of land and submerged land within the Ventura Marina, Ventura County, California; and to develop, operate, and maintain thereon administrative and visitor facilities to be used as a mainland headquarters for the Channel Islands National Monument: *Provided,* That no lands or any interests therein may be accepted by the Secretary until a mutually satisfactory agreement has been executed which shall include, among other things, an agreement on the design for such facilities, a reasonable timetable for their construction, and an agreement concerning public use of and access to such facilities. Any property accepted under the provisions of this Act shall be administered as a part of the national monument.

* * * * * * *

Approved October 26, 1974.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

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:

* * * * * * *

(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".

* * * * * * *

Approved October 21, 1976.

8. Chiricahua

An Act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes. (90 Stat. 2692) (P.L. 94-567)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness, and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

* * * * * * *

(c) Chiricahua National Monument, Arizona, wilderness comprising nine thousand four hundred and forty acres, and potential wilderness additions comprising two acres, depicted on a map entitled "Wilderness Plan, Chiricahua National Monument, Arizona", numbered 145-20,007-A and dated September 1973, to be known as the Chiricahua National Monument Wilderness.

SEC. 2. A map and description of the boundaries of the areas designated in this Act shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the Superintendent of each area designated in the Act. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 3. All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness.

SEC. 6. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved October 20, 1976.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(3) Chiricahua National Monument, Arizona: To add approximately four hundred and forty acres as generally depicted on the map entitled "Boundary Map, Chiricahua National Monument, Arizona", numbered 145-80,002, and dated August 1977: $294,000.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b) (1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State,

the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved November 10, 1978.

9. Colorado

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

COLORADO NATIONAL MONUMENT

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.

* * * * * * *

Approved October 21, 1976.

10. Congaree Swamp

An Act to authorize the establishment of the Congaree Swamp National Monument in the State of South Carolina, and for other purposes. (90 Stat. 2517) (P.L. 94-545)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve and protect for the education, inspiration, and enjoyment of present and future generations an outstanding example of a near-virgin southern hardwood forest situated in the Congaree River floodplain in Richland County, South Carolina, there is hereby established the Congaree Swamp National Monument (hereinafter referred to as the "monument"). The monument shall consist of the area within the boundary as generally depicted on the map entitled "Congaree Swamp National Monument", numbered CS-80,001-B, and dated August 1976 (generally known as the Beidler Tract), which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior. 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, the Secretary of the Interior (hereinafter referred to as the "Secretary") may make minor revisions of the boundary of the monument by publication of a revised map or other boundary description in the Federal Register, but the total area may not exceed fifteen thousand, two hundred acres.

SEC. 2. (a) Within the monument the Secretary is authorized to acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange. Any lands or interests therein owned by the State of South Carolina or any political subdivision thereof may be acquired only by donation.

(b) With respect to any lands acquired under the provisions of this Act which at the time of acquisition are leased for hunting purposes, such acquisition shall permit the continued exercise of such lease in accordance with its provisions for its unexpired term, or for a period of five years, whichever is less: *Provided,* That no provision of such lease may be exercised which, in the opinion of the Secretary, is incompatible with the preservation objectives of this Act, or which is inconsistent with applicable Federal and State game laws, whichever is more restrictive.

SEC. 3. (a) The Secretary shall administer property acquired for the monument in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and the provisions of this Act.

(b) The Secretary shall permit sport fishing on lands and waters under his jurisdiction within the monument in accordance with applicable Federal and State laws, except that he may designate zones where and establish

periods when no fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any regulations promulgated under this subsection shall be placed in effect only after consultation with the appropriate fish and game agency of the State of South Carolina.

SEC. 4. Within three years from the effective date of this Act, the Secretary shall review the area within the monument and shall report to the President, in accordance with subsections 3 (c) and 3 (d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any area within the monument for preservation as wilderness, and any designation of any such area as wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

SEC. 5. (a) The Secretary may not expend more than $35,500,000 from the Land and Water Conservation Fund for land acquisition nor more than $500,000 for the development of essential facilities.

(b) Within three years from the effective date of this Act the Secretary shall, after consulting with the Governor of the State of South Carolina, develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a general management plan for the use and development of the monument consistent with the purposes of this Act, indicating:

(1) the lands and interests in lands adjacent or related to the monument which are deemed necessary or desirable for the purposes of resource protection, scenic integrity, or management and administration of the area in furtherance of the purposes of this Act, and the estimated cost thereof;

(2) the number of visitors and types of public use within the monument which can be accommodated in accordance with the protection of its resources;

(3) the location and estimated cost of facilities deemed necessary to accommodate such visitors and uses.

Approved October 18, 1976.

House Report No. 94–1570 (Comm. on Interior and Insular Affairs).
Senate Report No. 94–1311 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
Sept. 21, considered and passed House.
Sept. 28, considered and passed Senate, amended.
Sept. 29, House agreed to Senate amendment.
Weekly Compilation of Presidential Documents, Vol. 12, No. 43:
Oct. 19, Presidential statement.

11. George Washington Birthplace

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(7) George Washington Birthplace National Monument, Virginia: To add approximately eighty-two and twenty-five one-hundredths acres as generally depicted on the map entitled "Boundary Map, George Washington Birthplace National Memorial, Virginia", numbered 332–30,000–B and dated September 1978: $450,000.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b) (1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

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Approved November 10, 1978.

12. Great Sand Dunes

An Act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes. (90 Stat. 2692) (P.L. 94-567)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness, and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

* * * * * * *

(d) Great Sand Dunes National Monument, Colorado, wilderness comprising thirty-three thousand four hundred and fifty acres, and potential wilderness additions comprising six hundred and seventy acres, depicted on a map entitled "Wilderness Plan, Great Sand Dunes National Monument, Colorado", numbered 140-20,006-C and dated February 1976, to be known as the Great Sand Dunes Wilderness.

SEC. 2. A map and description of the boundaries of the areas designated in this Act shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the Superintendent of each area designated in the Act. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 3. All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness.

SEC. 6. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Sec-

retary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

October 20, 1976.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(8) Great Sand Dunes National Monument, Colorado: To add approximately one thousand one hundred and nine acres as generally depicted on the map entitled "Boundary Map, Great Sand Dunes National Monument, Colorado", numbered 140-80,001-A, and dated November 1974: $166,000.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b) (1) Lands and interests deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or

transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved November 10, 1978.

13. Harpers Ferry

An Act to amend the Act of June 30, 1944, an act "To provide for the establishment of the Harpers Ferry National Monument", and for other purposes. (88 Stat. 1420) (P.L. 93-466)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 30, 1944 (58 Stat. 645; 16 U.S.C. 450bb), an Act "To provide for the establishment of the Harpers Ferry National Monument", is amended as follows:

(1) In section 1, the first sentence is amended to read: "That, in order to carry out the purposes of this Act, the Secretary of the Interior is authorized to acquire lands or interests in lands, by donation, purchase with donated or appropriated funds, or exchange, within the boundaries as generally depicted on the drawing entitled 'Boundary Map, Harpers Ferry National Historical Park', numbered 385-40,000D and dated April 1974, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior: *Provided,* That after advising the Committees on Interior and Insular Affairs of the Congress of the United States, in writing, the Secretary may make minor revisions in the boundary, when necessary, by publication of a revised drawing or other boundary description in the Federal Register, but the total acreage shall not exceed two thousand acres: *Provided further,* That nothing herein shall be deemed to authorize the acquisition, without consent of the owner, of a fee simple interest in land within the boundaries in which a less than fee interest has previously been acquired by the Secretary of the Interior."

(2) In section 3, delete the word "and" at the end of paragraph (1); change the period at the end of paragraph (2) to a semicolon and add "and"; and add the following new paragraph:

"(3) Provide, directly or by contract, subject to the provisions of the Act of June 7, 1974 (88 Stat. 192; 16 U.S.C. 4601-6a) an interpretive shuttle transportation service within, between, and among lands acquired for the purpose of this Act for such times and upon such terms as in his judgment will best accomplish the purposes of this Act."

(3) Revise section 4 to read as follows:

"In addition to such sums as have heretofore been appropriated, there are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not more than $1,300,000 for the acquisition of lands and interests in lands, and not more than $8,690,000 for development."

Approved October 24, 1974.

Legislative History:

House Report No. 93-1358 accompanying H.R. 12972 (Comm. on Interior and Insular Affairs).
Senate Report No. 93-874 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 120 (1974):
May 28, considered and passed Senate.
Oct. 7, considered and passed House, amended, in lieu of H.R. 12972.
Oct. 8, Senate concurred in House amendment.

14. John Day Fossil Beds

An Act to provide for the establishment of the Clara Barton National Historic Site, Maryland; John Day Fossil Beds National Monument, Oregon; Knife River Indian Villages National Historic Site, North Dakota; Springfield Armory National Historic Site, Massachusetts; Tuskegee Institute National Historic Site, Alabama; Martin Van Buren National Historic Site, New York; and Sewall-Belmont House National Historic Site, Washington, District of Columbia; and for other purposes. (88 Stat. 1461) (P.L. 93-486)

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

TITLE I

SEC. 101. (a) Unless otherwise provided hereafter, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by purchase with donated or appropriated funds, donation, exchange, or by transfer from another Federal agency such lands and interests in lands as hereafter provided for establishment as units of the national park system, as follows:

* * * * * * *

(2) for establishment as the John Day Fossil Beds National Monument, Oregon, those lands depicted on the map entitled "Boundary Map, John Day Fossil Beds National Monument", numbered NM-JDFB-20,014-A and dated June 1971: *Provided,* That the national monument shall not be established unless and until the State of Oregon donates or agrees to donate the Thomas Condon-John Day Fossil Beds, Clarno, and Painted Hills State Parks: *Provided further,* That the Secretary shall not acquire a fee title interest to more than one thousand acres of privately owned lands except by donation or exchange: *Provided further,* That the Secretary shall designate the principal visitor center as the "Thomas Condon Visitor Center".

(b) The Secretary may also acquire personal property associated with the areas referred to in subsection (a) of this section. Lands and interests therein owned by a State or any political subdivision thereof which are acquired for the purposes of subsection (a) of this section may be acquired only by donation.

SEC. 102. (a) When the Secretary determines that an adequate interest in lands has been acquired to constitute an administrable unit for each of the areas described in section 1 of this Act, he may, after notifying the Committees on Interior and Insular Affairs of the United States Congress of his intention to do so at least fourteen days in advance, declare the establishment of such unit by publication of a notice to that effect in the Federal

Register. Such notice shall contain a map or other description of the boundaries of the unit, together with an explanation of the interests acquired and the costs incident thereto. The Secretary may refrain from acquiring property for establishment of any unit authorized by this Act where, in his judgment, satisfactory agreements or donations with respect to properties which are needed for the protection and administration of a particular unit have not been consummated with the owners of such properties.

(b) Pending the establishment of each unit and, thereafter, the Secretary shall administer the property acquired pursuant to this Act in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and, to the extent applicable, the provisions of the Act of August 21, 1935 (49 Stat. 666), as amended.

* * * * * * *

SEC. 104. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, the following:

(b) John Day Fossil Beds National Monument $400,000 for the acquisition of lands and interests in lands and $4,435,200 for development.

* * * * * * *

Approved October 26, 1974.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(11) John Day Fossil Beds National Monument, Oregon: To add approximately one thousand four hundred and eleven acres, and to delete approximately one thousand six hundred and twenty acres as generally depicted on the map entitled "Boundary Map, John Day Fossil Beds National Monument, Oregon", numbered 177-30,000-B, and dated May

1978: $3,500,000. The Act of October 26, 1974 (88 Stat. 1461), which designates the John Day Fossil Beds National Monument is amended by deleting the second proviso of section 101(a)(2). Furthermore, notwithstanding any other provision of law to the contrary, the Secretary may, if he determines that to do so will not have a substantial adverse effect on the preservation of the fossil and other resources within the remainder of the monument, convey approximately sixty acres acquired by the United States for purposes of the monument in exchange for non-Federal lands within the boundaries of the monument, and, effective upon such conveyance, the boundaries of the monument are hereby revised to exclude the lands conveyed.

SEC. 302. Within twelve months after the date of the enactment of the Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b) (1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further de-

clared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved November 10, 1978.

15. Joshua Tree

An Act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes. (90 Stat. 2692) P.L. 94-567)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness, and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

* * * * * * *

(g) Joshua Tree National Monument, California, wilderness comprising four hundred and twenty-nine thousand six hundred and ninety acres, and potential wilderness additions comprising thirty-seven thousand five hundred and fifty acres, depicted on a map entitled "Wilderness Plan, Joshua Tree National Monument, California", numbered 156-20,003-D and dated May 1976, to be known as the Joshua Tree Wilderness.

SEC. 2. A map and description of the boundaries of the areas designated in this Act shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the Superintendent of each area designated in the Act. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 3. All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness.

SEC. 6. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved October 20, 1976.

16. Lava Beds

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93-477)

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

TITLE III— BOUNDARY CHANGES

SEC. 301. The Secretary of Interior shall revise the boundaries of the following units of the National Park System:

* * * * * * *

(5) Lava Beds National Monument, California: To add approximately 321.58 acres and to delete approximately 60.12 acres which additions and deletions shall comprise only federally owned lands, and lands deleted from the monument shall be administered by the Secretary of the Interior in accordance with the Federal reclamation laws.

* * * * * * *

Approved October 26, 1974.

17. Montezuma Castle

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(13) Montezuma Castle National Monument, Arizona: To add approximately thirteen acres, and to delete approximately five acres as generally depicted on the map entitled "Montezuma Castle National Monument, Arizona", numbered 20,006, and dated April 1978.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b) (1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted

from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

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Approved November 10, 1978.

18. Oak Creek Canyon and Chiricahua

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE VI—MISCELLANEOUS PROVISIONS

* * * * * * *

OAK CREEK CANYON AND CHIRICAHUA NATIONAL MONUMENT STUDIES

SEC. 605. (a) In recognition of the need for and desirability of protecting the Oak Creek Canyon, Yavapai, and Soldiers Wash-Mormon Canyon areas in Arizona as a unit or units of the National Park System, the Secretary, in cooperation with the Secretary of Agriculture where national forest lands are involved, shall conduct a study to determine a suitable boundary for such unit or units of the System, including the areas referred to herein together with such lands as may be appropriate to provide for their protection and administration as a national monument or other unit of the National Park System. Such study shall be conducted in consultation with appropriate units of local government concerned and the Sedona-Oak Creek Canyon Interagency Task Force. Such study shall take into account existing patterns of use and activities in the area and the possible adverse impacts a National Monument designation in the area would have on multiple use activities important to the local economy.

(b) The Secretary, in cooperation with the Secretary of Agriculture where national forest lands are involved, shall conduct a study of the boundary of Chiricahua National Monument, Arizona, to determine the appropriate location of a boundary line for additions to the monument which includes such highly scenic features as Cochise Head and which is located to the extent practicable on natural topographic features.

(c) A report of each study conducted pursuant to subsections (a) and (b) of this section shall be submitted by the Secretary to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate not later than one year following the date on which funds are appropriated for the purpose of the study. Each report shall include a map or other description of the boundary determined as a result of the study, a description of the natural, scenic, and cultural features within the boundary, and the recommendation of the Secretary with respect to such further legislation as may be appropriate.

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Approved November 10, 1978.

19. Oregon Caves

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(14) Oregon Caves National Monument, Oregon: To add approximately eight acres as generally depicted on the map entitled "Oregon Cave, Oregon", numbered 20,000, and dated April 1978: $107,000.

SEC. 302. Within twelve months after the the date of the enactment of the Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b) (1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal land within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative ju-

risdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation proposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

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Approved November 10, 1978.

20. Organ Pipe Cactus

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE IV—WILDERNESS

SEC. 401. The following lands are hereby designated as wilderness in accordance with section 3(c) Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), and shall be administered by the Secretary in accordance with applicable provisions of the Wilderness Act:

* * * * * * *

(7) Organ Pipe Cactus National Monument, Arizona, wilderness approximately three hundred and twelve thousand six hundred acres and potential wilderness additions comprising approximately one thousand two hundred and forty acres, depicted on a map entitled "Wilderness Plan, Organ Pipe Cactus National Monument, Arizona", numbered 157-20,001-B and dated October 1978, to be known as the Organ Pipe Cactus Wilderness.

SEC. 402. A map and description of the boundaries of the areas designated in this title shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in this title. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 403. Any lands which represent potential wilderness additions in this title, upon publication in the Federal Register of a notice by the Secretary that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

SEC. 404. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of

the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved November 10, 1978.

21. Pecos

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

PECOS NATIONAL MONUMENT

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.

* * * * * * *

Approved October 21, 1976.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(20) Pecos National Monument, New Mexico: Section 3 of the Act of June 28, 1965 (79 Stat. 195), is amended by changing "$500,000" to "$2,375,000".

* * * * * * *

Approved November 10, 1978.

22. Pinnacles

An Act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes. (90 Stat. 2692) (P.L. 94-567)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness, and shall be administered by the Secretary of the Interior in accordance with the applicable provision of the Wilderness Act.

SEC. 4. The boundaries of the following areas are hereby revised, and those lands depicted on the respective maps as wilderness or as potential wilderness addition are hereby so designated at such time and in such manner as provided for by this Act:

* * * * * * *

(b) Pinnacles National Monument, California:

(1) The boundary is hereby revised by adding the following described lands, totaling approximately one thousand seven hundred and seventeen and nine-tenths acres:

(a) Mount Diablo meridian, township 17 south, range 7 east: Section 1, east half east half, southwest quarter northeast quarter, and northwest quarter southeast quarter; section 12, east half northeast quarter, and northeast quarter southeast quarter; section 13, east half northeast quarter and northeast quarter southeast quarter.

(b) Township 16 south, range 7 east: Section 32, east half.

(c) Township 17 south, range 7 east: Section 4, west half, section 5, east half.

(d) Township 17 south, range 7 east: Section 6, southwest quarter southwest quarter; section 7, northwest quarter north half southwest quarter.

(2) The Secretary of the Interior may make minor revisions in the monument boundary from time to time by publication in the Federal Register of a map or other boundary description, but the total area within the monument may not exceed sixteen thousand five hundred acres: *Provided, however,* That lands designated as wilderness pursuant to this Act may not be excluded from the monument. 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.

(3) In order to effectuate the purposes of this subsection, the Secretary of the Interior is authorized to acquire by donation, purchase, transfer from any other Federal

agency or exchange, lands and interest therein within the area hereafter encompassed by the monument boundary, except that property owned by the State of California or any political subdivision thereof may be acquired only by donation.

(4) There are authorized to be appropriated, in addition to such sums as may heretofore have been appropriated, not to exceed $955,000 for the acquisition of lands or interests in lands authorized by this subsection. No funds authorized to be appropriated pursuant to this Act shall be available prior to October 1, 1977.

* * * * * * *

(i) Pinnacles National Monument, California, wilderness comprising twelve thousand nine hundred and fifty-two acres, and potential wilderness additions comprising nine hundred and ninety acres, depicted on a map entitled "Wilderness Plan, Pinnacles National Monument, California", numbered 114–20,010–D and dated September 1975, to be known as the Pinnacles Wilderness.

SEC. 2. A map and description of the boundaries of the areas designated in this Act shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the Superintendent of each area designated in the Act. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 3. All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness.

SEC. 6. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the appplicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved October 20, 1976.

23. Saguaro

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

SAGUARO NATIONAL MONUMENT

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).

* * * * * * *

Approved October 21, 1976.

An act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes. (90 Stat. 2692) (P.L. 94-567)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness, and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

* * * * * * *

(j) Saguaro National Monument, Arizona, wilderness comprising seventy-one thousand four hundred acres, depicted on a map entitled "Wilderness Plan, Saguaro National Monument, Arizona", numbered 151-20,003-D

and dated May 1976, to be known as the Saguaro Wilderness.

SEC. 2. A map and description of the boundaries of the areas designated in this Act shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the Superintendent of each area designated in the Act. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 3. All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness.

SEC. 6. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved October 20, 1976.

24. Scotts Bluff

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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:

* * * * * * *

(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".

* * * * * * *

Approved October 21, 1976.

25. Statue of Liberty

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(24) Statue of Liberty National Monument, New York-New Jersey: Section 1 of the joint resolution of August 17, 1965 (79 Stat. 543), is amended by changing "$6,000,000" to "$24,000,000."

* * * * * * *

Approved November 10, 1978.

26. Tumacacori

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not to exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(17) Tumacacori National Monument, Arizona: To add approximately seven acres, and delete approximately eleven-hundredths of an acre as generally depicted on the map entitled "Boundary Map, Tumacacori National Monument, Arizona", numbered 311-80,009-A, and dated March 1978: $24,000.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b)(1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved November 10, 1978.

27. Tuzigoot

An act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(18)(A) Tuzigoot National Monument, Arizona: To add approximately seven hundred and ninety-one acres as generally depicted on the map entitled "Master Proposal, Tuzigoot National Monument", numbered 378-30,000D, and dated January 1973: $1,350,000.

(B) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, exchange or otherwise and subject to such terms, reservations, conditions applied to the acquired lands as he may deem satisfactory, the lands and interests in lands that are included within the boundaries of the Tuzigoot Natonal Monument as revised by this paragraph.When so acquired, they shall be administered in accordance with provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535).

(C) In exercising his authority to acquire such lands and interests in lands by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the national monument and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction in the State of Arizona. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as

revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b)(1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved November 10, 1978.

28. White Sands

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(19) White Sands National Monument, New Mexico: To add approximately three hundred and twenty acres, and delete approximately seven hundred and sixty acres as generally depicted on the map entitled, "Boundary Map, White Sands, National Monument, New Mexico", numbered 142/20,010-A, and dated November 1973.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, puchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b)(1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared that to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved November 10, 1978.

IX. NATIONAL SEASHORES

1. Assateague Island

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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:

* * * * * * *

(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".

* * * * * * *

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;

"(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.".

* * * * * * *

Approved October 21, 1976.

2. Canaveral

An Act to establish the Canaveral National Seashore in the State of Florida, and for other purposes. (88 Stat. 2121) (P.L. 93-626)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve and protect the outstanding natural, scenic, scientific, ecologic, and historic values of certain lands, shoreline, and waters of the State of Florida, and to provide for public outdoor recreation use and enjoyment of the same, there is hereby established the Canaveral National Seashore (hereinafter referred to as the "seashore"), as generally depicted on the map entitled "Boundary Map, Canaveral National Seashore", dated August 1974 and numbered NS-CAN-40,000A. Such seashore shall comprise approximately sixty-seven thousand five hundred acres within the area more particularly described by a line beginning at the intersection of State Highway 3 and State Road 402, thence generally easterly following State Road 402 to a point one-half mile offshore in the Atlantic Ocean, thence northwesterly along a line which is at each point one-half mile distant from the high water mark to Bethune Beach, thence inland in a generally westerly direction through Turner Flats and Shipyard Canal, thence northwesterly to the Intracoastal Waterway, thence southerly along the Intracoastal Waterway to the boundary of the Kennedy Space Center, thence southwesterly to United States Highway 1, thence southerly along State Highway 3 to the point of beginning. The boundary map shall be on file and available for public inspection in the offices of the United States Fish and Wildlife Service and National Park Service, Department of the Interior, Washington, District of Columbia. After advising the Committees on Interior and Insular Affairs of the United States Congress, in writing, at least sixty days prior to making any boundary revisions, the Secretary may from time to time make minor revisions in the boundaries of the seashore by publication of a revised map or other boundary description in the Federal Register: *Provided,* That the total acreage included within the boundaries shall not exceed that enumerated in this section.

SEC. 2. Within the boundaries of the seashore, the Secretary may acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer. Any property owned by the State of Florida or any political subdivision thereof may be acquired only by donation. It is the intent and purpose of this Act that the Secretary shall have sole authority to develop and improve those State owned lands donated now and in the future in accordance with the intent and purposes of this Act. Notwithstanding any

other provision of law, any federally owned property within the boundaries of the seashore may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary of the Interior and he may develop and administer such lands in a manner consistent with the purposes of this Act. In accepting lands transferred by the National Aeronautics and Space Administration pursuant to this Act, the Secretary shall enter into a written cooperative agreement with the Administrator to assure the use of such lands in a manner which is deemed consistent with the public safety and with the needs of the space and defense programs of the Nation: *Provided,* That no new construction or development shall be permitted within the seashore, except for the construction of such facilities as the Secretary deems necessary for the health and safety of the visiting public or for the proper administration of the seashore: *Provided further,* That after the date of the enactment of this Act the Secretary of the Interior, in cooperation with the Administrator of the National Aeronautics and Space Administration, shall submit to the Committees on Interior and Insular Affairs of the Congress and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a report of all land transfers made by the National Aeronautics and Space Administration to the Department of the Interior under this Act.

SEC. 3. (a) Except for property deemed necessary by the Secretary for visitor facilities, or for access to or administration of the seashore, any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition of such acquisition, retain for themselves and their successors or assigns a right of use and occupancy of the improved property for noncommercial residential purposes for a definite term not to exceed 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 the later. The owner shall elect the term to be reserved. Unless the property is wholly or partially donated to the United States, 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.

(b) The Secretary may terminate a right of 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 this Act, and upon tender to the holder of the right of an amount equal to the fair market value of that portion of the right which remains unexpired on the date of termination.

(c) The term "improved property", as used in this section shall mean a detached, noncommercial residential dwelling, the construction of which was begun before January 1, 1971 (hereafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures, necessary to the dwelling which are situated on the land so designated.

(d) Except as otherwise provided, the Secretary shall have the authority to use condemnation as a means of acquiring a clear and marketable title, free of any and all encumbrances.

SEC. 4. The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the seashore in accordance with the appropriate laws of the State of Florida and the United States to the extent applicable, except that he may designate zones where, and establish periods when, no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, fish and wildlife management, public use and enjoyment, protection of the resource, or competing public use. Except in emergencies, any regulations prescribing any such restrictions shall be put into effect only after consultation with the appropriate State agency responsible for hunting, fishing, and trapping activities.

SEC. 5. (a) The seashore shall be administered, protected, and developed 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, except that any other statutory authority available to the Secretary for the conservation management of natural resources may be utilized to the extent he finds such authority will further the purposes of the Act.

(b) Notwithstanding any other provisions of this Act, lands and waters in the Merritt Island National Wildlife Refuge as described in subsection (c)(2) of this section which are part of the seashore shall be administered for refuge purposes through the United States Fish and Wildlife Service pursuant to the National Wildlife Refuge System Administration Act, as amended (80 Stat. 926; 16 U.S.C. 668dd–668ee), except that the Secretary may utilize such additional authority as may be available to him for the conservation and management of wildlife and natural resources, the development of outdoor recreation opportunities, and interpretive education as he deems appropriate, consistent with the preservation of natural and wildlife values.

(c) The Secretary shall cause to be issued a well defined division of management authority between the

National Park Service and the United States Fish and Wildlife Service. It is the intent and purpose of this Act that such management authority, generally, shall be as follows:

(1) The National Park Service shall administer those lands and waters described as follows: beginning at the intersection of State Highway 3 and State Road 402; thence easterly along State Road 402 and continuing easterly in a straight line to a point one-half mile offshore in the Atlantic Ocean, following the southern boundary of the seashore created in section 1; thence northwesterly along the boundary of the seashore created in section 1, which line is at each point one-half mile distance from the high water mark, to Bethune Beach; thence inland in a generally westerly direction through Turner Flats and Shipyard Canal; thence northwesterly to the Intracoastal Waterway; thence southerly along the Intracoastal Waterway to the boundary of the Kennedy Space Center; thence southwesterly to United States Highway 1; thence southerly along State Highway 3 to the northern boundary of H. M. Gomez Grant; thence easterly along the northern boundary of H. M. Gomez Grant and continuing easterly in a straight line to a point of intersection with the line between the marsh and the dunes; thence southerly along the line between the marsh and the dunes to a point approximately one-half mile north of the southern boundary of the seashore created in section 1; thence westerly in a straight line to connect with and to follow the Government Railroad to its intersection with State Highway 3; thence southerly along State Highway 3 to the point of beginning. The portion of land bounded by the northern boundary of the H.M. Gomez Grant is hereby transferred to the Secretary of the Interior and may be used for the purpose of establishing such facilities as are needed for the administration of the seashore, for the construction of the principal visitor center which shall be designated as the "Spessard L. Holland Visitor Center", and for a central access to the seashore: *Provided, however,* That the Secretary of the Interior, upon the request of the Administrator of the National Aeronautics and Space Administration, shall close this area or any part thereof to the public when necessary for space operations. In administering the shoreline and adjacent lands the Secretary shall retain such lands in their natural and primitive condition, shall prohibit vehicular traffic on the beach except for administrative purposes, and shall develop only those facilities which he deems essential for public health and safety.

(2) The United States Fish and Wildlife Service shall administer the remaining lands described in section 1 of the Act.

SEC. 6. (a) There is hereby established the Canaveral National Seashore Advisory Commission which shall

consult and advise with the Secretary on all matters of planning, development, and operation of the seashore and shall provide such other advice and assistance as may be useful in carrying out the purposes of this Act. The Commission shall terminate ten years after the date the seashore is established pursuant to this Act, unless extended by the Congress. The Commission shall be composed of five members who shall serve for terms of two years. Members shall be appointed by the Secretary, one of whom he shall designate as Chairman, in the following manner:

(1) one member from each county in which the seashore is located, to be selected from recommendations made by the county commission in each county;

(2) two members representing the State of Florida who shall be selected from recommendations made by the Governor of Florida; and

(3) one member representing the general public.

(b) After the Secretary designates the member to be Chairman, the Commission may meet as often as necessary at the call of the Chairman or of the Secretary, or upon petition of a majority of the members of the Commission. Any vacancy in the Commission shall be filled in the same manner as the original appointment was made.

(c) Members of the Commission shall serve without compensation, as such, but the Secretary may pay, upon vouchers signed by the Chairman, the expenses reasonably incurred by the Commission and its members in carrying out their responsibilities under this section.

SEC. 7. Upon enactment of this Act, those lands to be used for the administrative and visitor facilities described in section 5 (c)(1) shall be transferred by this Act to the Secretary of the Interior and those portions of the John F. Kennedy Space Center falling within the boundaries of the seashore as defined in section 1 of this Act shall become a part of the seashore, and within ninety days thereafter, the Administrator, National Aeronautics and Space Administration, shall grant to the Secretary for carrying out the intent and purpose of this Act such use of said portions as the Administrator determines is not inconsistent with public safety and the needs of the space and defense programs of the Nation. Notwithstanding any other provision of law, any lands within the seashore which the Administrator determines to be excess to the needs of such agency shall be transferred to the Secretary of the Interior for administration in accordance with the provisions of this Act: *Provided,* That any portions of the John F. Kennedy Space Center within the seashore not transferred to the Secretary shall remain under the control and jurisdiction of the Administrator.

SEC. 8. Within three years from the date of enactment

of this Act, the Secretary shall review the area within the seashore and shall report to the President, in accordance with section 3 (c) and (d) of the Wilderness Act (78 Stat. 891; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any area within the seashore for preservation as wilderness, and any designation of any such areas as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

SEC. 9. (a) 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 $7,941,000 for the acquisition of lands and interests in lands. In order to avoid excessive costs resulting from delays in the acquisition program, the Secretary shall make every reasonable effort to promptly acquire the privately owned lands within the seashore. Until all such lands are acquired, he shall report, in writing on June 30 of each year to the Committees on Interior and Insular Affairs of the United States Congress, the following information:

(1) the amount of land acquired during the current fiscal year and the amount expended therefor;

(2) the amount of land remaining to be acquired; and

(3) the amount of land programed for acquisition in the ensuing fiscal year and the estimated cost thereof.

(b) For the development of essential public facilities there are authorized to be appropriated not more than $500,000. Within three years from the date of the enactment of this Act, 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 seashore consistent with the preservation objectives of this Act, indicating:

(1) the facilities needed to accommodate the health, safety, and recreation 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 seashore.

Approved January 3, 1975.

Legislative History:

House Report No. 93-1497 (Comm. on Interior and Insular Affairs).
Senate Report No. 93-1333 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 120 (1974):
Dec. 3, considered and passed House.
Dec. 12, considered and passed Senate, amended.
Dec. 17, House concurred in Senate amendments.

An Act to amend the Act of January 3, 1975, establishing the Canaveral National Seashore. (90 Stat. 1204) (P.L. 94–398)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act of January 3, 1975 (88 Stat. 2121, 2125) is amended as follows:

(1) in subsection (a) delete "five members" and insert in lieu thereof "six members" and

(2) delete (a)(3) in its entirety and insert in lieu thereof

"(3) two members representing the general public: *Provided,* That one member shall be appointed from each county in which the seashore is located.".

Approved September 4, 1976.

Legislative History:

House Report No. 94–802 (Comm. on Interior and Insular Affairs).
Senate Report No. 94–1157 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
Feb. 2, considered and passed House.
Aug. 24, considered and passed Senate.

3. Cape Cod

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(2) Cape Cod National Seashore, Massachusetts: To add approximately thirteen acres and to delete approximately sixteen acres as generally depicted on the map entitled "Cape Cod National Seashore Boundary Map", numbered 609–60,015 and dated February 1978.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b)(1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

Approved November 10, 1978.

4. Cape Lookout

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93-477)

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

TITLE IV—MISCELLANEOUS PROVISIONS

* * * * * * *

CAPE LOOKOUT NATIONAL SEASHORE

SEC. 406. The Act of March 10, 1966 (80 Stat. 33; 16 U.S.C. 459g) providing for the establishment of Cape Lookout National Seashore in the State of North Carolina is amended as follows:

(1) Section 1 is amended by deleting " 'Proposed Boundaries—Proposed Cape Lookout National Seashore', dated April 1964, and numbered NS-CL-7101-B," and substituting in lieu thereof " 'Boundary Map, Cape Lookout National Seashore', dated March 1974, and numbered 623-20,009," and by changing the colon to a period and deleting the remainder of the section.

(2) Subsection 2(a) is amended by deleting the third sentence and inserting in lieu thereof the following: "Lands owned by the State of North Carolina or any political subdivision thereof may be acquired only by donation, but the Secretary may, subject to the provisions of section 7 of this Act, acquire any other non-Federal lands, marshlands, waters, or interests therein which are located within the boundaries of the seashore by donation, purchase with donated or appropriated funds, or exchange. Notwithstanding any other provision of law, the Secretary may accept any lands donated by the State of North Carolina subject to a provision for reversion to the State conditioned upon continued use of the property for national seashore purposes.".

(3) Section 3 is amended by revising the first sentence to read as follows: "When title to lands and interests in lands in an amount sufficient to constitute an efficiently administerable unit for the purposes of this Act is vested in the United States, the Secretary shall declare the establishment of the seashore by publication of notice thereof in the Federal Register.".

(4) Section 7 is amended to read as follows:

"SEC. 7. On or before January 1, 1978, the Secretary shall review the area within the seashore and shall report to the President, in accordance with section 3 (c) and (d) of the Wilderness Act (78 Stat. 891; 16 U.S.C.

1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any area within the seashore for preservation as wilderness, and any designation of any such areas as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act."

(5) Add a new section 8 to read as follows:

"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 $7,903,000 for acquisition of lands and interests therein, of which no more than $1,000,000 may be expended for acquisition of lands owned by Core Banks Club Properties, Incorporated. For development of essential public facilities there are authorized to be appropriated not more than $2,935,000. On or before January 1, 1978, 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 seashore consistent with the preservation objectives of this Act, indicating—

"(1) the facilities needed to accommodate the health, safety and recreation 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 seashore."

* * * * * * *

Approved October 26, 1974.

5. Cumberland Island

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE II—ACQUISITION CEILING INCREASES

SEC. 201. The limitations on appropriations for the acquisition of lands and interests therein within certain units of the National Park System are amended as follows:

* * * * * * *

(3) Cumberland Island National Seashore, Georgia: Section 10 of the Act of October 23, 1972 (86 Stat. 1066), is amended by changing "$10,500,000" to "$28,500,000".

* * * * * * *

TITLE III—CUMBERLAND ISLAND NATIONAL SEASHORE

* * * * * * *

SEC. 323. Section 1 of the Act of October 23, 1972 (86 Stat. 1066), is amended by changing the phrase "numbered CUIS-40,000B, and dated June 1971,", to read "numbered CUIS 40,000D, and dated January 1978,".

* * * * * * *

Approved November 10, 1978.

6. Fire Island

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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:

* * * * * * *

(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".

* * * * * * *

Approved October 21, 1976.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—FIRE ISLAND NATIONAL SEASHORE

* * * * * * *

SEC. 322. (a) Subsection 1(b) of the Act of September 11, 1964 (78 Stat. 928), as amended, is further amended to read as follows:

"(b) The boundaries of the national seashore shall extend from the easterly boundary of the main unit of Robert Moses State Park eastward to Moriches Inlet and shall include not only Fire Island proper, but also such islands and marshlands in the Great South Bay, Bellport Bay, and Moriches Bay adjacent to Fire Island as Sexton Island, West Island, Hollins Island, Ridge Island, Pelican Island, Pattersquash Island, and Reeves Island and such other small and adjacent islands, marshlands, and wetlands as would lend themselves to contiguity and reasonable administration within the national seashore and, in addition, the waters surrounding said area to distances of one thousand feet in the Atlantic Ocean and up to four thousand feet in Great South Bay and Moriches Bay and, in addition, mainland terminal and headquar-

ters sites, not to exceed a total of twelve acres, on the Patchogue River within Suffolk County, New York, all as delineated on a map identified as 'Fire Island National Seashore', numbered OGP–0004, dated May 1978. The Secretary shall publish said map in the Federal Register, and it may also be examined in the offices of the Department of the Interior.".

(b) Section 2 of such Act is amended by adding the following new subsection at the end thereof:

"(g) The authority of the Secretary to condemn undeveloped tracts within the Dune District as depicted on map entitled 'Fire Island National Seashore' numbered OGP–0004 dated May, 1978, is suspended so long as the owner or owners of the undeveloped property therein maintain the property in its natural state. Undeveloped property within the Dune District that is acquired by the Secretary shall remain in its natural state.".

(c) Section 7(b) of such Act is amended by striking the phrase "Brookhaven town park at", and inserting in lieu thereof: "Ocean Ridge portion of".

(d) Section 10 of such Act is amended by striking "$18,000,000", and inserting in lieu thereof "$23,000,000".

* * * * * * *

Approved November 10, 1978.

7. Guam

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE V—ESTABLISHMENT OF NEW AREAS AND ADDITIONS TO NATIONAL TRAILS SYSTEM

SUBTITLE A—PARKS, SEASHORES, ETC.

* * * * * * *

GUAM NATIONAL SEASHORE

SEC. 501. (a) The Secretary through the Director of the National Park Service, shall revise and update the National Park Service study of the Guam National Seashore and, after consultation with the Secretary of the Department of Defense and the Governor of Guam, shall transmit the revised study within two years to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives including his recommendations and a series of options for congressional consideration each of which—

(1) will encompass the area from Ajayan Bay to Nimitz Beach including Cocos and Anac Islands and extending inland as far as the Fena Valley Reservoir and Mount Sasalaguan, and

(2) if implemented, will afford protection to the natural and historic resources of the area as well as providing visitor access and interpretive services.

(b) The Secretary, and the Secretary of the Department of Defense, shall take such actions as they may deem appropriate within their existing authorities to protect the resource values of the submerged lands within the area of the study referred to in subsection (a) of this section.

* * * * * * *

Approved November 10, 1978.

8. Gulf Islands

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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:

* * * * * * *

(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".

* * * * * * *

Approved October 21, 1976.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(13) Gulf Islands National Seashore, Florida-Mississippi: Section 11 of the Act of January 8, 1971 (84 Stat. 1967), is amended by changing "$17,774,000" to "$24,224,000", and by deleting the phrase "(June 1970 prices) for development, plus 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.", and inserting in lieu thereof "for development.".

* * * * * * *

TITLE III—BOUNDARY CHANGES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there

are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisition of lands and interests in lands within areas added by reason of such revisions:

* * * * * * *

(9) Gulf Islands National Seashore, Mississippi-Florida: To add approximately six hundred acres as generally depicted on the map entitled "Boundary Map, Gulf Islands National Seashore, Mississippi-Florida", numbered 20,006, and dated April 1978: $300,000.

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b)(1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely

studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

* * * * * * *

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE IV—WILDERNESS

SEC. 401. The following lands are hereby designated as wilderness in accordance with section 3(c) Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), and shall be administered by the Secretary in accordance with applicable provisions of the Wilderness Act:

* * * * * * *

(5) Gulf Islands National Seashore, Florida, and Mississippi, wilderness comprising approximately one thousand eight hundred acres and potential wilderness additions comprising approximately two thousand eight hundred acres, depicted on a map entitled "Wilderness Plan, Gulf Islands National Seashore, Mississippi, Florida", numbered 635-20,018-A and dated March 1977, to be known as the Gulf Islands Wilderness.

SEC. 402. A map and description of the boundaries of the areas designated in this title shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in this title. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Nat-

ural Resources of the United States Senate, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 403. Any lands which represent potential wilderness additions in this title, upon publication in the Federal Register of a notice by the Secretary that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

SEC. 404. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

SEC. 405. Nothing in this title shall be construed to diminish the authority of the Coast Guard, pursuant to sections 2 and 81 of title 14, United States Code, and title 1 of the Ports and Waterways Safety Act of 1972 (33 U.S.C. 1221), or the Federal Aviation Administration to use the areas designated wilderness by this Act within the Everglades National Park, Florida; and the Gulf Islands National Seashore, Florida and Mississippi, for navigational and maritime safety purposes.

* * * * * * *

Approved November 10, 1978.

9. Padre Island

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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:

* * * * * * *

(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".

* * * * * * *

Approved October 21, 1976.

10. Point Reyes

An Act to designate certain lands in the Farallon National Wildlife Refuge, California, as wilderness; to add certain lands to the Point Reyes National Seashore; and for other purposes. (88 Stat. 1744) (P.L. 93-550)

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

TITLE I

SEC. 101. In accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1132(c)), certain lands in the Farallon National Wildlife Refuge, California, which comprise about one hundred and forty-one acres and which are depicted on a map entitled "Farallon Wilderness—Proposed" and dated October 1969, and revised March 1970, are hereby designated as wilderness. The map shall be on file and available for public inspection in the offices of the Bureau of Sport Fisheries and Wildlife, Department of the Interior.

SEC. 102. The area designated by this Act as wilderness shall be known as the Farallon Wilderness and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

TITLE II

SEC. 201. Subsection (a) of section 2 of the Act of September 13, 1962 (76 Stat. 538), describing the boundaries of the Point Reyes National Seashore, California, is amended to read as follows:

"SEC. 2. (a) The area comprising that portion of the land and waters located on Point Reyes Peninsula, Marin County, California, which shall be known as the Point Reyes National Seashore, is described as the area within the boundaries generally depicted on the map entitled 'Boundary Map, Point Reyes National Seashore, Marin County, California', numbered 612-80,008-B, and dated August 1974, which shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior.".

SEC. 202. The Secretary of the Interior shall, as soon as practicable after the date of enactment of this title, publish an amended description of the boundaries of the Point Reyes National Seashore in the Federal Register, and thereafter he shall take such action with regard to such amended description and the map referred to in Section 201 of this title as is required in the second sen-

tence of subsection (b) of section 4 of the Act of September 13, 1962, as amended.

Approved December 26, 1974.

Legislative History:

House Report No. 93-968 (Comm. on Interior and Insular Affairs).
Senate Report No. 93-1221 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 120 (1974):
May 7, considered and passed House.
Oct. 4, considered and passed Senate, amended.
Dec. 11, House concurred in Senate amendment.

An Act to designate certain lands in the Point Reyes National Seashore, California, as wilderness, amending the Act of September 13, 1962 (76 Stat. 538), as amended (16 U.S.C. 459c-6a), and for other purposes. (90 Stat. 2515) (P.L. 94-544)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the purposes of the Point Reyes National Seashore Act (76 Stat. 538; 16 U.S.C. 459c), and of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131-36), and in accordance with section 3(c) of the Wilderness Act, the following lands within the Point Reyes National Seashore are hereby designated as wilderness, and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act: those lands comprising twenty-five thousand three hundred and seventy acres, and potential wilderness additions comprising eight thousand and three acres, depicted on a map entitled "Wilderness Plan, Point Reyes National Seashore", numbered 612-90,000-B and dated September 1976, to be known as the Point Reyes Wilderness.

SEC. 2. As soon as practicable after this Act takes effect, the Secretary of the Interior shall file a map of the wilderness area and a description of its boundaries with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such map and descriptions shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such map and descriptions may be made.

SEC. 3. The area designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture, shall be deemed to be a reference to the Secretary of the Interior.

SEC. 4. (a) Amend the Act of September 13, 1962 (76 Stat. 538), as amended (16 U.S.C. 459c-6a), as follows:

In section 6(a) insert immediately after the words "shall be administered by the Secretary," the words "without impairment of its natural values, in a manner

which provides for such recreational, educational, historic preservation, interpretation, and scientific research opportunities as are consistent with, based upon, and supportive of the maximum protection, restoration, and preservation of the natural environment within the area,".

(b) Add the following new section 7 and redesignate the existing section 7 as section 8:

"SEC. 7. The Secretary shall designate the principal environmental education center within the seashore as 'The Clem Miller Environmental Education Center', in commemoration of the vision and leadership which the late Representative Clem Miller gave to the creation and protection of Point Reyes National Seashore.".

Approved October 18, 1976.

Legislative History:
House Report No. 94-1680 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
Sept. 29, considered and passed House.
Oct. 1, considered and passed Senate.
Weekly Compilation of Presidential Documents, Vol. 12, No. 43:
Oct. 19, Presidential statement.

An Act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes. (90 Stat. 2692) (P.L. 94-567)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness, and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

* * * * * * *

(k) Point Reyes National Seashore, California, wilderness comprising twenty-five thousand three hundred and seventy acres, and potential wilderness additions comprising eight thousand and three acres, depicted on a map entitled "Wilderness Plan, Point Reyes National Seashore", numbered 612-90,000-B and dated September 1976, to be known as the Point Reyes Wilderness.

SEC. 2. A map and description of the boundaries of the areas designated in this Act shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the office of the Superintendent of each area designated in the Act. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided,* That correction of cler-

ical and typographical errors in such maps and descriptions may be made.

SEC. 3. All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness.

SEC. 6. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

SEC. 7. (a) Section 6(a) of the Act of September 13, 1962 (76 Stat. 538), as amended (16 U.S.C. 459c–6a) is amended by inserting "without impairment of its natural values, in a manner which provides for such recreational, educational, historic preservation, interpretation, and scientific research opportunities as are consistent with, based upon, and supportive of the maximum protection, restoration and preservation of the natural environment with the area" immediately after "shall be administered by the Secretary".

(b) Add the following new section 7 and redesignate the existing section 7 as section 8:

"SEC. 7. The Secretary shall designate the principal environmental education center within the Seashore as 'The Clem Miller Environmental Education Center,' in commemoration of the vision and leadership which the late Representative Clem Miller gave to the creation and protection of Point Reyes National Seashore.".

* * * * * * *

Approved October 20, 1976.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE III—POINT REYES NATIONAL SEASHORE

* * * * * * *

SEC. 318. (a) Section 2(a) of the Act of September 13, 1962 (76 Stat. 538) as amended (16 U.S.C. 459) is further amended as follows:

"SEC. 2. (a) The Point Reyes National Seashore shall consist of the lands, waters, and submerged lands gen-

erally depicted on the map entitled 'Boundary Map, Point Reyes National Seashore', numbered 612–80,008–E and dated May 1978.

"The map referred to in this section shall be on file and available for public inspection in the Offices of the National Park Service, Department of the Interior, Washington, District of Columbia. After advising the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate in writing, the Secretary may make minor revisions of the boundaries of the Point Reyes National Seashore when necessary by publication of a revised drawing or other boundary description in the Federal Register."

(b) Section 5(a) of such Act is amended to read as follows:

"SEC. 5. (a) The owner of improved property or of agricultural property on the date of its acquisition by the Secretary under this Act may, as a condition of such acquisition, retain for himself and his or her heirs and assigns a right of use and occupancy 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 or her spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partly donated to the United States, the Secretary shall pay to the owner the fair market value of the property on the date of acquisition minus 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 or her 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 or her an amount equal to the fair market value of that portion of the right which remains unexpired. Where appropriate in the discretion of the Secretary, he or she may lease federally owned land (or any interest therein) which has been acquired by the Secretary under this Act, and which was agricultural land prior to its acquisition. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act. Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land or was a leaseholder thereon immediately before its acquisition by the United States.".

(c) In subsection 5(b) of such Act, following "September 1, 1959," insert "or, in the case of areas added by action of the Ninety-fifth Congress, May 1, 1978,"; and at the end of the subsection, add the following new sentence: "The term 'agricultural property' as used in this Act means lands which were in regular use for, or were being converted to agricultural, ranching, or dairying

purposes as of May 1, 1978, together with residential and other structures related to the above uses of the property.".

(d) Section 5 of such Act is amended by adding the following new subsection (c) to read as follows:

"(c) In acquiring those lands authorized by the Ninety-fifth Congress for the purposes of this Act, the Secretary may, when agreed upon by the landowner involved, defer payment or schedule payments over a period of ten years and pay interest on the unpaid balance at a rate not exceeding that paid by the Treasury of the United States for borrowing purposes.".

(e) Section 8 of such Act is renumbered section 9 and the following new section is inserted after section 7:

"SEC. 8. The Secretary shall cooperate with the Bolinas Public Utilities District to protect and enhance the watershed values within the seashore. The Secretary may, at his or her discretion, permit the use and occupancy of lands added to the seashore by action of the Ninety-fifth Congress by the utilities district for water supply purposes, subject to such terms and conditions as the Secretary deems are consistent with the purposes of this Act.".

* * * * * * *

Approved November 10, 1978.

X. NATIONAL LAKESHORES

1. Apostle Island

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93–477)

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:

* * * * * * *

(11) Apostle Islands National Lakeshore, Wisconsin: Section 8 of the Act of September 26, 1970 (84 Stat. 880) is amended by deleting "$4,250,000" and inserting in lieu thereof "$5,250,000".

* * * * * * *

Approved October 26, 1974.

2. Indiana Dunes

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93-477)

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:

* * * * * * *

(6) Indiana Dunes National Lakeshore, Indiana: Section 10 of the Act of November 5, 1966 (80 Stat. 1309, 1312; 16 U.S.C. 406u-9) is amended by changing "$27,900,000" to "$35,526,000".

* * * * * * *

Approved October 26, 1974.

An Act to amend the Act establishing the Indiana Dunes National Lakeshore to provide for the expansion of the lakeshore, and for other purposes. (90 Stat 2529) (P.L. 94-549)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes", approved November 5, 1966 (80 Stat. 1309), as amended (16 U.S.C. 460u), is further amended as follows:

(1) The last sentence of the first section of such Act is amended by striking out " 'A Proposed Indiana Dunes National Lakeshore', dated September 1966, and bearing the number 'LNPNE-1008-ID' " and inserting in lieu thereof " 'Boundary Map, Indiana Dunes National Lakeshore', dated September 1976 and bearing the number '626-91007' ".

(2) Section 3 of such Act is amended by inserting the following at the end of the first sentence: "By no later than October 1, 1977, the Secretary shall publish in the Federal Register a detailed description of the boundaries of the lakeshore and shall from time to time so publish any additional boundary changes as may occur.".

(3)(a) Subsection 4(a) of such Act is repealed, subsection 4(b) is redesignated as section 4, and the following sentence is added to new section 4: "All rights of use and occupancy shall be subject to such terms and conditions

as the Secretary deems appropriate to assure the use of such property in accordance with the purposes of this Act.".

(b) The first sentence of section 4 of such Act is amended by inserting immediately after "was begun before" the following: "February 1, 1973, or, in the case of improved property located within the boundaries delineated on a map identified as 'A Proposed Indiana Dunes National Lakeshore', dated September 1966, and bearing the number 'LNPNE–1008–ID', which map is on file and available for public inspection in the Office of the Director of the National Park Service, Department of the Interior, before".

(4)(a) Section 6(a) of such Act is amended by revising the first sentence thereof to read as follows: "Except for owners of property within the area on the map referred to in the first section of this Act as area II–B, any owner or owners, having attained the age of majority, of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain the rights of use and occupancy of the improved property for noncommercial residential purposes for a term of twenty years, or for such lesser term as the owner or owners may elect at the time of acquisition by the Secretary".

(b) Section 6(b) of such Act is amended to read as follows:

"(b) Upon his determination that the property, or any portion thereof, has ceased to be used in accordance with the applicable terms and conditions, the Secretary may terminate a right of use and occupancy. Nonpayment of property taxes, validly assessed, on any retained right of use and occupancy shall also be grounds for termination of such right by the Secretary. In the event the Secretary terminates a right of use and occupancy under this subsection he shall pay to the owners of the retained right so terminated an amount equal to the fair market value of the portion of said right which remained unexpired on the date of termination. With respect to any right of use and occupancy in existence on the effective date of this sentence, standards for retention of such rights in effect at the time such rights were reserved shall constitute the terms and conditions referred to in section 4.".

(5) Section 8(b) of such Act is amended (a) by striking out "seven members" and inserting in lieu thereof "eleven members", and (b) by striking out "and" immediately after "State of Indiana;", and (c) by striking out "Portage," immediately after "Dune Acres.", and (d) by inserting immediately after "designated by the Secretary" the following: "; (7) one member who is a year-round resident of the city of Gary to be appointed from recommendations made by the mayor of such city; (8) one member to be appointed from recommendations

made by a regional planning agency established under the authority of the laws of the State of Indiana and composed of representatives of local and county governments in northwestern Indiana; (9) one member who is a year-round resident of the city of Portage to be appointed from recommendations made by the mayor of such city; and (10) one member who holds a reservation of use and occupancy and is a year round resident within the lakeshore to be designated by the Secretary .".

(6) Section 8 of such Act is further amended by inserting the following new subsection (f):

"(f) The Advisory Commission is authorized to assist with the identification of economically and environmentally acceptable areas, outside of the boundaries of the lakeshore, for the handling and disposal of industrial solid wastes produced by the coal-fired powerplant in Porter County, Indiana, section 21, township 37 north, range 6 west.".

(7) Section 10 of such Act is amended to read as follows: "The Secretary may not expend more than $60,812,100 from the Land and Water Conservation Fund for the acquisition of lands and interests in lands nor more than $8,500,000 for development. By October 1, 1979, the Secretary shall develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a general management plan detailing the development of the national lakeshore consistent with the preservation objectives of this Act, indicating:

"(1) the facilities needed to accommodate the health, safety, and recreation needs of the visiting public;

"(2) the location and estimated costs of all facilities, together with a review of the consistency of the master plan with State, areawide, and local governmental development plans;

"(3) the projected need for any additional facilities within the national lakeshore; and

"(4) specific opportunities for citizen participation in the planning and development of proposed facilities and in the implementation of the general management plan generally.".

(8) Such Act is amended by adding at the end thereof the following:

"SEC. 11. Nothing in this Act shall diminish any existing (as of March 1, 1975) rights-of-way or easements which are necessary for high voltage electrical transmission, pipelines, water mains, or linehaul railroad operations and maintenance.

"SEC. 12. (a) Nothing in the Act shall be construed as prohibiting any otherwise legal cooling, process, or surface drainage into the part of the Little Calument River located within the lakeshore: *Provided,* That this subsection shall not affect nor in any way limit the Secretary's authority and responsibility to protect park resources.

"(b) The authorization of lands to be added to the lakeshore by the Ninety-fourth Congress and the administration of such lands as part of the lakeshore shall in and of itself in no way operate to render more restrictive the application of Federal, State, or local air and water pollution standards to the uses of property outside the boundaries of the lakeshore, nor shall it be construed to augment the control of water and air pollution sources in the State of Indiana beyond that required pursuant to applicable Federal, State, or local law.

"SEC. 13. The Secretary shall acquire the area on the map referred to in the first section of this Act as area III–B within two years from the effective date of this section only if such area can be acquired for not more than $800,000, exclusive of administrative costs of acquisition, as adjusted by the Consumer Price Index: *Provided,* That the Secretary may not acquire such area by any means after two years from the effective date of this section.

"SEC. 14. The Secretary may acquire that portion of area I–C which is shaded on the map referred to in the first section of this Act only with the consent of the owner unless the present owner attempts to sell or otherwise dispose of such area.

"SEC. 15. Within one year after the date of the enactment of this section, the Secretary shall submit, in writing, to the Committees on Interior and Insular Affairs and to the Committees on Appropriations of the United States Congress a detailed plan which shall indicate—

"(1) the lands which he has previously acquired by purchase, donation, exchange, or transfer for administration for the purpose of the lakeshore; and

"(2) the annual aquisition program (including the level of funding) which he recommends for the ensuing five fiscal years.

"SEC. 16. The Secretary may acquire only such interests in the right-of-way designated 'Crossing A' on map numbered 626–91007 as he determines to be necessary to assure public access to the banks of the Little Calumet River within fifty feet north and south of the centerline of said river.

"SEC. 17. The Secretary shall enter into a cooperative agreement with the landowner of those lands north of the Little Calumet River between the Penn Central Railroad Bridge within area II–E and 'Crossing A' within area IV–C. Such agreement shall provide that any roadway constructed by the landowner south of United States Route 12 within such vicinity shall include grading, landscaping, and plantings of vegetation designed to prevent soil erosion and to minimize the aural and visual impacts of said construction, and of traffic on such roadway, as perceived from the Little Calumet River.

"SEC. 18. (a) The Secretary may not acquire such lands within the western section of area I–E, as desig-

nated on map numbered 626–91007, which have been used for solid waste disposal until he has received a commitment, in accordance with a plan acceptable to him, to reclaim such lands at no expense to the Federal Government.

"(b) With respect to the property identified as area I–E on map numbered 626–91007, the Secretary may enter into a cooperative agreement whereby the State of Indiana or any political subdivision thereof may undertake to develop, manage, and interpret such area in a manner consistent with the purposes of this Act.

"SEC. 19. By July 1, 1977, the Secretary shall prepare and transmit to the Committees on Interior and Insular Affairs of the United States Congress a study of areas III–A, III–C, and II–A, as designated on map numbered 626–91007. The Secretary shall make reasonable provision for the timely participation of the State of Indiana, local public officials, affected property owners, and the general public in the formulation of said study, including, but not limited to, the opportunity to testify at a public hearing. The record of such hearing shall accompany said study. With respect to areas III–A and III–C, the study shall (a) address the desirability of acquisition of any or all of the area from the standpoint of resource management, protection, and public access; (b) develop alternatives for the control of beach erosion if desirable, including recommendations, if control is necessary, of assessing the costs of such control against those agencies responsible for such erosion; (c) consider and propose options to guarantee public access to and use of the beach area, including the location of necessary facilities for transportation, health, and safety; (d) detail the recreational potential of the area and all available alternatives for achieving such potential; (e) review the environmental impact upon the lakeshore resulting from the potential development and improvement of said areas; and (f) assess the cost to the United States from both the acquisition of said areas together with the potential savings from the retention of rights of use and occupancy and from the retention of the boundaries of the lakeshore, as designated on map numbered 626–91007, including the costs of additional administrative responsibilities necessary for the management of the lakeshore, including the maintenance of public services in the town of Beverly Shores, Indiana. With respect to area II–A, the Secretary shall study and report concerning the following objectives: (a) preservation of the remaining dunes, wetlands, native vegetation, and animal life within the area; (b) preservation and restoration of the watersheds of Cowles Bog and its associated wetlands; (c) appropriate public access to and use of lands within the area; (d) protection of the area and the adjacent lakeshore from degradation caused by all forms of construction, pollution, or other adverse impacts in-

cluding, but not limited to, the discharge of wastes and any excessive subsurface migration of water; and (e) the economic consequences to the utility and its customers of acquisition of such area.

"SEC. 20. After notifying the Committes on Interior and Insular Affairs of the United States Congress, in writing, of his intentions to do so and of the reasons therefor, the Secretary may, if he finds that such lands would make a significant contribution to the purposes for which the lakeshore was established, accept title to any lands, or interests in lands, located outside the present boundaries of the lakeshore but contiguous thereto or to lands acquired under this section, such lands the State of Indiana or its political subdivisions may acquire and offer to donate to the United States or which any private person, organization, or public or private corporation may offer to donate to the United States and he shall administer such lands as a part of the lakeshore after publishing notice to that effect in the Federal Register.".

(9) Section 5 of such Act is hereby repealed, and the succeeding sections are redesignated accordingly.

Approved October 18, 1976.

Legislative History:

House Report No. 94-818 (Comm. on Interior and Insular Affairs).
Senate Report No. 94-1189 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
Feb. 17, considered and passed House.
Sept. 24, considered and passed Senate, amended.
Sept. 29, House agreed to Senate amendment.Weekly Compilation of Presidential Documents, Vol. 12, No. 43:
Oct. 19, Presidential statement.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(16) Indiana Dunes National Lakeshore, Indiana: Section 10 of the Act of November 5, 1966 (80 Stat. 1312), is amended by changing "$8,500,000" to "$9,440,000".

* * * * * * *

Approved November 10, 1978.

3. Sleeping Bear Dunes

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93-477)

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:

* * * * * * *

(13) Sleeping Bear Dunes, Michigan: Section 15 of the Act of October 21, 1970 (84 Stat. 1075) is amended by deleting "$19,800,000" and inserting in lieu thereof "$57,753,000".

* * * * * * *

Approved October 26, 1974.

An Act to name the Visitors' Center at the Sleeping Bear Dunes National Lakeshore the "Philip A. Hart Visitors' Center". (90 Stat. 1944) (P.L. 94-459)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Visitors' Center at the Sleeping Bear Dunes National Lakeshore shall hereinafter be known as, and is hereby designated as, the "Philip A. Hart Visitors' Center".

Approved October 8, 1976.

Legislative History:

Congressional Record, Vol. 122 (1976):
Sept. 22, considered and passed Senate.
Sept. 27, considered and passed House.

XI. NATIONAL RIVERS

1. Big South Fork National River and Recreation Area

An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes. (88 Stat. 12) (P.L. 93-251)

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

TITLE I—WATER RESOURCES DEVELOPMENT

SEC. 1. (a) The Secretary of the Army, acting through the Chief of Engineers, is hereby authorized to undertake the phase I design memorandum stage of advanced engineering and design of the following multi-purpose water resources development projects, substantially in accordance with, and subject to the conditions recommended by the Chief of Engineers in, the reports hereinafter designated.

SEC. 108. (a) As used in this section the term "Secretary" shall mean the Secretary of the Army, acting through the Chief of Engineers. The Secretary, in accordance with the national recreation area concept included in the interagency report prepared pursuant to section 218 of the Flood Control Act of 1968 (Public Law 90—483) by the Corps of Engineers, the Department of the Interior, and the Department of Agriculture, as modified by this section, is authorized and directed to establish on the Big South Fork of the Cumberland River in Kentucky and Tennessee the Big South Fork National River and Recreation Area (hereafter in this section referred to as the "National Area") for the purposes of conserving and interpreting an area containing unique cultural, historic, geologic, fish and wildlife, archeologic, scenic, and recreational values, preserving as a natural, free-flowing stream the Big South Fork of the Cumberland River, major portions of its Clear Fork and New River stems, and portions of their various tributaries for the benefit and enjoyment of present and future generations, the preservation of the natural integrity of the scenic gorges and valleys and the development of the area's potential for healthful outdoor recreation. The boundaries shall be as generally depicted on the drawing prepared by the Corps of Engineers and entitled "Big South Fork National River and Recreation Area" identified as map number BSF-NRRA(1) (A) and dated Oc-

tober 1972, which shall be on file and available for public inspection in the office of the District Engineer, U.S. Army Engineer District, Nashville, Tennessee.

(b) The Secretary shall establish the National Area by publication of notice thereof in the Federal Register when he determines that the United States has acquired an acreage within the boundaries of the National Area that is efficiently administrable for the purposes of this section. After publication of notice, and after he has completed the construction of necessary access roads, day-use facilities, campground facilities, lodges, and administrative buildings, the Secretary shall transfer the jurisdiction of the National Area to the Secretary of the Interior who shall administer the National 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. In the administration of the National Area the Secretary may utilize such statutory authority available to him for the conservation and management of wildlife and natural resources as he deems appropriate to carry out the purposes of this section. The Secretary of the Interior may, after transfer to him, revise the boundaries from time to time, but the total acreage within such boundaries shall not exceed one hundred and twenty-five thousand acres. Following such transfer the authorities available to the Secretary in subsection (c) of this section shall likewise be available to the Secretary of the Interior. The Secretary may, prior to the transfer to the Secretary of the Interior, revise the boundaries from time to time, but the total acreage within such boundaries shall not exceed one hundred and twenty-five thousand acres.

(c) (1) Within the boundaries of the National Area, the Secretary may acquire lands and waters or interests therein by donation, purchase with donated or appropriated funds, or exchange or otherwise, except that lands (other than roads and rights-of-way for roads) owned by the States of Kentucky and Tennessee or any political subdivisions thereof may be acquired only by donation. When an individual tract of land is only partly within the boundaries of the National Area, the Secretary may acquire all of the tract by any of the above methods in order to avoid the payment of severance costs. Land so acquired outside of the boundaries of the National Area may be exchanged by the Secretary for non-Federal lands within the National Area boundaries, and any portion of the land not utilized for such exchanges may be disposed of in accordance with the provisions of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377; 40 U.S.C. 471 et seq.), as amended. Notwithstanding any other provision of law, any Federal property within the boundaries of the National Area shall be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of this section.

(2) With the exception of property or any interest in property that the Secretary determines is necessary for purposes of administration, preservation, or public use, any owner or owners (hereafter in this section referred to as "owner") of improved property used solely for noncommercial residential purposes on the date of its acquisition by the Secretary may retain the right of use and occupancy of such property for such purposes for a term, as the owner may elect, ending either (A) upon the death of the owner or his spouse, whichever occurs later, or (B) not more than twenty-five years from the date of acquisition. 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 term retained by the owner. Such right: shall be subject to such terms and conditions as the Secretary deems appropriate to assure that the property is used in accordance with the purposes of this section; may be transferred or assigned; and may be terminated with respect to the entire property by the Secretary upon his determination that the property or any portion thereof has ceased to be used for noncommercial residential purposes, and upon tender to the holder of the right an amount equal to the fair market value, as of the date of the tender, of that portion of the right which remains unexpired on the date of termination. Any person residing upon improved property, subject to the right of acquisition by the Secretary as a tenant or by the sufferance of the owner or owners of the property may be allowed to continue in such residence for the lifetime of such person or his spouse, whichever occurs later, subject to the same restrictions as applicable to owners residing upon such property and provided that any obligation or rental incurred as consideration for such tenancy shall accrue during such term to the United States to be used in the administration of this section.

(3) As used in this section the term "improved property" means a detached year-round one-family dwelling which serves as the owner's permanent place of abode at the time of acquisition, and construction of which was begun before January 1, 1974, together with so much of the land on which the dwelling is situated, such land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, except that the Secretary may exclude from any improved property any waters or land fronting thereon, together with so much of the land adjoining such waters or land as he deems necessary for public access thereto.

(4) In any case where the Secretary determines that underlying minerals are removable consistent with the provisions of subsection (e) (3) of this section, the owner of the minerals underlying property acquired for the purposes of this section may retain such interest. The

Secretary shall reserve the right to inspect and regulate the extraction of such minerals to insure that the values enumerated in subsection (a) are not reduced and that the purposes declared in subsection (e) (1) are not interfered with.

(d) The Secretary, and the Secretary of the Interior after jurisdiction over the National Area has been transferred to him under subsection (b) of this section, shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the boundaries of the National Area in accordance with applicable Federal and State laws, except that he may designate zones where, and establish periods when, no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any rules and regulations of the Secretary or the Secretary of the Interior pursuant to this subsection shall be put into effect only after consultation with the appropriate State agency responsible for hunting, fishing, and trapping activities.

(e) (1) The National Area shall be established and managed for the purposes of preserving and interpreting the scenic, biological, archeological, and historical resources of the river gorge areas and developing the natural recreational potential of the area for the emjoyment of the public and for the benefit of the economy of the region. The area within the boundary of the National Area shall be divided into two categories; namely, the gorge areas and adjacent areas as hereinafter defined.

(2) (A) Within the gorge area, no extraction of, or prospecting for minerals, petroleum products, or gas shall be permitted. No timber shall be cut within the gorge area except for limited clearing necessary for establishment of day-use facilities, historical sites, primitive campgrounds, and access roads. No structures shall be constructed within the gorge except for reconstruction and improvement of the historical sites specified in paragraphs (5) and (6) of this subsection and except for necessary day-use facilities along the primary and secondary access routes specified herein and within five hundred feet of such roads, and except for primitive campgrounds accessible only by water or on foot. No motorized transportation shall be allowed in the gorge area except on designated access routes.

(B) Primary access routes into the gorge area may be constructed or improved upon the general route of the following designated roads: Tennessee Highway Numbered 52, FAS 2451 (Leatherwood Ford Road), the road into the Blue Heron Community, and Kentucky Highway Numbered 92.

(C) Secondary access roads in the gorge area may be constructed or improved upon the following routes: the roads from Smith Town, Kentucky, to Worley, Kentucky,

the road crossing the Clear Fork at Burnt Mill Bridge, the road from Goad, Tennessee, to Zenith, Tennessee, the road from Co-Operative, Kentucky, to Kentucky Highway Numbered 92, the road entering the gorge across from the month of Alum Creek in Kentucky, the road crossing the Clear Fork at Peters Bridge.

(D) All other existing roads in the gorge area shall be maintained for nonvehicular traffic only, except that nothing in this section shall abrogate the right of ingress and egress of those whom remain in occupancy under subsection (c) (1) of this section.

(E) Road improvement or maintenance and any construction of roads or facilities in the gorge area as permitted by this section shall be accomplished by the Secretary in a manner that will protect the declared values of this unique natural scenic resource.

(3) In adjacent areas: the removal of timber shall be permitted only where required for the development or maintenance of public use and for administrative sites and shall be accomplished with careful regard for scenic and environmental values; prospecting for minerals and the extraction of minerals from the adjacent areas shall be permitted only where the adit to any such mine can be located outside the boundary of the National Area; no surface mining or strip mining shall be permitted; prospecting and drilling for petroleum products and natural gas shall be permitted in the adjacent area under such regulations as the Secretary or the Secretary of the Interior, after jurisdiction over the national river and recreation area has been transferred to him under subsection (b) of this section, may prescribe to minimize detrimental environment impact, such regulations shall provide among other things for an area limitation for each such operation, zones where operations will not be permitted, and safeguards to prevent air and water pollution; no storage facilities for petroleum products or natural gas shall be located within the boundary of the National Area except as necessary and incidental to production; the Secretary is authorized to construct two lodges with recreational facilities within the adjacent areas so as to maximize and enhance public use and enjoyment of the National Area; construction of all roads and facilities in the adjacent areas shall be undertaken with careful regard for the maintenance of the scenic and esthetic values of the gorge area and the adjacent areas.

(4) The gorge area as set out in paragraphs (1) and (2) of this subsection shall consist of all lands and waters of the Big South Fork, Clear Fork, and New River which lie between the gorge or valley rim on either side (where the rim is not clearly defined by topography, the gorge boundary shall be established at an elevation no lower than that of the nearest clearly demarked rim on the same side of the valley), and those portions of the main

tributaries and streams in the watersheds of the Big South Fork, Clear Fork, and New River that lie within a gorge or valley rim on either side, except that no lands or waters north of Kentucky Highway Numbered 92 shall be included. The designated adjacent areas shall consist of the balance of the National Area.

(5) The Secretary, and the Secretary of the Interior, shall consult and cooperate with the Tennessee Historical Commission and the Rugby Restoration Association and with other involved agencies and associations, both public and private, concerning the development and management of the National Area in the area adjacent to Rugby, Tennessee. Development within the area adjacent to Rugby, Tennessee, shall be designed toward preserving and enhancing the historical integrity of the community and any historical sites within the boundary of the National Area.

(6) The Secretary, or the Secretary of the Interior, after jurisdiction over the National Area has been transferred to him under subsection (b) of this section, shall provide for the restoration of the Blue Heron Mine community in a manner which will preserve and enhance the historical integrity of the community and will contribute to the public's understanding and enjoyment of its historical value. To that end the Secretary, or the Secretary of the Interior, after jurisdiction over the National Area has been transferred to him under subsection (b) of this section, may construct and improve structures within and may construct and improve a road into this community.

(7) The Secretary shall study the desirability and feasibility of reestablishing rail transportation on the abandoned O&W railbed or an alternative mode of transportation within the National Area upon the O&W roadbed, and shall report to Congress his recommendation with regard to development of this facility.

(f) The Federal Power Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (41 Stat. 1063) as amended (16 U.S.C. 791a et seq.), within or directly affecting the National Area and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which the National Area was established. Nothing contained in the preceding sentence shall preclude licensing of, or assistance to, developments below or above the National Area or on any stream tributary thereto which will not invade the National Area or on any stream tributary thereto which will not invade the National Area or unreasonably diminish the scenic, recreation, and fish and wildlife values present in the area on the date of enactment of this section. No department or

agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which the National Area was established, or request appropriations to begin construction of any such project, whether heretofore or hereafter authorized, without advising the Secretary or the Secretary of the Interior, after jurisdiction over the National Area has been transferred to him under subsection (b) of this section in writing of its intention so to do at least sixty days in advance, and without specifically reporting to the Congress in writing at the time it makes its recommendations or request in what respect construction of such project would be in conflict with the purposes of this section and would affect the National Area and the values to be protected under this section.

(g) The Secretary shall study transportation facilities in the region served by the National Area and shall establish transportation facilities to enhance public access to the National Area. In this connection the Secretary is authorized to acquire and maintain public roads, other than State highways, necessary to serve the public use facilities within the National Area, and to establish and maintain, at Federal cost an interior and circulating road system sufficient to meet the purposes of this section. Any existing public road, which at the time of its acquisition continues to be a necessary and essential part of the county highway system, may, upon mutual agreement between the Secretary and the owner of such road, be relocated outside of the National Area and if not so relocated such road shall be maintained at Federal expense and kept open at all times for general travel purposes. Nothing in this subsection shall abrogate the right of egress and ingress of those persons who may remain in occupancy under subsection (c) of this section. Nothing in this subsection shall preclude the adjustment, relocation, reconstruction, or abandonment of State highways situated in the National Area, with the concurrence of the agency having the custody of such highways upon entering into such arrangements as the Secretary or the Secretary of the Interior, after jurisdiction over the National Area has been transferred to him under subsection (b) of this section, deems appropriate and in the best interest of the general welfare.

(h) In furtherance of the purpose of this subsection the Secretary in cooperation with the Secretary of Agriculture, the heads of other Federal departments and agencies involved, and the State of Tennessee and its political subdivisions, shall formulate a comprehensive plan for that portion of the New River that lies upstream from United States Highway Numbered 27. Such plan shall include, among other things, programs to enhance the environment and conserve and develop natural resources, and to minimize siltation and acid mine drain-

age. Such plan, with recommendations, including those as to costs and administrative responsibilities, shall be completed and transmitted to the Congress within one year from the date of enactment of this section.

(i) The Secretary or the Secretary of the Interior, after jurisdiction over the National Area has been transferred to him under subsection (b) of this subsection, shall consult and cooperate with other departments and agencies of the United States and the States of Tennessee and Kentucky in the development of measures and programs to protect and enhance water quality within the National Area and to insure that such programs for the protection and enhancement of water quality do not diminish other values that are to be protected under this section.

(j) (1) Until such time as the transfer of jurisdiction to the Secretary of the Interior authorized by subsection (b) of this section shall take place, for the purpose of financially assisting the States of Tennessee and Kentucky, McCreary County, Kentucky, and Scott, Morgan, Pickett, and Fentress Counties in Tennessee, because of losses which these jurisdictions will sustain by reason of the fact that certain lands and other property within their boundaries may be included within the National Area established by this section and thereafter will no longer be subject to real and personal property taxes levied or imposed by them, payments shall be made to them on an annual basis in an amount equal to those taxes levied or imposed on such property for the last taxable year immediately preceding the date of enactment of this section.

(2) For the purpose of enabling the Secretary to make such payments during the fiscal years ending June 30, 1975, June 30, 1976, June 30, 1977, June 30, 1978, and June 30, 1979, there are authorized to be appropriated such sums as may be necessary.

(k) There are authorized to be appropriated $32,850,000 to carry out the provisions of this section, other than subsection (j) of this section. No moneys shall be appropriated from the Land and Water Conservation Fund to carry out the purposes of this section.

Approved March 7, 1974.

Legislative History:
HOUSE REPORTS: No. 93-541 (Comm. on Public Works) and No. 93-796 (Comm. of Conference).
SENATE REPORTS: No. 93-615 accompaying S. 2798 and No. 93-6 accompanying S. 606 (Comm. on Public Works).
CONGRESSIONAL RECORD:
Vol. 119 (1973): Jan. 31, Feb. 1, S. 606 considered and passed Senate.
Oct. 12, considered and passed House.
Vol. 120 (1974): Jan, 21, 22, considered and passed Senate, amended, in lieu of S. 2798.
Feb. 19, House agreed to conference report.
Feb. 21, Senate agreed to conference report.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 10, No. 10:
Mar. 7, Presidential statement.

An Act Authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes. (90 Stat. 2917) (P.L. 94-587)

SEC. 184. Section 108 of Public Law 93-251 is amended as follows:

(a) At the end of subsection (a) add the following: "The Secretary may acquire sites at locations outside such boundaries, as he determines necessary, for administrative and visitor orientation facilities. The Secretary may also acquire a site outside such boundaries at or near the location of the historic Tabard Inn in Ruby, Tennessee, including such lands as he deems necessary, for the establishment of a lodge with recreational facilities as provided in subsection (e) (3).";

(b) In subsection (b), after the "(b)" insert "(1)" and at the end of such subsection insert the following:

"(2) The Secretary may by agreement with the Secretary of the Interior provide for interim management by the Department of the Interior, 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, of any portion or portions of the project which constitute a logically and efficiently administrable area. The Secretary is authorized to transfer funds to the Department of the Interior for the costs of such interim management out of funds appropriated for the project.";

(c) In subsection (c) (1), after the phrase "States of Kentucky and Tennessee or any political subdivisions thereof" insert the following: "which were in public ownership at the time of enactment of this section.":

(d) At the end of subsection (e) (2) (A), strike the period and insert the following: "and except that motorboat access into the gorge area shall be permitted up to a point one-tenth of a mile downstream from Devil's Jumps; and except for the continued operation and maintenance of the rail line currently operated and known as the K & T Railroad. The Secretary shall acquire such interest in the K & T Railroad right-of-way by easement as he deems necessary to protect the scenic, esthetic, and recreational values of the gorge area and the adjacent areas.";

(e) In subsection (e) (2) (C), strike the period at the end and insert the following: ", the road entering the gorge across from the mouth of Station Camp Creek."; and

(f) In subsection (e) (2) (K), strike "$32,850,000" and insert in lieu thereof "$103,522,000".

Approved October 22, 1976.

Legislative History:
HOUSE REPORTS: No. 94-1702 accompanying H.R. 15636 (Comm. on Public Works and Transportation) and No. 94-1755 (Comm. of Conference).
SENATE REPORTS No. 94-1255 (Comm. on Public Works).
CONGRESSIONAL RECORD, Vol. 122 (1976):
Sept. 28, considered and passed Senate.
Sept. 29, considered and passed House, amended, in lieu of H.R. 15636.
Oct. 1, House and Senate agreed to conference report.

2. Buffalo

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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:

* * * * * * *

(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".

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TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

BUFFALO NATIONAL RIVER

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.".

* * * * * * *

Approved October 21, 1976.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE II—ACQUISITION CEILING INCREASES

SEC. 201. The limitations on appropriations for the acquisition of lands and interests therein within certain

units of the National Park System are amended as follows:

* * * * * * *

(2) Buffalo National River, Arkansas: Section 7 of the Act of March 1, 1972 (86 Stat. 44), is amended by changing "$30,071,500" to "$39,948,000".

* * * * * * *

TITLE IV—WILDERNESS

SEC. 401. The following lands are hereby designated as wilderness in accordance with section 3(c) Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c), and shall be administered by the Secretary in accordance with applicable provisions of the Wilderness Act:

* * * * * * *

(1) Buffalo National River, Arkansas, wilderness comprising approximately ten thousand five hundred and twenty-nine acres and potential wilderness additions comprising approximately twenty-five thousand four hundred and seventy-one acres depicted on a map, entitled "Wilderness Plan, Buffalo National River, Arkansas", numbered 173–20,036–B and dated March 1975, to be known as the Buffalo National River Wilderness.

SEC. 402. A map and description of the boundaries of the areas designated in this title shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in this title. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 403. Any lands which represent potential wilderness additions in this title, upon publication in the Federal Register of a notice by the Secretary that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

SEC. 404. The areas designated by this Act as wilderness shall be administered by the Secretary of the

Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

* * * * * * *

Approved November 10, 1978.

3. New River Gorge

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho (92 Stat. 3467) (P.L. 95-625)

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

TITLE XI—NEW RIVER GORGE NATIONAL RIVER

* * * * * * *

SEC. 1101. For the purpose of conserving and interpreting outstanding natural, scenic, and historic values and objects in and around the New River Gorge and preserving as a free-flowing stream an important segment of the New River in West Virginia for the benefit and enjoyment of present and future generations, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall establish and administer the New River Gorge National River. The Secretary shall administer, protect, and develop the national river in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary for the preservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this title. The boundaries of the national river shall be as generally depicted on the drawing entitled "Proposed New River Gorge National River" numbered NERI-20,002, dated July 1978, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

SEC. 1102. (a) Within the boundaries of the New River Gorge National River, the Secretary may acquire lands and waters or interests therein by donation, purchase with donated or appropriated funds, transfer, or exchange. Lands owned by the State of West Virginia or a political subdivision thereof may be acquired by donation only. The authority of the Secretary to condemn in fee, improved properties as defined in subsection (c) of this section shall not be invoked as long as the owner of such improved property holds and uses it in a manner compatible with the purposes of this title. The Secretary may acquire any such improved property without the consent of the owner whenever he finds that such property has undergone, since January 1, 1978, or is imminently about to undergo, changes in land use which are incompatible with the purposes of the national river. The Secretary may acquire less than fee interest in any improved or unimproved property within the boundaries of the national river.

(b) On non-federally owned lands within the national river boundaries, the Secretary is authorized to enter into cooperative agreements with organizations or individuals to mark or interpret properties of significance to the history of the Gorge area.

(c) For the purposes of this Act, the term "improved property" means (i) a detached single family dwelling, the construction of which was begun before January 1, 1977 (hereafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures necessary to the dwelling which are situated on the land so designated, or (ii) property developed for agricultural uses, together with any structures accessory thereto which were so used on or before January 1, 1977, or (iii) commercial and small business properties which were so used on or before January 1, 1977, the purpose of which is determined by the Secretary to contribute to visitor use and enjoyment of the national river. In determining when and to what extent a property is to be considered an "improved property", the Secretary shall take into consideration the manner of use of such buildings and lands prior to January 1, 1977, and shall designate such lands as are reasonably necessary for the continued enjoyment of the property in the same manner and to the same extent as existed prior to such date.

(d) The owner of an improved property, as defined in this title, on the date of its acquisition, as a condition of such acquisition, may retain for himself, his heirs and assigns, a right of use and occupancy of the improved property for noncommercial residential, or agricultural purposes, or the continuation of existing commercial operations, as the case may be, 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 the property is wholly or partially donated, the Secretary shall pay to the owner the fair market value of the property on the date of its acquisition, less the fair market value of the property on that date of the right retained by the owner. A right retained by the owner 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 title, and it shall terminate by operation of law upon notification by the Secretary to the holder of the right of such determination and tendering to him the amount equal to the fair market value of that portion which remains unexpired.

SEC. 1103. (a) Within two years from the date of enactment of this title, the Secretary shall submit, in writ-

ing, to the House Committee on Interior and Insular Affairs, the Senate Committee on Energy and Natural Resources and the Committees on Appropriations of the United States Congress, a detailed plan which shall indicate—

(i) the lands and areas which he deems essential to the protection and public enjoyment of the natural, scenic, and historic values and objects of this national river;

(ii) the lands which he has previously acquired by purchase, donation, exchange, or transfer for the purpose of this national river;

(iii) the annual acquisition program (including the level of funding) which he recommends for the ensuing four fiscal years; and

(iv) the feasibility and suitability of including within the boundaries of the national river, the section of the New River from Fayetteville to Gauley Bridge, and reasons therefor.

SEC. 1104. The Secretary shall on his own initiative, or at the request of any local government having jurisdiction over land located in or adjacent to the Gorge area, assist and consult with the appropriate officials and employees of such local government in establishing zoning laws or ordinances which will assist in achieving the purposes of this title. In providing assistance pursuant to this section, the Secretary shall endeavor to obtain provisions in such zoning laws or ordinances which—

(1) have the effect of restricting incompatible commercial and industrial use of all real property in or adjacent to the Gorge area;

(2) aid in preserving the character of the Gorge area by appropriate restrictions on the use of real property in the vicinity, including, but not limited to, restrictions upon building and construction of all types; signs and billboards; the burning of cover; cutting of timber; removal of topsoil, sand, or gravel; dumping, storage, or piling of refuse; or any other use which would detract from the esthetic character of the Gorge area; and

(3) have the effect of providing that the Secretary shall receive advance notice of any hearing for the purpose of granting a variance and any variance granted under, and of any exception made to, the application of such law or ordinance.

SEC. 1105. (a) Notwithstanding any other provision of law, no surface mining of any kind shall be permitted on federally owned lands within the boundary of the national river where the subsurface estate is not federally owned. Underground mining on such lands may be permitted by the Secretary only if—

(1) the mining operation will have no significant adverse impact on the public use and enjoyment of the national river;

(2) the mining operation will disturb the minimum amount of surface necessary to extract the mineral; and

(3) the surface is not significantly disturbed, unless there is no technologically feasible alternative.

(b) The harvesting of timber on federally owned lands within the national river boundary is prohibited, except insofar as it is necessary for the Secretary to remove trees for river access, historic sites, primitive campgrounds, scenic vistas, or as may be necessary from time to time for reasons of public health and safety.

(c) The owner of a mineral estate subject to this section who believes he has suffered a loss by operation of this section, may bring an action only in a United States district court to recover just compensation, which shall be awarded if the court finds that such loss constitutes a taking of property compensable under the Constitution.

SEC. 1106. The Secretary may permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the New River Gorge National River in accordance with applicable Federal and State laws, and he may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any rules and regulations of 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. 1107. The Federal Energy Regulatory Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (41 Stat. 1063) as amended (16 U.S.C. 791a et seq.), on or directly affecting the New River Gorge National River, and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary. Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above the New River Gorge National River or on any stream tributary thereto which will not invade the area or diminish the scenic, recreation, and fish and wildlife values present in the area on the date of this section. No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary, or request appropriations to begin construction on any such project whether heretofore or hereafter authorized, without advising the Secretary in writing of its intention to do so at least sixty days in advance, and without specifically reporting to

the Congress in writing at the time it makes its recommendation or request in what respect construction of such project would be in conflict with the purposes of this section and would effect the national river and the values to be protected by it under this section.

SEC. 1108. Section 5(a) of the Act of October 2, 1968 (82 Stat. 910) is hereby amended to provide for study of three principal tributaries of the New River in West Virginia, by adding the following new paragraphs:

"(73) BLUESTONE, WEST VIRGINIA.—From its headwaters to its confluence with the New.

"(74) GAULEY, WEST VIRGINIA.—Including the tributaries of the Meadow and the Cranberry, from the headwaters to its confluence with the New.

"(75) GREENBRIER, WEST VIRGINIA.—From its headwaters to its confluence with the New.".

SEC. 1109. Within three years from the date of enactment of this title, the Secretary shall develop and transmit to the Senate Committee on Energy and Natural Resources and the House Committee on Interior and Insular Affairs, a general management plan for the protection and development of the national river consistent with the purposes of this title, indicating—

(1) measures for the preservation of the area's resources;

(2) indications of types and general intensities of development (including visitor circulation and transportation patterns, systems and modes) associated with public enjoyment and use of the area, including general locations, timing of implementation, and anticipated costs;

(3) identification of and implementation commitments for visitor carrying capacities for all areas of the unit; and

(4) indications of potential modifications to the external boundaries of the unit, and the reasons therefor.

SEC. 1110. The Secretary of the Army shall cooperate with the Secretary of the Interior concerning the water requirements of the national river. The Secretary of the Army shall provide for release of water from the Bluestone Lake project consistent with that project's purposes and activities in sufficient quantity and in such manner to facilitate protection of biological resources and recreational use of the national river.

SEC. 1111. For the purposes of part C of the Clean Air Act, the State may redesignate the national river only as class I or class II.

SEC. 1112. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this title, but not to exceed $20,000,000 for the acquisition of lands and interests in lands, and not to exceed $500,000 for development.

* * * * * * *

Approved November 10, 1978.

4. Potomac National River

An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes. (88 Stat. 12) (P.L. 93-251)

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

TITLE I—WATER RESOURCES DEVELOPMENT

SEC. 1. (a) The Secretary of the Army, acting through the Chief of Engineers, is hereby authorized to undertake the phase I design memorandum stage of advanced engineering and design of the following multi-purpose water resources development projects, substantially in accordance with, and subject to the conditions recommended by the Chief of Engineers in, the reports hereinafter designated.

SEC. 86. (a) The Secretary of the Army, acting through the Chief of Engineers, is authorized to assist the National Park Service in the National Park Service's program to plan for, design, and implement restoration of the historical and ecological values of Dyke Marsh on the Potomac River. Such assistance may include, but need not be limited to, furnishing suitable fill material obtained from the Potomac River or its tributaries, its placement, upon request, and engineering and technical services.

(b) The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to make an investigation and study of the siltation and sedimentation problems of the Potomac River basin with particular emphasis on these problems as they exist in the Washington metropolitan area of the basin. This study is to be made in consultation with the Departments of Interior and Agriculture, the Environmental Protection Agency, and other interested Federal, State, and local entities and is to include, but need not be limited to, a description of the extent of such problems together with the Chief of Engineers' recommendations on feasible and environmentally sound methods of removing polluted river bed materials to enhance water quality, recreation use, fish and wildlife, navigation, and the esthetics of the basin, as well as his recommendations on alternative methods and sites for the proper disposal of such materials. The Secretary of the Army shall transmit this study and the Chief of Engineers' recommendations to the Congress no later than three years from the date of enactment of this Act.

Approved March 7, 1974.

Legislative History:
HOUSE REPORTS: No. 93-541 (Comm. on Public Works) and No. 93-796 (Comm. of Conference).
SENATE REPORTS: No. 93-615 accompaying S. 2798 and No. 93-6 accompanying S. 606 (Comm. on Public Works).
CONGRESSIONAL RECORD:
Vol. 119 (1973): Jan. 31, Feb. 1, S. 606 considered and passed Senate.
Oct. 12, considered and passed House.
Vol. 120 (1974): Jan, 21, 22, considered and passed Senate, amended, in lieu of S. 2798.
Feb. 19, House agreed to conference report.
Feb. 21, Senate agreed to conference report.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 10, No. 10:
Mar. 7, Presidential statement.

XII. NATIONAL RECREATION AREAS

1. Chattahoochee River

An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other purposes. (92 Stat. 474) (P.L. 95–344)

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

TITLE I

SEC. 101. The Congress finds the natural, scenic, recreation, historic, and other values of a forty-eight-mile segment of the Chattahoochee River and certain adjoining lands in the State of Georgia from Buford Dam downstream to Peachtree Creek are of special national significance, and that such values should be preserved and protected from developments and uses which would substantially impair or destroy them. In order to assure such preservation and protection for public benefit and enjoyment, there is hereby established the Chattahoochee River National Recreation Area (hereinafter referred to as the "recreation area"). The recreation area shall consist of the river and its bed together with the lands, waters, and interests therein within the boundary generally depicted on the map entitled "Chattahoochee River National Recreation Area", numbered CHAT–20,000, and dated July 1976, which shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior. Following reasonable notice in writing to the Committee on Interior and Insular Affairs of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate of his intention to do so, the Secretary of the Interior (hereinafter referred to as the "Secretary") may, by publication of a revised map or other boundary description in the Federal Register, (1) make minor revisions in the boundary of the recreation area, and (2) revise the boundary to facilitate access to the recreation area, or to delete lands which would be of little or no benefit to the recreation area due to the existence of valuable improvements completely constructed prior to the date of enactment of this Act. The total area, exclusive of the river and its bed, within the recreation area may not exceed six thousand three hundred acres.

SEC. 102. (a) Within the recreation area the Secretary is authorized to acquire lands, waters, and interests therein by donation, purchase with donated or appropriated funds, or exchange. Property owned by the State of Georgia or any political subdivision thereof may be acquired only by donation.

(b) When a tract of land lies partly within and partly without the boundaries of the recreation area, the Secretary may acquire the entire tract by any of the above methods in order to avoid the payment of severance costs. Land so acquired outside of the boundaries of the recreation area may be exchanged by the Secretary for non-Federal land within such boundaries, and any portion of the land not utilized for such exchanges may be disposed of in accordance with the provisions of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

(c) Except for property which the Secretary determines to be necessary for the purposes of administration, development, access, or public use, an owner of improved property which is used solely for noncommercial residential purposes on the date of its acquisition by the Secretary may retain, as a condition of such acquisition, a right of use and occupancy of the property for such residential purposes. The right retained may be for a definite term which shall not exceed twenty-five years or, in lieu thereof, for a term ending at the death of the owner or the death of the spouse, whichever occurs later. The owner shall elect the term to be retained. The Secretary shall pay the owner the fair market value of the property on the date of such acquisition, less the fair market value of the term retained by the owner.

(d) Any right of use and occupancy retained pursuant to this section may, during its existence, be conveyed or transferred, but all rights of use and occupancy shall be subject to such terms and conditions as the Secretary deems appropriate to assure the use of the property in accordance with the purposes of this Act. Upon his determination that the property, or any portion thereof, has ceased to be so used in accordance with such terms and conditions, the Secretary may terminate the right of use and occupancy by tendering to the holder of such right an amount equal to the fair market value, as of the date of the tender, of that portion of the right which remains unexpired on the date of termination.

(e) As used in this section, the term "improved property" means a detached, year-round noncommercial residential dwelling, the construction of which was begun before January 1, 1975, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any struc-

tures accessory to the dwelling which are situated on the land so designated.

SEC. 103. (a) The Secretary shall administer, protect, and develop the recreation area in accordance with the Act of August 25, 1916 (39 Stat. 535), and in accordance with any other statutory authorities available to him for the conservation and management of historic and natural resources, including fish and wildlife, to the extent he finds such authority will further the purposes of this Act. In developing and administering the recreation area, the Secretary shall take into consideration applicable Federal, State, and local recreation plans and resource use and development plans, including, but not limited to, the Atlanta Regional Commission Chattahoochee Corridor Study, dated July 1972.

(b) The Secretary is authorized and encouraged to enter into cooperative agreements with the State or its political subdivisions whereby he may assist in the planning for the interpretation of non-Federal publicly owned lands within or adjacent or related to the recreation area to assure that such lands are used in a manner consistent with the findings and purposes of this Act.

(c) In planning for the development and public use of the recreation area, the Secretary shall consult with the Secretary of the Army to assure that public use of adjacent or related water resource development or flood control projects and that of the recreation area are complementary.

(d) In administering the recreation area, the Secretary may permit fishing in waters under his jurisdiction in accordance with applicable State and Federal laws and regulations. The Secretary, after consultation with the appropriate State agency responsible for fishing activities, may designate zones where, and establish periods when, fishing shall be permitted and issue such regulations as he may determine to be necessary to carry out the provisions of this subsection. Except in emergencies, such regulations shall be put into effect only after consultation with the appropriate State agency.

SEC. 104. (a) The Federal Energy Regulatory Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (16 U.S.C. 791a et seq.), on or directly affecting the recreation area, and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such area is established, except where such project is determined by the State of Georgia to be necessary for water supply or water quality enhancement purposes and authorized by the United States Congress. Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments up-

stream or downstream from the recreation area or on any stream tributary thereto which will not invade the recreation area or unreasonably diminish the scenic, recreational, and fish and wildlife values present therein on the date of approval of this Act. Nothing contained in this subsection shall preclude the upgrading, improvement, expansion or development of facilities or public works for water supply or water quality enhancement purposes if such action would not have a material adverse effect on the values for which the recreation area is established.

(b) No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which such area is established, as determined by the Secretary, nor shall such department or agency request appropriations to begin construction of any such project, whether heretofore or hereafter authorized, without at least sixty days in advance, (1) advising the Secretary in writing of its intention to do so and (2) reporting to the Committee on Interior and Insular Affairs of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate the nature of the project involved and the manner in which such project would conflict with the purposes of this Act or would affect the recreation area and the values to be protected by it under this Act. It is not the intention of Congress by this Act to require the manipulation or reduction of lake water levels in Lake Sidney Lanier. Nothing in this Act shall be construed in any way to restrict, prohibit, or affect any recommendation of the Metropolitan Atlanta Water Resources Study as authorized by the Public Works Committee of the United States Senate on March 2, 1972.

(c) The Secretary is directed to proceed as expeditiously as possible to acquire the lands and interests in lands necessary to achieve the purposes of this Act.

SEC. 105. (a) From the appropriations authorized for fiscal year 1978 and succeeding fiscal years pursuant to the Land and Water Conservation Fund Act (78 Stat. 897), as amended, not more than $72,900,000 may be expended for the acquisition of lands and interests in lands authorized to be acquired pursuant to the provisions of this Act.

(b) Effective on October 1, 1978, there are authorized to be appropriated not to exceed $500,000 for the development of essential public facilities.

(c) Within three years from the effective date of this Act, the Secretary shall, after consulting with the Governor of the State of Georgia, develop and transmit to the Committee on Interior and Insular Affairs of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate a general management plan for the use

and development of the recreation area consistent with the findings and purposes of this Act, indicating:

(1) lands and interests in lands adjacent or related to the recreation area which are deemed necessary or desirable for the purposes of resource protection, scenic integrity, or management and administration of the area in furtherance of the purposes of this Act, the estimated cost of acquisition, and the recommended public acquisition agency;

(2) the number of visitors and types of public use within the recreation area that can be accommodated in accordance with the full protection of its resources; and

(3) the facilities deemed necessary to accommodate and provide access for such visitors and uses, including their location and estimated cost.

Approved August 15, 1978.

Legislative History:

House Report No. 95-598 (Comm. on Interior and Insular Affairs).
Senate Report No. 95-812 (Comm. on Energy and Natural Resources).
Congressional Record, Vol. 124 (1978):
Feb. 9, 14, considered and passed House.
July 21, considered and passed Senate, amended.
July 31, House concurred in Senate amendment with an amendment.
Aug. 3, Senate concurred in House amendment.
Weekly Compilation of Presidential Documents, Vol. 14, No. 33:
Aug. 15, Presidential statement.

2. Chickasaw

An Act to establish the Chickasaw National Recreation Area in the State of Oklahoma, and for other purposes. (90 Stat. 235) (P.L. 94-235)

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 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 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.

Approved March 17, 1976.

Legislative History:

House Report No. 94-803 (Comm. on Interior and Insular Affairs).
Senate Report No. 94-678 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
Feb. 2, considered and passed House.
Mar. 5, considered and passed Senate.

4. Cuyahoga Valley

An Act to provide for the establishment of the Cuyahoga Valley National Recreation Area. (88 Stat. 1784) (P.L. 93-555)

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

PURPOSE

SEC. 1. For the purpose of preserving and protecting for public use and enjoyment, the historic, scenic, natural, and recreational values of the Cuyahoga River and the adjacent lands of the Cuyahoga Valley and for the purpose of providing for the maintenance of needed recreational open space necessary to the urban environment, the Cuyahoga Valley National Recreation Area, hereafter referred to as the "recreation area", shall be established within six months after the date of enactment of this Act. In the management of the recreation area, the Secretary of the Interior (hereafter referred to as the "Secretary") shall utilize the recreation area resources in a manner which will preserve its scenic, natural, and historic setting while providing for the recreational and educational needs of the visiting public.

LAND ACQUISITION

SEC. 2. (a) The recreational area shall comprise the lands and waters generally depicted on the map entitled "Boundary Map, Cuyhoga Valley National Recreation Area, Ohio", numbered NRA-CUYA-20,000-A, and dated December 1974, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and in the main public library of Akron, Ohio, and Cleveland, Ohio. After advising the Committees on Interior and Insular Affairs of the United States Congress, in writing, the Secretary may make minor revisions of the boundaries of the recreation area when necessary by publication of a revised drawing or other boundary description in the Federal Register.

(b) Within the boundaries of the recreation area, the Secretary, after consultation with the Governor of the State of Ohio and the Advisory Commission established in section 5 of this Act, may acquire lands, improvements, waters, or interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer. Any lands or interests owned therein, as well as any lands hereafter acquired, by the State of Ohio or any political subdivision thereof (including any park district or other public entity) may be acquired only by donation. The Secretary shall not acquire privately owned lands which are held and used for public recreation uses unless

he determines that such lands are essential to carry out the purposes of this Act. Notwithstanding any other provisions of law, any Federal property located within the boundaries of the recreation area may, with the concurrence of the agency having custody thereof, be transferred without transfer of funds to the administrative jurisdiction of the Secretary for the purposes of the recreation area.

(c) With espect to improved properties, as defined in this Act, the Secretary may acquire scenic easements or such other interests as, in his judgment, are necessary for the purposes of the recreation area. Fee title to such improved properties shall not be acquired unless the Secretary finds that such lands are being used, or are threatened with uses, which are detrimental to the purposes of the recreation area, or unless such acquisition is necessary to fulfill the purposes of this Act.

(d) When any tract of land is only partly within the boundaries of the recreation area, 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. Any portion of the land acquired outside the boundaries 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, as amended: *Provided*, That no disposal shall be for less than the fair market value of the lands involved.

(e) For the purposes of this Act, the term "improved property" means: (i) a detached single family dwelling, the construction of which was begun before January 1, 1975 (hereafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures necessary to the dwelling which are situated on the land so designated, or (ii) property developed for agricultural uses, together with any structures accessory thereto which were so used on or before January 1, 1975. In determining when and to what extent a property is to be considered an "improved property", the Secretary shall take into consideration the manner of use of such buildings and lands prior to January 1, 1975, and shall designate such lands as are reasonably necessary for the continued enjoyment of the property in the same manner and to the same extent as existed prior to such date.

(f) The owner of an improved property, as defined in this Act, on the date of its acquisition, as a condition of

such acquisition, may retain for himself, his heirs and assigns, a right of use and occupancy of the improved property for noncommercial residential or agricultural purposes, as the case may be, 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 the property is wholly or partially donated, the Secretary shall pay to the owner the fair market value of the property on the date of its acquisition, less the fair market value on that date of the right retained by the owner. A right retained by the owner 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 notification by the Secretary to the holder of the right of such determination and tendering to him the amount equal to the fair market value of that portion which remains unexpired.

(g) In exercising his authority to acquire property under this Act, the Secretary shall give prompt and careful consideration to any offer made by an individual owning property within the recreation area to sell such property, if such individual notifies the Secretary that the continued ownership of such property is causing, or would result in, undue hardship.

SEC. 3. (a) Within one year after the date of the enactment of this Act, the Secretary shall submit, in writing,to the Committees on Interior and Insular Affairs and to the Committees on Appropriations of the United States Congress a detailed plan which shall indicate:

(i) the lands and areas which he deems essential to the protection and public enjoyment of this recreation area,

(ii) the lands which he has previously acquired by purchase, donation, exchange, or transfer for the purpose of this recreation area, and

(iii) the annual acquisition program (including the level of funding) which he recommends for the ensuing five fiscal years.

(b) It is the express intent of the Congress that the Secretary should substantially complete the land acquisition program contemplated by this Act within six years after the date of its enactment.

ADMINISTRATION

SEC. 4. (a) The Secretary shall administer the recreation area in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535) as amended and supplemented (16 U.S.C. 1, 2–4). In the administration of the recreation area, the Secretary may utilize such sta-

tutory authority available to him for the conservation and management of wildlife and natural resources as he deems appropriate to carry out the purpose of this Act.

(b) The Secretary may enter into cooperative agreements with the State of Ohio, or any political subdivision thereof, for the rendering, on a reimbursable basis, of rescue, firefighting, and law enforcement services and cooperative assistance by nearby law enforcement and fire preventive agencies.

(c) The authority of the Secretary of the Army to undertake or contribute to water resource development, including erosion control and flood control, on land or waters within the recreation area shall be exercised in accordance with plans which are mutually acceptable to the Secretary of the Interior and the Secretary of the Army and which are consistent with both the purposes of this Act and the purposes of existing statutes dealing with water and related land resource development.

(d) The Secretary, in consultation with the Governor of the State of Ohio, shall inventory and evaluate all sites and structures within the recreation area having present and potential historical, cultural, or architectural significance and shall provide for appropriate programs for the preservation, restoration, interpretation, and utilization of them.

(e) Not withstanding any other provision of law, the Secretary is authorized to accept donations of funds, property, or services from individuals, foundations, corporations, or public entities for the purpose of providing services and facilities which he deems consistent with the purposes of this Act.

(f) The Secretary may, on his own initiative, or at the request of any local government having jurisdiction over land located within or adjacent to the recreation area, assist and consult with the appropriate officer and employees of such local government in establishing zoning laws or ordinances which will assist in achieving the purposes of this Act. In providing assistance pursuant to this subsection, the Secretary shall endeavor to obtain provisions in such zoning laws or ordinances which—

(1) have the effect of prohibiting the commercial and industrial use (other than a use for commercial farms and orchards) of all real property adjacent to the recreation area;

(2) aid in preserving the character of the recreation area by appropriate restrictions on the use of real property in the vicinity including, but not limited to, restrictions upon: building and construction of all types; signs and billboards; the burning of cover; cutting of timber (except tracts managed for sustained yield); removal of topsoil, sand, or gravel; dumping, storage, or piling of refuse; or any other use which would detract from the aesthetic character of the recreation area; and

(3) have the effect of providing that the Secretary shall receive notice of any hearing for the purpose of granting a variance and any variance granted under, and of any exception made to, the application of such law or ordinance.

ADVISORY COMMISSION

SEC. 5. (a) There is hereby established the Cuyahoga Valley National Recreation Area Advisory Commission (hereafter referred to as the "Commission") which shall be composed of thirteen members to be appointed by the Secretary for terms of five years as follows:

(1) two members to be appointed from recommendations submitted by the Board of Park Commissioners of the Akron Metropolitan Park District;

(2) two members to be appointed from recommendations submitted by the Board of Park Commissioners of the Cleveland Metropolitan Park District;

(3) two members to be appointed from recommendations submitted by the Governor of the State;

(4) one from the membership of an Ohio conservation organization;

(5) one from the membership of an Ohio historical society; and

(6) five members representing the general public, of which no fewer than three shall be from among the permanent residents and electors of Summit and Cuyahoga Counties.

The Secretary shall designate one member of the Commission as Chairman and any vacancy shall be filled in the same manner in which the original appointment was made.

(b) Members of the Commission shall serve without compensation as such, but the Secretary may pay expenses reasonably incurred by the Commission and reimburse members for reasonable expenses incurred in carrying out their responsibilities under this Act on vouchers signed by the Chairman.

(c) The Secretary, or his designee, shall from time to time but at least semiannually, meet and consult with the Advisory Commission on matters relating to the development of the recreation area and with respect to carrying out the provisions of this Act.

(d) Unless extended by the Congress, the Commission shall terminate ten years after the date of the establishment of the recreation area.

SEC. 6. (a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purpose of this Act, but not more than $34,500,000 for the acquisition of lands and interests in lands.

(b) For the development of essential public facilities there are authorized to be appropriated not more than $500,000. Within one year from the date of establishment

of the recreation area pursuant to this Act, the Secretary shall, after consulting with the Governor of the State of Ohio, develop and transmit to the Committees on Interior and Insular Affairs of the United States Congress a final master plan for the development of the recreation area consistent with the objectives of this Act, indicating:

(1) the facilities needed to accommodate the health, safety, and recreation 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 area.

Approved December 27, 1974.

Legislative History:

House Report No. 93-1511 (Comm. on Interior and Insular Affairs).
Senate Report No. 93-1328 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 120 (1974):
Dec. 9, considered and passed House.
Dec. 12, considered and passed Senate.
Weekly Compilation of Presidential Documents, Vol. 11, No. 1:
Dec. 28, Presidential statement.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

CUYAHOGA VALLEY NATIONAL RECREATION AREA

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.

* * * * * * *

Approved October 21, 1976.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—CUYAHOGA VALLEY NATIONAL RECREATION AREA

* * * * * * *

SEC. 315. (a) Section 2(a) of the Act of December 27, 1974, entitled "An Act to provide for the establishment of the Cuyahoga Valley National Recreation Area" (88 Stat. 1784) is amended by striking out "Boundary Map, Cuyahoga Valley National Recreation Area, Ohio, numbered 90,000-A, and dated September 1976," and inserting in lieu thereof "Boundary Map, Cuyahoga Valley National Recreation Area, Ohio, numbered 90,001-A, and dated May 1978,".

(b) Section 6(a) of such Act is amended by striking out "$41,100,000" and inserting in lieu thereof "$70,100,000".

(c) The first sentence of section 6(b) of such Act is amended to read as follows: "For the development of the recreation area, including improvements of properties acquired for purposes of this Act, there is authorized to be appropriated not more than $13,000,000".

(d) Section 2(e) of such Act is amended by adding the following at the end thereof: "In applying this subsection with respect to lands and interests therein added to the recreation area by action of the Ninety-fifth Congress, the date 'January 1, 1978,' shall be substituted for the date 'January 1, 1975,' in each place it appears.".

(e) Section 4(f) of such Act is amended by inserting "(or intergovernmental organization)" after "local government" in each place it appears and by adding the following new sentence at the end thereof: "Assistance under this subsection may include payments for technical aid.".

(f) Section 2(a) is further amended by striking the period at the end thereof and adding the following, ":*Provided,* That with respect to the property known as the Hydraulic Brick Company located in Independence, Ohio, the Secretary shall have the first right of refusal to purchase such property for a purchase price not exceeding the fair market value of such property on the date it is offered for sale. When acquired such property shall be administered as part of the recreation area, subject to the laws and regulations applicable thereto.".

* * * * * * *

Approved November 10, 1978.

4. Delaware Water Gap

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—DELAWARE WATER GAP NATIONAL RECREATION AREA

* * * * * * *

SEC. 316. Section 2(a) of the Act entitled "An Act to authorize establishment of the Delaware Water Gap National Recreation Area, and for other purposes", approved September 1, 1965 (79 Stat. 612) is amended by adding the following at the end thereof: "Beginning on the date of the enactment of the National Parks and Recreation Act of 1978, the Secretary of the Interior is authorized to acquire for purposes of the recreation area established under this Act all lands and interests therein within the exterior boundaries of the area depicted on the drawing referred to in this subsection (including any lands within such exterior boundaries designated for acquisition by the Secretary of the Army in connection with the project referred to in this subsection). In exercising such authority, the Secretary of the Interior may permit the retention of rights of use and occupancy in the same manner as provided in the case of acquisitions by the Secretary of the Army under subsection (d). On the date of enactment of the National Parks and Recreation Act of 1978, the acquisition authorities of any other Federal agency contained in this subsection shall terminate and the head of any other Federal agency shall transfer to the Secretary of the Interior jurisdiction over all lands and interests therein acquired by said agency under the authority of this Act, or any other authority of law which lands are within the exterior boundaries of the area depicted on the drawing referred to in this subsection. On the date of enactment of the National Parks and Recreation Act of 1978, all unexpended balances available to any other Federal agency for acquisition of land within the exterior boundaries referred to in the preceding sentence shall be transferred to the Secretary of the Interior to be used for such purposes. In carrying out his acquisition authority under this section the Secretary shall give priority to the following:

"(1) completion of acquisition of lands for which condemnation proceedings have been started pursuant to the authorization of the project referred to in this subsection;

"(2) acquisition of lands of beneficial owners, not being a corporation, who in the judgment of the Sec-

retary would suffer hardship if acquisition of their lands were delayed;

"(3) acquisition of lands on which, in the judgment of the Secretary, there is an imminent danger of development that would be incompatible with the purposes of the recreation area;

"(4) acquisition of lands of beneficial owners, not being a corporation, who are willing to sell their lands provided they are able to continue to use it for noncommercial residential purposes for a limited period of time which will not, in the judgment of the Secretary, unduly interfere with the development of public use facilities for such national recreation area, pursuant to the authorization for such area;

"(5) acquisition of scenic easements when, in the judgment of the Secretary, such easements are sufficient to carry out the purposes for which such national recreation area was authorized; and

"(6) acquisition of lands necessary to preserve the integrity of the recreation area."

* * * * * * *

Approved November 10, 1978.

5. Golden Gate

An Act to amend the Act of October 27, 1972, establishing the Golden Gate National Recreation Area in San Francisco and Marin Counties, California, and for purposes. (88 Stat. 1741) (P.L. 93-544)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(a) of the Act of October 27, 1972 (86 Stat. 1299), is hereby amended by deleting "Boundary Map, Golden Gate National Recreation Area, numbered NRA-GG-80,003, sheets 1 through 3, and dated July, 1972." and inserting in lieu thereof "Revised Boundary Map, Golden Gate National Rereation Area, numbered NRA-GG-80,003-G, and dated September 1974", which shall include, in addition to the existing properties within the Golden Gate National Recreation Area, the following:

"Marin County:

"(1) Allan Associates, Incorporated property, 38.89 acres,

"(2) County of Marin and Tamalpais Community Services District lands, 22.94 acres,

"(3) Ghilotti Brothers property, 10.40 acres,

"(4) Oakwood Valley area, various properties, 280.89 acres,

"(5) Olds property, 207.56 acres,

"(6) Wolfback Ridge area, various properties, approximately 265 acres, including approximately 30 acres known as South Ridge Lands: *Provided,* That the Secretary is authorized to acquire such interest as he deems reasonably necessary to preserve the scenic quality of the 9.47 acres designated for scenic protection,

"(7) Keller property, Stinson Beach, 10.59 acres,

"(8) Leonard property, Stinson Beach, 8.25 acres,

"(9) Muir Beach properties, 3.94 acres.

"San Francisco County:

"Haslett Warehouse; and shall exclude the following:

"(1) Leonard (homesite), 10.03 acres,

"(2) Panoramic Highway area, Stinson Beach, 40.65 acres."

Approved December 26, 1974.

Legislative History:

House Report No. 93-800 (Comm. on Interior and Insular Affairs).
Senate Report No. 93-1186 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 120 (1974):
Feb. 19, considered and passed House.
Oct. 1, considered and passed Senate, amended.
Dec. 12, House concurred in Senate amendments with amendments.
Dec. 14, Senate concurred in House amendments.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE III—GOLDEN GATE NATIONAL RECREATION AREA

* * * * * * *

SEC. 317. (a) Subsection 2(a) of the Act of October 27, 1972 (86 Stat. 1299), as amended (16 U.S.C. 459), is further amended to read as follows: "(a) The recreation area shall comprise the lands, waters, and submerged lands generally depicted on the map entitled: 'Revised Boundary Map, Golden Gate National Recreation Area', numbered NRA-GG-80,003-K and dated October 1978. The authority of the Secretary to acquire lands in the tract known as San Francisco Assessor's Block number 1592 shall be limited to an area of not more than one and nine-tenths acres. Notwithstanding any other provision of this Act, the Secretary shall not acquire the Marin County Assessor's parcels numbered 199-181-01, 199-181-06, 199-181-08, 199-181-13, and 199-181-14, located in the Muir Beach portion of the recreation area.".

(b) Section 3(i) of such Act is amended to read as follows:

"(i) New construction and development within the boundaries described in section 2(a) on lands under the administrative jurisdiction of a department other than that of the Secretary is prohibited, except that improvements on lands which have not been transferred to his administrative jurisdiction may be reconstructed or demolished. Any such structure which is demolished may be replaced with an improvement of similar size, following consultation with the Secretary or his designated representative, who shall conduct a public hearing at a location in the general vicinity of the area, notice of which shall be given at least one week prior to the date thereof. The foregoing limitation on construction and development shall not apply to expansion of those facilities known as Letterman General Hospital or the Western Medical Institute of Research.".

(c) Subsection 3(j) of such Act is amended to read as follows:

"(j) The owner of improved residential property or of agricultural property on the date of its acquisition by the Secretary under this Act may, as a condition of such acquisition, retain for himself and his or her heirs and assigns a right of use and occupancy 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 or her spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partly donated to the United States, the Secretary shall pay to the owner the fair market value of the property on the date of acquisition minus 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 or her 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 or her an amount equal to the fair market value of that portion of the right which remains unexpired. Where appropriate in the discretion of the Secretary, he or she may lease federally owned land (or any interest therein) which has been acquired by the Secretary under this Act, and which was agricultural land prior to its acquisition. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act. Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land or who was a leaseholder thereon immediately before its acquisition by the United States.".

(d) In subsection 3(k) of such Act, following "June 1, 1971," insert "or, in the case of areas added by action of the Ninety-fifth Congress, October 1, 1978,"; and at the end of the subsection, add the following new sentence: "The term 'agricultural property' as used in this Act means lands which are in regular use for agricultural, ranching, or dairying purposes as of January 1, 1978, together with residential and other structures related to the above uses of the property as such structures exist on said date."

(e) Section 3 of such Act is amended by adding the following at the end thereof:

"(n) The Secretary shall accept and shall manage in accordance with this Act, any land and improvements adjacent to the recreation area which are donated by the State of California or its political subdivisions. The boundaries of the recreation area shall be changed to include such donated lands.

"(o) In acquiring those lands authorized by the Ninety-fifth Congress for the purposes of this Act, the Secretary may, when agreed upon by the landowner involved, defer payment or schedule payments over a period of ten years and pay interest on the unpaid balance at a rate not exceeding that paid by the Treasury of the United States for borrowing purposes.".

(f) Section 4 of such Act is amended by adding the following at the end thereof:

"(e) No fees or admission charges shall be levied for admission of the general public to the recreation area except to portions under lease or permit for a particular and limited purpose authorized by the Secretary. The Secretary may authorize reasonable charges for public transportation and, for a period not exceeding five years from the date of enactment of this legislation, for admission to the sailing vessel Balclutha.

"(f) Notwithstanding any other provisions of law, in the administration of those parcels of property known as Haslett Warehouse, Cliff House Properties and Louis' Restaurant, the Secretary shall credit any proceeds from the rental of space in the aforementioned properties to the appropriation, if any, bearing the cost of their administration, maintenance, repair and related expenses and also for the maintenance, repair and related expenses of the vessels and the adjacent piers comprising the National Maritime Museum, for major renovation and park rehabilitation of those buildings included in the Fort Mason Foundation Cooperative Agreement, and for a coordinated public and private access system to and within the recreation area and other units of the national park system in Marin and San Francisco Counties: *Provided,* That surplus funds, if any, will be deposited into the Treasury of the United States: *Provided further,* That notwithstanding any other provision of law, in the administration of said parcels the Secretary may, if he deems appropriate, enter into a contract for the management of said parcels of property with such terms and conditions as will protect the Government's interest, with excess funds being used as set forth above.".

(g) Section 5(b) of such Act is amended by changing the word "fifteen" to "seventeen".

* * * * * * *

Approved November 10, 1978.

6. Hells Canyon

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE VI—MISCELLANEOUS PROVISIONS

* * * * * * *

HELLS CANYON NATIONAL RECREATION AREA

SEC. 607. The words "September 1975" in section 1(b) of the Act of December 31, 1975 (Public Law 94-199), are deleted and replaced with the words "May 1978," to clarify that the boundary between Saulsberry and Freezeout Saddles is the hydrologic divide.

* * * * * * *

Approved November 10, 1978.

7. Lake Chelan

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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:

* * * * * * *

(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".

* * * * * * *

Approved October 21, 1976.

8. Lake Mead

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93-477)

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:

* * * * * * *

(12) Lake Mead National Recreation Area, Arizona and Nevada: Section 10 of the Act of October 8, 1964 (78 Stat. 1039) is amended by deleting "$1,200,000" and inserting in lieu thereof "$7,100,000".

* * * * * * *

Approved October 26, 1974.

9. Oregon Dunes

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

OREGON DUNES NATIONAL RECREATION AREA

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.".

* * * * * * *

Approved October 21, 1976.

10. Santa Monica Mountains

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE V—ESTABLISHMENT OF NEW AREAS AND ADDITIONS TO NATIONAL TRAILS SYSTEM

SUBTITLE A - PARKS, SEASHORES, ETC.

* * * * * * *

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA

SEC. 507. (a) The Congress finds that—

(1) there are significant scenic, recreational, educational, scientific, natural, archeological, and public health benefits provided by the Santa Monica Mountains and adjacent coastline area;

(2) there is a national interest in protecting and preserving these benefits for the residents of and visitors to the area; and

(3) the State of California and its local units of government have authority to prevent or minimize adverse uses of the Santa Monica Mountains and adjacent coastline area and can, to a great extent, protect the health, safety, and general welfare by the use of such authority.

(b) There is hereby established the Santa Monica Mountains National Recreation Area (hereinafter referred to as the "recreation area"). The Secretary shall manage the recreation area in a manner which will preserve and enhance its scenic, natural, and historical setting and its public health value as an airshed for the Southern California metropolitan area while providing for the recreational and educational need of the visiting public.

(c)(1) The recreation area shall consist of the lands and waters and interests generally depicted as the recreation area on the map entitled "Boundary Map, Santa Monica Mountains National Recreation Area, California, and Santa Monica Mountains Zone", numbered SMM-NRA 80,000, and dated May 1978, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and in the offices of the General Services Administration in the Federal Office Building in West Los Angeles, California, and in the main public library in Ventura, California. After advising the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, in writing, the Secretary may make minor

revisions of the boundaries of the recreation area when necessary by publication of a revised drawing or other boundary description in the Federal Register.

(2) Not later than ninety days after the date of enactment of this Act, the Secretary, after consultation with the Governor of the State of California, the California Coastal Commission, and the Santa Monica Mountains Comprehensive Planning Commission, shall commence acquisition of lands, improvements, waters, or interests therein within the recreation area. Such acquisition may be by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or otherwise. Any lands or interests therein owned by the State of California or any political subdivision thereof (including any park district or other public entity) may be acquired only by donation, except that such lands acquired after the date of enactment of this section by the State of California or its political subdivisions may be acquired by purchase or exchange if the Secretary determines that the lands were acquired for purposes which further the national interest in protecting the area and that the purchase price or value on exchange does not exceed fair market value on the date that the State acquired the land or interest: *Provided, however,* That the value of any lands acquired by the Secretary under the exception in this sentence shall be deducted from the amount of moneys available for grants to the State under subsection (n) of this section. Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area shall, with the concurrence of the head of the agency having custody thereof, be transferred without cost, to the administrative jurisdiction of the Secretary for the purposes of the recreation area.

(3) The Administrator of the General Services Administration is hereby authorized and directed to transfer the site generally known as Nike Site 78 to the Secretary for inclusion in the recreation area: *Provided,* That the county of Los Angeles shall be permitted to continue to use without charge the facilities together with sufficient land as in the determination of the Secretary shall be necessary to continue to maintain and operate a fire suppression and training facility and shall be excused from payment for any use of the land and facilities on the site prior to the enactment of this Act. At such time as the county of Los Angeles, California, relinquishes control of such facilities and adjacent land or ceases the operation of the fire suppression and training facility, the land and facilities shall be managed by the Secretary as a part of the recreation area.

(d)(1) Within six months after the date of enactment of this Act, the Secretary shall identify the lands, waters, and interests within the recreation area which must be acquired and held in public ownership for the following critical purposes: preservation of beaches and coastal

uplands; protection of undeveloped inland stream drainage basins; connection of existing State and local government parks and other publicly owned lands to enhance their potential for public recreation use; protection of existing park roads and scenic corridors, including such right-of-way as is necessary for the protection of the Mulholland Scenic Parkway Corridor; protection of the public health and welfare; and development and interpretation of historic sites and recreation areas in connection therewith, to include, but not be limited to, parks, picnic areas, scenic overlooks, hiking trails, bicycle trails, and equestrian trails. The Secretary may from time to time revise the identification of such areas, and any such revisions shall become effective in the same manner as herein provided for revisions in the boundaries of the recreation area.

(2) By January 1, 1980, the Secretary shall submit, in writing, to the committees referred to in subsection (c) and to the Committees on Appropriations of the United States Congress a detailed plan which shall indicate—

(A) the lands and areas identified in paragraph (1),

(B) the lands which he has previously acquired by purchase, donation, exchange, or transfer for the purpose of this recreation area,

(C) the annual acquisition program (including the level of funding) recommended for the ensuing five fiscal years, and

(D) the final boundary map for the recreation area.

(e) With respect to improved properties, as defined in this section, fee title shall not be acquired unless the Secretary finds that such lands are being used, or are threatened with uses, which are detrimental to the purposes of the recreation area, or unless each acquisition is necessary to fulfill the purposes of this section. The Secretary may acquire scenic easements to such improved property or such other interests as, in his judgment are necessary for the purposes of the recreation area.

(f) For the purposes of this section, the term "improved property" means—

(1) a detached single-family dwelling, the construction of which was begun before January 1, 1976 (hereafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated as is in the same ownership as the dwelling and as the Secretary designates to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures necessary to the dwelling which are situated on the land so designated, and

(2) property developed for agricultural uses, together with any structures accessory thereto as were used for agricultural purposes on or before January 1, 1978.

In determining when and to what extent a property is to be treated as "improved property" for purposes of this section, the Secretary shall take into consideration the manner of use of such buildings and lands prior to January 1, 1978, and shall designate such lands as are reasonably necessary for the continued enjoyment of the property in the same manner and to the same extent as existed prior to such date.

(g) The owner of an improved property, as defined in this section, on the date of its acquisition, as a condition of such acquisition, may retain for herself or himself, her or his heirs and assigns, a right of use and occupancy of the improved property for noncommercial residential or agriculture purposes, as the case may be, 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 her or his spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partially donated, the Secretary shall pay to the owner the fair market value of the property on the date of its acquisition, less the fair market value on that date of the right retained by the owner. A right retained by the owner 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 section, and it shall terminate by operation of law upon notification by the Secretary to the holder of the right of such determination and tendering to him the amount equal to the fair market value of that portion which remains unexpired.

(h) In exercising the authority to acquire property under this section, the Secretary shall give prompt and careful consideration to any offer made by an individual owning property within the recreation area to sell such property, if such individual notifies the Secretary that the continued ownership of such property is causing, or would result in, undue hardship.

(i) The Secretary shall administer the recreation area in accordance with this Act and provisions of laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.). In the administration of the recreation area, the Secretary may utilize such statutory authority available for the conservation and management of wildlife and natural resources as appropriate to carry out the purpose of this section. The fragile resource areas of the recreation area shall be administered on a low-intensity basis, as determined by the Secretary.

(j) The Secretary may enter into cooperative agreements with the State of California, or any political subdivision thereof, for the rendering, on a reimbursable basis, of rescue, firefighting, and law enforcement services and cooperative assistance by nearby law enforcement and fire preventive agencies.

(k) Notwithstanding any other provision of law, the

Secretary is authorized to accept donations of funds, property, or services from individuals, foundations, corporations, or public entities for the purpose of land acquisition and providing services and facilities which the Secretary deems consistent with the purposes of this section.

(l) By January 1, 1981, the Santa Monica Mountains National Recreation Area Advisory Commission, established by this section, shall submit a report to the Secretary which shall—

(1) assess the capability and willingness of the State of California and the local units of government to manage and operate the recreation area,

(2) recommend any changes in ownership, management, and operation which would better accomplish the purposes of this section, and

(3) recommend any conditions, joint management agreements, or other land use mechanisms to be contingent on any transfer of land.

(m) The Secretary, after giving careful consideration to the recommendations set forth by the Advisory Commission, shall, by January 1, 1982, submit a report to the Committees referred to in subsection (c) which shall incorporate the recommendations of the Advisory Commission as well as set forth in the Secretary's recommendations. Such report shall—

(1) assess the benefits and costs of continued management as a unit of the National Park System,

(2) assess the capability and willingness of the State of California and the local units of government to manage and operate the recreation area, and

(3) recommend any changes in ownership, management, and operation which would better accomplish the purposes of this section.

(n)(1) The Secretary shall request the Santa Monica Mountains Comprehensive Planning Commission to submit a comprehensive plan, prepared in accord with this section and title 7.75 of the California Government Code (commencing with section 67450), for the Santa Monica Mountains Zone generally depicted on the map referred to in subsection (c) of this section for approval.

(2) The comprehensive plan shall include, in addition to the requirements of California State law—

(A) an identification and designation of public and private uses which are compatible with and which would not significantly impair the significant scenic, recreational, educational, scientific, natural, archeological, and public health benefits present in the zone and which would not have an adverse impact on the recreation area or on the air quality of the south coast air basin;

(B) a specific minimum land acquisition program which shall include, but not be limited to, fee and less than fee acquisition of strategic and critical sites

not to be acquired by the Federal Government for public recreational and other related uses; and a program for the complementary use of State and local authority to regulate the use of lands and waters within the Santa Monica Mountains Zone to the fullest extent practicable consistent with the purposes of this section; and

(C) a recreation transportation system which may include but need not be limited to existing public transit.

(3) No plan submitted to the Secretary under this section shall be approved unless the Secretary finds the plan consistent with paragraph (2) and finds that—

(A) the planning commission has afforded adequate opportunity, including public hearings, for public involvement in the preparation and review of the plan, and public comments were received and considered in the plan or revision as presented to him;

(B) the State and local units of government identified in the plan as responsible for implementing its provisions have the necessary authority to implement the plan and such State and local units of government have indicated their intention to use such authority to implement the plan;

(C) the plan, if implemented, would preserve significant natural, historical, and archeological benefits and, consistent with such benefits, provide increased recreational opportunities for persons residing in the greater Los Angeles-southern California metropolitan area; and

(D) implementation of the plan would not have a serious adverse impact on the air quality or public health of the greater Los Angeles region.

Before making his findings on the air quality and public health impacts of the plan, the Secretary shall consult with the Administrator of the Environmental Protection Agency.

(4) Following approval of the plan with respect to the Santa Monica Mountains Zone, upon receipt of adequate assurances that all aspects of that jurisdiction's implementation responsibilities will be adopted and put into effect, the Secretary shall—

(A) provide grants to the State and through the State to local governmental bodies for acquisition of lands, waters, and interests therein identified in paragraph (2)(B), and for development of essential public facilities, except that such grants shall be made only for the acquisition of lands, waters, and interests therein, and related essential public facilities, for park, recreation, and conservation purposes; and

(B) provide, subject to agreements that in the opinion of the Secretary will assure additional pres-

ervation of the lands and waters of the zone, such funds as may be necessary to retire bonded indebtedness for water and sewer and other utilities already incurred by property owners which in the opinion of the Secretary would if left outstanding contribute to further development of the zone in a manner inconsistent with the approved plan developed by the planning commission.

No grant for acquisition of land may be made under subparagraph (A) unless the Secretary receives satisfactory assurances that such lands acquired under subparagraph (A) shall not be converted to other than park, recreation, and conservation purposes without the approval of the Secretary and without provision for suitable replacement land.

(5) Grants under this section shall be made only upon application of the recipient State and shall be in addition to any other Federal financial assistance for any other program, and shall be subject to such terms and conditions as the Secretary deems necessary to carry out the purposes of this section. Any jurisdiction that implements changes to the approved plan which are inconsistent with the purposes of this section, or adopts or acquiesces in changes to laws regulations or policies necessary to implement or protect the approved plan, without approval of the Secretary, may be liable for reimbursement of all funds previously granted or available to it under the terms of this section without regard to such additional terms and conditions or other requirements of law that may be applicable to such grants. During the life of the planning commission, changes to the plan must be submitted by the planning commission to the Secretary for approval. No such application for a grant may be made after the date five years from the date of the Secretary's approval of the plan.

(o) The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in the lands and waters within the Santa Monica Mountains Zone, generally depicted on the map referred to in subsection (c), and the head of any Federal agency having authority to license or permit any undertaking in such lands and waters shall, prior to the approval of the expenditure of any Federal funds on such undertaking or prior to the issuance of any license or permit, as the case may be, afford the Secretary a reasonable opportunity to comment with regard to such undertaking and shall give due consideration to any comments made by the Secretary and to the effect of such undertaking on the "findings" and purposes of this section.

(p) The Secretary shall give full consideration to the recommendations of the California Department of Parks and Recreation, the Santa Monica Mountains Compre-

hensive Planning Commission, and the California Coastal Commission.

(q)(1) There is hereby established the Santa Monica Mountains National Recreation Area Advisory Commission (hereinafter referred to as the "Advisory Commission"). The Advisory Commission shall terminate ten years after the date of establishment of the recreation area.

(2) The Advisory Commission shall be composed of the following members to serve for terms of five years as follows:

(A) one member appointed by the Governor of the State of California;

(B) one member appointed by the mayor of the city of Los Angeles;

(C) one member appointed by the Board of Supervisors of Los Angeles County;

(D) one member appointed by the Board of Supervisors of Ventura County; and

(E) five members appointed by the Secretary, one of whom shall serve as the Commission Chairperson.

(3) The Advisory Commission shall meet on a regular basis. Notice of meetings and agenda shall be published in local newspapers which have a distribution which generally covers the area. Commission meetings shall be held at locations and in such a manner as to insure adequate public involvement. Such locations shall be in the region of the Santa Monica Mountains and no more than twenty-five miles from it.

(4) Members of the Commission shall serve without compensation as such, but the Secretary may pay expenses reasonably incurred in carrying out their responsibilities under this Act on vouchers signed by the Chairperson.

(5) The Secretary, or his or her designee, shall from time to time but at least semiannually, meet and consult with the Advisory Commission on matters relating to the development of this recreation area and with respect to carrying out the provisions of this section.

(r) There are authorized to be appropriated such sums as may be necessary for acquisition of lands and interests in land within the boundaries of the recreation area established under this section, but not more than $15,000,000 for fiscal year 1979, $40,000,000 for fiscal year 1980, $45,000,000 for fiscal year 1981, $10,000,000 for fiscal year 1982, and $15,000,000 for fiscal year 1983, such sums to remain available until expended. For grants to the State pursuant to subsection (n) there are authorized to be appropriated not more than $10,000,000 for fiscal year 1979, $10,000,000 for fiscal year 1980, $5,000,000 for fiscal year 1981, and $5,000,000 for fiscal year 1982, such sums to remain available until expended. For the authorizations made in this subsection, any

amounts authorized but not appropriated in any fiscal year shall remain available for appropriation in succeeding fiscal years.

(s) For the development of essential public facilities in the recreation area there are authorized to be appropriated not more than $500,000. The Congress expects that, at least until assessment of the report required by subsection (t), any further development of the area shall be accomplished by the State of California or local units of government, subject to the approval of the Director, National Park Service.

(t) Within two years from the date of establishment of the recreation area pursuant to this section, the Secretary shall, after consulting with the Advisory Commission, develop and transmit to the Committees referred to in subsection (c) a general management plan for the recreation area consistent with the objectives of this section. Such plan shall indicate—

(1) a plan for visitor use including the facilities needed to accommodate the health, safety, education and recreation needs of the public;

(2) the location and estimated costs of all facilities;

(3) the projected need for any additional facilities within the area;

(4) any additions or alterations to the boundaries of the recreation area which are necessary or desirable to the better carrying out of the purposes of this section; and

(5) a plan for preservation of scenic, archeological and natural values and of fragile ecological areas.

* * * * * * *

Approved November 10, 1978.

11. Sawtooth

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE II—ACQUISITION CEILING INCREASES

SEC. 201. The limitations on appropriations for the acquisition of lands and interests therein within certain units of the National Park System are amended as follows:

* * * * * * *

SAWTOOTH NATIONAL RECREATION AREA

SEC. 202. Section 13 of the Act of August 22, 1972 (86 Stat. 612), is amended by changing "$19,802,000" to "$47,802,000".

* * * * * * *

Approved November 10, 1978.

12. Whiskeytown-Shasta-Trinity

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(27) Whiskeytown-Shasta-Trinity National Recreation Area, California: Section 10 of the Act of November 8, 1965 (79 Stat. 1295), is amended by changing "$22,700,000" to "$24,649,000".

* * * * * * *

Approved November 10, 1978.

XIII. NATIONAL CAPITAL REGION

1. American Legion's Freedom Bell

An Act to authorize the erection of the American Legion's Freedom Bell on lands of the park system of the District of Columbia, and for other purposes. (90 Stat. 2242) (P.L. 94-483)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the American Legion is authorized to erect on lands of the park system of the District of Columbia and its environs on lands owned by the United States and to present to the Congress of the United States on behalf of the children of America, the American Legion's Freedom Bell, in honor of the Bicentennial celebration of the signing of the Declaration of Independence.

SEC. 2. All plans for the choice of the site and the placement of the freedom bell pursuant to the first section of this bill are subject to (1) the approval of the Secretary of the Interior, the Commission on Fine Arts, and the National Capital Planning Commission, and (2) the placement of the bell is begun within five years after the date of enactment of this Act.

Approved October 12, 1976.

Legislative History:

House Report No. 94-1563 accompanying H.J. Res. 915 (Comm. on Interior and Insular Affairs).
Senate Report No. 94-1250 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
Sept. 20, considered and passed Senate.
Sept. 29, considered and passed House.

2. Bernardo de Galvez Statue

An Act to authorize the erection of a statue of Bernardo de Galvez on public grounds in the District of Columbia (90 Stat. 519) (P.L. 94–287)

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 shall select an appropriate site for the location of a statue, including pedestal therefor, of Bernardo de Galvez, a gift of the Government of Spain in recognition of the Bicentennial celebrations of the United States of America and as a token of the friendship that exists between the people of Spain and the people of the United States. Such statute shall be erected on grounds now owned by the United States of America in the District of Columbia if (1) the choice of the site and the design of the statue is approved by the Commission of Fine Arts and the National Capital Planning Commission, and (2) the erection of the statue is begun within five years after the date of the enactment of this Act. The erection of the statue and proper landscape treatment of the site, including walks, shall be without expense to the United States of America, except for necessary maintenance after completion.

Approved May 21, 1976.

Legislative History:

Senate Report No. 94–775 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
May 5, considered and passed Senate.
May 10, considered and passed House, in lieu of H.R. 11844.

3. Constitution Gardens

An Act to authorize the Secretary of the Interior to memorialize the fifty-six signers of the Declaration of Independence in Constitution Gardens in the District of Columbia. (92 Stat. 197) (P.L. 95–260)

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 (hereinafter in this Act referred to as the "Secretary") may establish a memorial in honor of the fifty-six men who signed the Declaration of Independence, such memorial to be on a suitable site selected by the Secretary, with the approval of the National Commission of Fine Arts and the National Capital Planning Commission, in the area known as Constitution Gardens in the District of Columbia.

SEC. 2. The Administrator of the American Revolution Bicentennial Administration (hereinafter in this Act referred to as the "Administrator") shall prepare, in consultation with the American Revolution Bicentennial Board, the Secretary, the National Commission of Fine Arts, and the National Capital Planning Commission, the design and plans for the memorial authorized by the first section.

SEC. 3. (a) Not to exceed $500,000 of the funds, other than appropriated funds, which are available to the American Revolution Bicentennial Administration under the Act entitled "An Act to establish the American Revolution Bicentennial Administration, and for other purposes", approved December 11, 1973 (87 Stat. 697), and as approved by the American Revolution Bicentennial Board, may be used to carry out the provisions of the first two sections of this Act.

(b) Of the funds described in subsection (a) which are not used by the Administrator in carrying out the provisions of section 2, the Administrator shall transfer to the Secretary such sums as may be necessary to enable the Secretary to carry out the provisions of the first section of this Act.

SEC. 4. (a) The establishment of the memorial authorized by the first section may not begin unless the Secretary determines that sums expended in carrying out the first two sections of this Act will not exceed $500,000. Such determination shall be made in consultation with the Administrator if the American Revolution Bicentennial Administration has not terminated pursuant to section 7 of the Act of December 11, 1973 (87 Stat. 701).

(b) The authority contained in the first section shall expire unless the establishment of the memorial authorized by such section is begun within two years after the date of the enactment of this Act.

SEC. 5. (a) The maintenance and care of the memorial authorized under the first section shall be the responsibility of the Secretary.

(b) There are authorized to be appropriated for the fiscal year beginning on October 1, 1977, and each fiscal year thereafter such sums as may be necessary to carry out the provisions of subsection (a).

SEC. 6. No funds other than funds described in section 3 and funds authorized to be appropriated in section 5(b) may be used by the Administrator or the Secretary to carry out this Act.

SEC. 7. The Secretary shall carry out any functions of the Administrator under this Act after the termination of the American Revolution Bicentennial Administration pursuant to section 7 of the Act of December 11, 1973 (87 Stat. 701), provided that the Secretary shall consult with those persons who were members of the American Revolution Bicentennial Board on the date of its termination.

Approved April 17, 1978.

Legislative History:

House Report No. 95-462, pt. I (Comm. on House Administration).
Senate Report No. 95-621 (Comm. on Rules and Administration).
Congressional Record:
Vol. 23 (1977): July 11, considered and passed House.
Vol. 24 (1978): Jan 27, considered and passed Senate, amended.
Apr. 4, House agreed to Senate amendment.

4. First Infantry Division Vietnam Monument

An Act to authorize the erection of a monument to the dead of the First Infantry Division, United States Forces in Vietnam. (88 Stat. 741) (P.L. 93-384)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Society of the First Infantry Division—First Division Memorial Committee is authorized to erect (at no cost to the United States or the District of Columbia) a monument to the dead of the First Infantry Division, United States Forces in Vietnam, on the public grounds of the United States in the District of Columbia previously set aside for memorial purposes of the First Infantry Division, adjacent to the monument to the dead of the First Infantry Division, American Expeditionary Forces in World War I, and adjacent to the monument to the dead of the First Infantry Division, United States Forces in World War II.

SEC. 2. The design and plans for such monument shall be subject to the approval of the Secretary of the Interior, the National Commission of Fine Arts, and the National Capital Planning Commission.

SEC. 3. The Secretary of the Interior shall be responsible for the maintenance and care of any such monument, in accordance with the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935.

Approved August 23, 1974.

Legislative History:

House Report No. 93-1254 (Comm. on House Administration).
Congressional Record:
Vol. 119 (1973): Feb. 19, considered and passed Senate.
Vol. 120 (1974): Aug. 19, considered and passed House.

5. Frederick Douglass Home

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(10) Frederick Douglass Home, District of Columbia: Section 4 of the Act of September 5, 1962 (76 Stat. 435), is amended by changing "$413,000" to "$1,350,000".

* * * * * * *

Approved November 10, 1978.

6. John F. Kennedy Center

An Act authorizing further appropriations to the Secretary of the Interior for services necessary to the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, and for other purposes. (87 Stat. 161) (P.L. 93-67)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That 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 are hereby authorized to be appropriated for the purpose of carrying out this subsection, not to exceed $2,400,000 for the fiscal year ending June 30, 1974, and $2,500,000 for the fiscal year ending June 30, 1975."

Approved July 10, 1973.

Legislative History:

House Report No. 93-210 accompanying H.R. 5858 (Comm. on Public Works).
Senate Report No. 93-241 (Comm. on Public Works).
Congressional Record, Vol. 119 (1973):
May 30, H.R. 5858 considered and passed House.
June 27, considered and passed Senate.
June 29, considered and passed House.

An Act to authorize appropriations for services necessary to nonperforming arts functions of the John F. Kennedy Center. (89 Stat. 608) (P.L. 94-119)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 6 of the John F. Kennedy Center Act is amended by adding at the end thereof the following: "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.".

SEC. 2. Section 6 of the John F. Kennedy Center Act is amended by adding the following new subsection:

"(f) The General Accounting Office is authorized and directed to review and audit, regularly, the accounts of the Kennedy Center for the Performing Arts, for the purpose of determining the continuing ability of the Center to pay its share of future operating costs, and for the purpose of assuring that the cost-of-living formula fairly and accurately reflects the use of the building.".

Approved October 21, 1975.

Legislative History:

House Report No. 94-280 (Comm. on Public Works and Transportation).
Senate Report No. 94-352 (Comm. on Public Works).
Congressional Record, Vol. 121 (1975):
July 21, considered and passed House.
Aug. 1, considered and passed Senate, amended.
Oct. 8, House concurred in Senate amendments.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

JOHN F. KENNEDY CENTER

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.".

* * * * * * *

Approved October 21, 1976.

An Act to amend the John F. Kennedy Center Act to authorize funds for the repair of leaks. (91 Stat. 232) (P.L. 95–50)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 8 of the John F. Kennedy Center Act (Public Law 85–874, as amended) is amended by adding the following new subsection:

"(c) There are authorized to be appropriated to the Secretary of the Interior, acting through the National Park Service, not to exceed $4,700,000 for repair, renovation, and reconstruction of the John F. Kennedy Center for the Performing Arts necessary to correct water leaks in the roof, the terraces, the kitchen, and the East Plaza Drive and to correct any damage which as resulted from those leaks. No contract shall be entered into for any property or services necessary to carry out this subsection unless such contract has been approved by the Board, and no final payment for such property or services shall be made under any such contract unless such payment has been approved by the Board. No part of the funds authorized by this subsection shall be expended under any cost-plus-a-percentage-of-cost, cost-plus-a-fixed-fee, or similar incentive-type contract. Funds authorized by this subsection shall be expended under a contract only after advertising and competitive bidding for the property or services to be provided by such contract.".

(b) Subsection (a) of section 8 of such Act is amended by striking out "section." and inserting in lieu thereof "subsection.".

SEC. 2. Subsection (e) of section 6 of the John F. Kennedy Center Act is amended by striking out the second sentence thereof, and in the last sentence thereof by

striking out "and" and the period at the end thereof and inserting in lieu thereof a comma and the following: "and $4,000,000 for the fiscal year ending September 30, 1978.".

Approved June 20, 1977.

Legislative History:

House Report No. 95-18 accompanying H.R. 2846 (Comm. on Public Works and Transportation).
Senate Report No. 95-4 (Comm. on Public Works).
Congressional Record, Vol. 123 (1977):
Feb. 24, considered and passed Senate.
Mar. 4, considered and passed House, amended, in lieu of H.R. 2846.
May 27, Senate agreed to conference report.
June 8, House agreed to conference report.

An Act authorizing appropriations to the Secretary of the Interior for services necessary to the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, and for other purposes. (92 Stat. 348) (P.L. 95-305)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 6 of the John F. Kennedy Center Act (72 Stat. 1698), as amended, is amended by adding at the end thereof the following: "There is authorized to be appropriated to carry out this subsection not to exceed $4,200,000 for the fiscal year ending September 30, 1979.".

Approved June 29, 1978.

Legislative History:

House Report No. 95-1113 accompanying H.R. 12098 (Comm. on Public Works and Transportation).
Senate Report No. 95-831 (Comm. on Environment and Public Works).
Congressional Record, Vol. 124 (1978):
May 23, considered and passed Senate.
June 21, considered and passed House, in lieu of H.R. 12098.

7. Lincoln Memorial

An Act to provide for the recognition of the States of Alaska and Hawaii at the Lincoln National Memorial, and for other purposes. (90 Stat. 2632) (P.L. 94-556)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of providing appropriate commemoration at the Lincoln National Memorial of the addition of the States of Alaska and Hawaii to the Union, the Secretary of the Interior is authorized and directed to study the feasibility of and make recommendations for the recognition at an appropriate place at such memorial of the addition to the Union of the States of Alaska and Hawaii. Such recommendations shall after review and approval by the Commission of Fine Arts, the National Capital Planning Commission, and the Advisory Council on Historic Preservation be submitted to the Committees on Interior and Insular Affairs of the Senate and the House of Representatives of the United States. If, at the end of sixty days (not counting days on which the Senate or the House of Representatives has adjourned for more than three consecutive days) following receipt of such recommendations, neither committee has adopted a resolution of disapproval, the Secretary is authorized and directed to carry out said recommendations.

SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not to exceed $20,000. No funds authorized to be appropriated pursuant to this Act shall be available prior to October 1, 1977.

Approved October 19, 1976.

Legislative History:

House Report No. 94-1684 (Comm. on Interior and Insular Affairs).
Senate Report No. 94-734 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
Apr. 6, considered and passed Senate.
Sept. 27, considered and passed House, amended.
Oct. 1, Senate concurred in House amendment.

8. Lyndon Baines Johnson Memorial Grove on the Potomac

An Act to provide for the establishment of the Lyndon Baines Johnson Memorial Grove on the Potomac. (87 Stat. 909) (P.L. 93-211)

Whereas friends and admirers of the late President Lyndon Baines Johnson wish to pay tribute to him by developing a living memorial in the form of a Lyndon Baines Johnson Memorial Grove on the Potomac and have formed a committee, in cooperation with the Society for a More Beautiful National Capital, Incorporated, a nonprofit corporation established under the laws of the District of Columbia on April 21, 1965, to that end;

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Interior is authorized to cooperate with the Committee for a Lyndon Baines Johnson Memorial Grove on the Potomac and the Society for a More Beautiful National Capital, Incorporated, in developing an appropriate memorial in the form of a living grove of trees and related facilities to honor Lyndon Baines Johnson, the thirty-sixth President of the United States.

SEC. 2. The grove shall be located on a portion of the land designated by the Secretary of the Interior on November 12, 1968, as Lady Bird Johnson Park, Washington, District of Columbia. The design of the grove shall be subject to the approval of the Secretary of the Interior, the National Capital Planning Commission, and the Commission of Fine Arts.

SEC. 3. Unless funds in the amount which the Secretary of the Interior determines are sufficient to insure completion of the memorial are certified available, and the development of the memorial is begun within ten years from the date of enactment of this joint resolution, the authorization granted by this joint resolution shall lapse. The United States shall be put to no expense in or by the development of the memorial.

Approved December 28, 1973.

Legislative History:

House Report No. 93-731 (Comm. on Public Works).
Senate Report No. 93-660 accompanying S.J. Res. 178 (Comm. on Rules and Administration).
Congressional Record, Vol. 119 (1973):
Dec. 18, considered and passed House.
Dec. 20, considered and passed Senate, in lieu of S.J. Res. 178.
Weekly Compilation of Presidential Documents, Vol. 10, No. 1 (1974):
Dec. 28, 1973, Presidential statement.

An Act to amend the Joint Resolution approved December 28, 1973, providing for the establishment of the Lyndon Baines Johnson Memorial Grove on the Potomac, and for other purposes. (80 Stat. 870) (P.L. 94-162)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the joint resolution approved December 28, 1973 (87 Stat. 909), providing for the es-

tablishment of the Lyndon Baines Johnson Memorial Grove on the Potomac, is amended by changing the period in the last sentence to a comma and inserting the following thereafter: "except that this provision shall not apply to the development, hereby authorized, of improvements to federally owned land that will facilitate or enhance the pedestrian and vehicular access to the memorial: *Provided, however,* That in no event shall Federal expenditures for such development exceed $1,000,000."

Approved December 20, 1975.

Legislative History:

House Report No. 94-684 (Comm. on Interior and Insular Affairs).
Senate Report No. 94-530 (Comm. on Rules and Administration).
Congressional Record, Vol. 121 (1975):
Dec. 1, considered and passed House.
Dec. 11, considered and passed Senate.

9. Montgomery County

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

MONTGOMERY COUNTY

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).

* * * * * * *

Approved October 21, 1976.

10. National Visitor Center

An Act to amend the National Visitor Center Facilities Act of 1968, and for other purposes. (87 Stat. 146) (P.L. 93-62)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Visitor Center Facilities Act of 1968 (82 Stat. 43), is amended by inserting after subsection (b) in section 102 the following new subsection:

"(c) In addition to the alterations and construction by the company pursuant to subsection (a) of this section, the Secretary is authorized to undertake, directly by competitive bidding or, if he deems it to be in the best interest of the United States, by negotiated contract with the company, its successors, agents, and assigns, such alterations and construction, with regard to the Union Station Building and the adjacent parking facility, as he deems necessary to supplement the activities of the company in providing adequate facilities for visitors under the agreements and leases referred to in subsection (a). The Secretary may exercise the authority under this subsection without regard to whether or not title to the Union Station Building or the airspace adjacent thereto is in the United States: *Provided,* That he shall have entered into an agreement for a lease (but such lease need not have commenced) with the company incorporating the provisions of paragraph (5) of subsection (a) prior to the exercise of the authority under this subsection: *And provided further,* That not to exceed $8,680,000 of the funds authorized to be appropriated in section 109 shall be available for the Secretary to carry out the provisions of this subsection."

SEC. 2. The National Visitor Center Facilities Act of 1968 (82 Stat. 43) is amended by revising section 104 to read as follows:

"SEC. 104. The Secretary is directed to utilize the authority under the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.), to provide interpretive transportation services between or in Federal areas within the District of Columbia and environs, including, but not limited to, transportation of visitors on, among, and between the Mall, the Ellipse, the National Visitor Center, John F. Kennedy Center for the Performing Arts, and East and West Potomac Park, and such other visitor facilities as may be established pursuant to this Act, and, with the concurrence of the Architect of the Capitol, to provide such services on, among, and between such areas and the United States Capitol Grounds. The Secretary shall determine that such services are desirable to facilitate visitation and to insure proper management and protection of such areas. Such interpretive transportation services shall, notwithstanding any other provision of law to the contrary, be

deemed transportation by the United States and shall be under the sole and exclusive charge and control of the Secretary."

Approved July 6, 1973.

Legislative History:

House Report No. 93-209 (Comm. on Public Works).
Senate Report No. 93-228 (Comm. on Public Works).
Congressional Record, Vol. 119 (1973):
May 30, considered and passed House.
June 22, considered and passed Senate.

An Act to amend the National Visitor Center Facilities Act of 1968. (88 Stat. 1449) (P.L. 93-478)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 102(a)(2) of the National Visitor Center Facilities Act of 1968 (82 Stat. 43), as amended, is further amended by deleting the phrase, "contingent when such facilities are available for public use.".

SEC. 2. The National Visitor Center Facilities Act of 1968, as amended, is further amended by revising section 102(a)(3) to read as follows:

"(3) The Company, in consultation with the Secretary, shall construct all or part of a parking facility, including necessary approaches and ramps for adequate circulation, to accommodate automobiles, charter buses, and other transportation, as appropriate, in the airspace northerly of and adjacent to the existing Union Station Building, and such structure shall be leased to the United States for a term not to exceed twenty-five years commencing upon a date to be mutually agreed upon.".

SEC. 3. Section 102(c) of the National Visitor Center Facilities Act of 1968 is amended by striking out "$8,680,000" and inserting in lieu thereof "$21,580,000".

Approved October 26, 1974.

Legislative History:

House Report No. 93-1426 (Comm. on Public Works).
Congressional Record, Vol. 120 (1974):
Oct. 10, considered and passed House.
Oct. 11, considered and passed Senate.

An Act to authorize certain flagpoles to be located on the Capitol Grounds, and to improve the flow of traffic to and from the United States Capitol Grounds and the National Visitor Center. (90 Stat. 711) (P.L. 94-320)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the approval of the Architect of the Capitol and to such conditions as he may prescribe, the Secretary of the Interior is authorized to make such use of that portion of the United States Capitol Grounds adjacent or in close proximity to the sidewalks abutting the circular perimeter of the Union Station Plaza in front of Columbus Plaza and the National Visitor Center as may be necessary to enable the Secretary of the Interior to erect and maintain flagpoles to fly the flags of each of the States of the United States and its territories and

possessions, generally as shown on NCPC Map File Numbered 1.11 (38.00)–27861.

SEC. 2. (a) Notwithstanding any other provision of law, the Architect of the Capitol is authorized, subject to the provisions of this Act and to such conditions as the Architect of the Capitol may prescribe, to enter into an agreement with the appropriate officials of the government of the District of Columbia pursuant to which the Architect of the Capitol is authorized to permit the government of the District of Columbia to utilize certain areas of the United States Capitol Grounds for the purpose of making certain street changes in order to coordinate and improve the flow of traffic to and from the United States Capitol Grounds and the National Visitor Center (formerly Union Station), and the flow of traffic within Union Station Plaza.

(b) Pursuant to such agreement, the Architect of the Capitol is authorized to make available to the government of the District of Columbia, for the purposes referred to in subsection (a), certain portions of the United States Capitol Grounds as follows:

(1) approximately two thousand one hundred square feet of land in Square 680, at the east end thereof, located within the United States Capitol Grounds adjacent to the Union Station Plaza, Massachusetts Avenue, and E Street Northeast, in order to enable the government of the District of Columbia to carry out the purposes referred to in subsection (a) of this section, and to change the curbline, and relocate existing sidewalks and curbs, to conform to such street change;

(2) approximately three thousand five hundred square feet of land in Square 723, at the northwest end thereof, located within the United States Capitol Grounds adjacent to the Union Station Plaza, First Street, and Massachusetts Avenue Northeast, in order to enable the government of the District of Columbia to carry out the purposes referred to in subsection (a) of this section, and to change the curbline, and relocate existing sidewalks and curbs, to conform to such street change; and

(3) approximately four hundred square feet of land in Square 721, at the southwest end thereof, located within the United States Capitol Grounds adjacent to the Union Station Plaza and Massachusetts Avenue Northeast, in order to enable the government of the District of Columbia to carry out the purposes referred to in subsection (a) of this section, and to change the curbline, and relocate existing sidewalks and curbs, to conform to such street change.

SEC. 3. Nothing in this Act shall be construed to grant to the Secretary of the Interior or to the government of the District of Columbia any right, title, or interest in or to any part of the United States Capitol Grounds and such area affected by this Act or any agreement pursuant

thereto shall continue to be a part of the United States Capitol Grounds. All areas of the United States Capitol Grounds, including sidewalks, lawns and other growth, streets, and curblines, disturbed by reason of operations pursuant to this Act shall be promptly relocated or restored by the Secretary of the Interior or the government of the District of Columbia, as the case may be, in a manner approved by, and satisfactory to the Architect of the Capitol.

SEC. 4. The Congress shall not incur any expense, liability, obligation, or other responsibility (operational or otherwise), under or by reason of this Act, or any agreement pursuant to this Act, or be liable under any claim of any nature or kind that may arise from either the construction, operation, or maintenance of the flagpoles authorized by this Act, or from carrying out any agreement pursuant to this Act.

Approved June 25, 1976.

Legislative History:

House Report No. 94–1078 (Comm. on Public Works and Transportation).
Senate Report No. 94–699 (Comm. on Public Works).
Congressional Record, Vol. 122 (1976):
Mar. 18, considered and passed Senate.
May 17, considered and passed House, amended.
June 15, Senate concurred in House amendment.

11. One Hundred and First Airborne Division Association

An Act to authorize the One Hundred and First Airborne Division Association to erect a memorial in the District of Columbia or its environs. (90 Stat. 151) (P.L. 94–211)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the One Hundred and First Airborne Division Association is authorized to erect a memorial on public grounds in the District of Columbia or its environs in honor and in commemoration of the men of the "Screaming Eagles" of the One Hundred and First Airborne Division, United States Army, who have served their country in World War II, Vietnam, and maintaining peace.

SEC. 2. (a) The Secretary of the Interior is authorized and directed to select, with the approval of the National Commission of Fine Arts and the National Capital Planning Commission, a suitable site on public grounds in the District of Columbia, or its environs, upon which may be erected the memorial authorized in the first section of this Act: *Provided,* That the site selected is on public grounds belonging to or under the jurisdiction of the government of the District of Columbia, the approval of the Mayor of the District of Columbia shall also be obtained.

(b) The design and plans for such memorial shall be subject to the approval of the Secretary of the Interior, the National Commission of Fine Arts and the National Capital Planning Commission, and the United States or the District of Columbia shall be put to no expense in the erection thereof.

SEC. 3. The authority conferred pursuant to this Act shall lapse unless (1) the erection of such memorial is commenced within five years from the date of enactment of this Act, and (2) prior to its commencement funds are certified available in an amount sufficient, in the judgment of the Secretary of the Interior to insure completion of the memorial.

SEC. 4. The maintenance and care of the memorial erected under the provisions of this Act shall be the responsibility of the Secretary of the Interior, or, if the memorial is erected upon public grounds belonging to or under the jurisdiction of the District of Columbia, the government of the District of Columbia.

Approved February 6, 1976.

Legislative History:

House Report No. 94–740 accompanying H.R. 3710 (Comm. on House Administration).
Senate Report No. 94–494 (Comm. on Interior and Insular Affairs).
Congressional Record:
Vol. 121 (1975): Dec. 1, considered and passed Senate.
Vol. 122 (1976): Jan. 20, considered and passed House, in lieu of H.R. 3710.

12. Pennsylvania Avenue Development Corporation

An Act to amend the Pennsylvania Avenue Development Corporation Act of 1972 (Public Law 92–578), as amended. (90 Stat. 1188) (P.L. 94–388)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 17 of the Pennsylvania Avenue Development Corporation Act of 1972 (86 Stat. 1266) as amended (40 U.S.C. 885), is further amended to read as follows:

"SEC. 17. (a) In addition to the sums heretofore appropriated, there are authorized to be appropriated for operating and administrative expenses of the Corporation sums not to exceed $1,300,000 for the fiscal year ending June 30, 1976; $325,000 for the period July 1 through September 30, 1976; and $1,500,000 each, for the fiscal years ending September 30, 1977, and September 30, 1978.

"(b) To commence implementation of the development plan authorized by section 5 of this Act, there are authorized to be appropriated to the Corporation through the fiscal years ending September 30, 1978, $38,800,000, to remain available without fiscal year limitation through September 30, 1990: *Provided,* That appropriations made under the authority of this paragraph shall include sufficient funds to assure the development of square 225 as a demonstration area for the development plan, and shall assure the preservation of the structure now located on square 225 known as the Willard Hotel and its historic facade. No appropriations shall be made from the Land and Water Conservation Fund established by the Act of September 30, 1964 (78 Stat. 897, as amended, 16 U.S.C. 4601), to effectuate the purposes of this Act.".

Approved August 14, 1976.

Legislative History:

House Report No. 94–894 accompanying H.R. 7743 (Comm. on Interior and Insular Affairs).
Senate Report No. 94–572 (Comm. on Interior and Insular Affairs).
Congressional Record:
Vol. 121 (1975): Dec. 18, considered and passed Senate.
Vol. 122 (1976): July 26, considered and passed House, amended, in lieu of H.R. 7743.
Aug. 5, Senate concurred in House amendment.

An Act to amend the Pennsylvania Avenue Development Corporation Act of 1972: (92 Stat. 3635) (P.L. 95–629)

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

TITLE I

SEC. 101. The Pennsylvania Avenue Development Corporation Act of 1972 (Public Law 92–578; 86 Stat.

1266), as amended, is further amended as follows:

(1) By striking—

(a) in paragraph (c) of section 3: "(6) The Commissioner of the District of Columbia;" and by substituting in lieu thereof "(6) The Mayor of the District of Columbia;"; and by inserting "The Mayor" in lieu of "The Commissioner" of the District of Columbia, wherever it occurs in this Act;

(b) in paragraph (c) of section 3: "(7) The Chairman, District of Columbia Council;" and by inserting in lieu thereof "The Chairman, Council of the District of Columbia";

(c) in paragraph (g) of section 3: "(8) The Chairman of the District of Columbia Redevelopment Land Agency." and by inserting in lieu thereof "(8) The Director of the District of Columbia Department of Housing and Community Development.";

(d) in paragraph (a) of section 4: "subchapter 53" and by inserting in lieu thereof "subchapter III of Chapter 53";

(e) in paragraph (f) of section 5: "The District of Columbia government, and the District of Columbia Redevelopment Land Agency." and by inserting in lieu thereof "and the District of Columbia government.";

(f) in paragraph (b) of section 8: "Redevelopment Land Agency" wherever it occurs and by inserting in lieu thereof "government."

(2) by striking in paragraph (10) of section 6 of the figure "$50,000,000" and inserting in lieu thereof "$100,000,000" and by striking in that paragraph the following sentence: "The authority of the Corporation to issue obligations hereunder shall expire June 3, 1980, except that obligations may be issued at any time after the expiration of said period to provide funds necessary for the performance of any contract entered into by the Corporation, prior to the expiration of said period." and inserting in lieu thereof "The authority of the Corporation to issue obligations hereunder shall remain available without fiscal year limitation.".

(3) By redesignating paragraphs "(19)" through "(22)" in section 6 as paragraphs "(21)" through "(24)" and by inserting the following new paragraphs:

"(19) shall request the Council of the District of Columbia, when required for implementation of the development plan, to close any street, road, highway, alley, or any part thereon in the development area. If the title to the street, road, highway, or alley so closed is in the United States, the Mayor of the District of Columbia shall convey the title to the land on behalf of the United States to the Corporation, without cost, except that the Corporation shall reimburse the District of Columbia for the administrative expenses of the action. If the title to the street, road, highway, or alley so closed is not in the

United States, the Mayor shall convey title to the land on behalf of the District of Columbia to the Corporation, without cost, except that the Corporation shall reimburse the District of Columbia for the administrative costs of the action: *Provided,* That if the land would have reverted to a private abutting property owner under otherwise applicable law of the District of Columbia, the Corporation shall pay such owner the fair market value of the land that would have reverted to him.

"(20) may transfer title to, interests in, or jurisdiction over real property which has been acquired by the Corporation and is to be devoted to public uses under the development plan, to any agency of the United States or the District of Columbia. Agencies of the United States or the District of Columbia may accept such transfers under this paragraph, and shall thereafter administer and maintain the property in accordance with the development plan and the the terms of any transfer agreement. The Director of the National Park Service may transfer title to or interest in public reservations, roadways, spaces, or parks under his jurisdiction within the development area to the Corporation to facilitate implementation of the development plan; and, notwithstanding any other provision of law, the Corporation may utilize such transferred property for any public or private development consistent with the plan.".

(4) By striking in subsection 17(a) all after the word "Corporation" and inserting in lieu thereof "$3,000,000 for the fiscal year ending September 30, 1979; $3,200,000 for the fiscal years ending September 30, 1980, and September 30, 1981; and $3,500,000 for the fiscal years ending September 30, 1982, and September 30, 1983."; and, by adding to subsection 17(b) after the amount "$38,800,000," the following: "for fiscal year 1979, $15,000,000, for fiscal year 1980, $35,000,000 for fiscal year 1981, $25,000,000 for fiscal year 1982, $30,000,000, and, for fiscal 1983, $35,000,000."; and by striking the following, "to remain available without fiscal year limitation through September 30, 1990:" and, by inserting in lieu thereof: "For the authorizations made in this subsection, any amounts authorized but not appropriated in any fiscal year shall remain available for appropriation in succeeding years. Any amounts appropriated under this subsection shall remain available without fiscal year limitation.".

Approved November 10, 1978.

Legislative History:

House Report No. 95–1544 (Comm. on Interior and Insular Affairs).
Senate Report No. 95–743 (Comm. on Energy and Natural Resources).
Congressional Record, Vol. 124 (1978):
Apr. 24, considered and passed Senate.
Oct. 14, considered and passed House, amended.
Oct. 15, Senate concurred in House amendment with an amendment, House concurred in Senate amendments.
Weekly Compilation of Presidential Documents, Vol. 14, No. 45:
Nov. 10, Presidential statement.

13. Piscataway Park

An Act to amend the Act of October 4, 1961, providing for the preservation and protection of certain lands known as Piscataway Park in Prince Georges and Charles Counties, Maryland, and for other purposes. (80 Stat. 1304) (P.L. 93-444)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That 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, is amended as follows:

(a) In section 2(b), amend the first sentence by striking out "drawing entitled 'Piscataway Park,' numbered NCR 69.714-18, and dated January 25, 1966," and inserting in lieu thereof "drawing entitled 'Piscataway Park,' numbered PIS-P-90,000, and dated July 19, 1974".

(b) In section 2(b), delete the words "The property herein described is more particularly depicted on the drawing numbered 1961-1, a copy of which is on file with the Secretary of the Interior.".

(c) In section 2(c), delete the first sentence and insert in lieu thereof the following: "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 valuation of the property awarded by judgment, including interest at the rate of six (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 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."

(d) In section 4, delete "$5,657,000" and insert "$10,557,000".

Approved October 15, 1974.

Legislative History:

House Report No. 93-772 (Comm. on Interior and Insular Affairs).
Senate Report No. 93-1041 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 120 (1974):
Feb. 4, considered and passed House.
Aug. 1, considered and passed Senate, amended.
Sept. 24, House concurred in Senate amendments with an amendment.
Oct. 1, Senate concurred in House amendment to Senate amendment.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

TITLE III—MISCELLANEOUS PROVISIONS

* * * * * * *

PRINCE GEORGES AND CHARLES COUNTIES

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".

* * * * * * *

Approved October 21, 1976.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) P.L. 95-625)

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

TITLE I—DEVELOPMENT CEILING INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

* * * * * * *

(18) For the preservation and protection of certain

lands in Prince Georges and Charles Counties, Maryland: Section 4 of the joint resolution of October 4, 1961 (75 Stat. 783) is amended by inserting "(a)" after "SEC. 4." and by adding the following new subsection (b) at the end thereof:

"(b) In addition to such other sums as have been appropriated for such purposes, there is authorized $2,000,000 for development.".

* * * * * * *

Approved November 10, 1978.

14. D.C. Police and Firemen's Salary Act of 1958

An Act to increase compensation for District of Columbia policemen, firemen, and teachers; to increase annuities payable to retired teachers in the District of Columbia; to establish an equitable tax on real property in the District of Columbia; to provide for additional revenue for the District of Columbia; and for other purposes. (88 Stat. 1036) (P.L. 93-407)

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

TITLE I—POLICE AND FIREMEN'S COMPENSATION

PART 1—SALARY ACT AMENDMENTS

SEC. 101. (a) The District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, secs. 4-823—4-837) is amended as follows:

(1) The salary schedule in section 101(a) of that Act (D.C. Code, sec. 4-823(a)) is amended to read as follows:

"SALARY SCHEDULE

"Salary class and title	Service step-								
	1	2	3	4	5	6	7	8	9
Class 1: Fire private, police private	$11,600	$11,950	$12,530	$13,110	$14,035	$14,965	$15,545	$16,125	$16,705
Class 2: Fire inspector	13,225	14,035	14,850	15,660	16,470	17,285	18,095	----------	
Class 3: Detective, assistant pilot, assistant marine engineer	14,500	15,225	15,950	16,675	17,400	18,125	18,850	----------	
Class 4: Fire sergeant, police sergeant, detective sergeant	15,755	16,510	17,330	18,120	18,910	19,695	----------		
Class 5: Fire lieutenant, police lieutenant	18,210	19,125	20,035	20,945	21,855	----------			
Class 6: Marine engineer, pilot	19,895	20,885	21,880	22,870	----------				
Class 7: Fire captain, police captain	21,575	22,655	23,735	24,810	----------				
Class 8: Battalion fire chief, police inspector	25,010	26,260	27,515	28,770	----------				
Class 9: Deputy fire chief, deputy chief of police	29,350	31,335	33,325	35,315	----------				
Class 10: Assistant chief of police, assistant fire chief, commanding officer of the									

"SALARY SCHEDULE—Continued

"Salary class and title	Service Step— 1	2	3	4	5	6	7	8	9
Class 10—Continued									
Executive Protective Service, commanding officer of the U.S. Park Police	34,800	37,120	39,440						
Class 11: Fire chief, chief of police	40,250	42,600							

(2) The second sentence of section 202 of that Act (D.C. Code, sec. 4–825) is amended to read as follows: "The additional compensation authorized by this section shall be paid to an officer or member in the same manner as he is paid basic compensation to which he is entitled, except that when such an officer or member ceases to be in such an assignment, the loss of such additional compensation shall not constitute an adverse action for the purposes of section 7511 of title 5 of the United States Code.".

(3) Section 202 of that Act (D.C. Code, sec. 4–825) is further amended by striking out "$2100" and inserting in lieu thereof "$2270".

(4) Section 301 of that Act (D.C. Code, sec. 4–827) is amended by (A) striking out "All" and inserting in lieu thereof "(a) Except as provided in subsection (b), all", and (B) by adding at the end thereof the following:

"(b) Any officer or member of the Metropolitan Police force, the Fire Department of the District of Columbia, the Executive Protective Service, or the United States Park Police force who separates from that force, department, or service, and who is subsequently reappointed to such force, department, or service within three years after the date of such separation shall receive any scheduled rate of basic compensation provided in salary class 1 of the salary schedule in section 101(a) which does not exceed the schedule rate of basic compensation being paid at the time of such reappointment for the class and service step he had attained at the time of his separation. For purposes of this subsection, no additional compensation authorized by this Act shall be used in determining service step placement.".

(5) Section 302 of that Act (D.C. Code, sec. 4–828) is amended to read as follows: "An officer or member described in paragraph (1) (B) shall receive such compensation until the position of dog handler is determined under section (a) not to be included in salary class 4 as a technician's position or until he no longer performs the duty of dog handler, whichever first occurs.".

(6) Section 302 of that Act (D.C. Code, sec. 4–828) is further amended by adding at the end thereof the following:

"(e) Whenever any officer or member receiving additional compensation authorized by subsection (b) or (c) is no longer entitled to receive such additional compensation, without a change in salary class, he shall receive, irrespective of any subsequent salary schedule or service step adjustment authorized by this Act, basic compensation equal to the sum of his existing scheduled rate of basic compensation and the amount of such additional compensation until his schedule rate of basic compensation equals or exceeds such sum.

"(f) The loss of the additional compensation authorized by subsection (b) or (c) shall not constitute an adverse action for the purposes of section 7511 of title 5 of the United States Code.".

(7) Section 302 of that Act (D.C. Code, sec. 4–828) is further amended (1) by striking out "$680" in subsection (a) thereof and inserting in lieu thereof "$735"; and (2) by striking out "$500" each time it appears in subsection (c) thereof and inserting in lieu thereof "$540".

(8) Section 401(a)(2) of that Act (D.C. Code, sec. 4–832(a)(2)) is amended to read as follows:

"(2) For purpose of paragraph (1), continuous service as an officer or member includes only those periods of his service determined to have been satisfactory service and any period of his service in the Armed Forces of the United States other than any period of such service (A) determined not to have been satisfactory service, (B) rendered before appointment as an officer or member, or (C) rendered after resignation as an officer or member.".

(9) The second sentence of section 401(c) of that Act (D.C. Code, sec. 4–832(c)) is amended to read as follows: "For purposes of this subsection, in computing a deputy chief's continuous service on the police force or fire department, there shall be included only those periods of his service determined to have been satisfactory service and any period of his service in the Armed Forces of the United States other than any period of such service—

"(1) determined not to have been satisfactory service,

"(2) rendered before appointment as an officer or member, or

"(3) rendered after resignation as an officer or member.".

(b) Each officer or member who immediately prior to the effective date of the amendment made by paragraph (1) of subsection (a) was assigned to service step 1, service step 2, or service step 3 of salary class 2 shall be placed in and receive basic compensation in service step 4 of salary class 2.

SEC. 102. The second section of the Act approved October 24, 1951 (D.C. Code, sec. 4–808) is amended by striking out "the 22d day of February", "the 30th day of May", and "the 11th day of November", and inserting in lieu thereof "the third Monday in February", "the last Monday in May", "the second Monday in October", and "the fourth Monday in October".

SEC. 103. (a) Except as provided in subsections (b) and (c), the amendments made by this title and subsection (b) of the first section shall take effect on and after the first day of the first pay period beginning on or after July 1, 1974.

(b) The amendment made by paragraph (6) of section 101 shall take effect on and after the first day of the first pay period beginning on or after January 1, 1974.

(c) The amendments made by paragraphs (8) and (9) of section 101 shall take effect on and after the first day of the first pay period beginning on or after May 1, 1972.

SEC. 104. (a) Retroactive compensation or salary shall be paid by reason of the amendments made by this title only in the case of an individual in the service of the District of Columbia government or of the United States (including service in the Armed Forces of the United States) on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to an officer or member of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, or the Executive Protective Service who retired during the period beginning on the first day of the first pay period which begins on or after July 1, 1974, and ending on the date of enactment of this Act for services rendered during such period, and (2) in accordance with the provisions of subchapter 8 of chapter 55 of title 5, United States Code (relating to settlement of accounts of deceased employees), for services rendered during the period beginning on the first day of the first pay period which begins on or after July 1, 1974, and ending on the date of enactment of this Act, by an officer or member who dies during such period.

(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

(c) For the purpose of determining the amount of insurance for which an officer or member is eligible under the provisions of chapter 87 of title 5, United States Code (relating to government employees group life insurance),

all changes in rates of compensation or salary which result from the enactment of this title shall be held and considered to be effective as of July 1, 1974.

PART 2—STUDY OF POLICE AND FIREMEN'S SALARIES AND RECOMMENDATIONS

SEC. 111. (a) The Commissioner of the District of Columbia, and after January 2, 1975, the Mayor of the District of Columbia, shall annually conduct a thorough study of the compensation being paid officers and members of the police and fire departments of other jurisdictions in the Washington metropolitan area and other cities of comparable size. The annual study may include other conditions of employment of police and firemen, such as hours of work, health benefits, retirement benefits, sick pay, and vacation time. The annual study shall also include the current percentage change in the Consumer Price Index for the Washington metropolitan area published by the Bureau of Labor Statistics, Department of Labor, and rates of compensation for Federal and District of Columbia employees having comparable duties and responsibilities.

(b)(1) In order to conduct the annual study specified in subsection (a), the Commissioner, or the Mayor, as the case may be, shall establish a city personnel salary and benefits study committee whose sole function shall be to conduct such annual study. The size of the committee shall be determined by the Commissioner, or the Mayor, as the case may be, who shall appoint the management members of the committee. Each labor organization or other association or group which has been selected to represent the officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia shall select representatives of their respective labor organizations or other association or group to be members of the labor-management committee.

(2) The number of management members and the number of members representing the labor organizations or other associations or groups on the labor-management committee shall be equal. The chairman of the labor management committee shall be chosen by members of the committee, and shall not be an officer or employee of the District of Columbia government or a member or employee of a labor organization or other association or group represented on the committee. If the committee has not chosen a chairman within 10 days after the date of the first meeting of the committee, then the chairman shall be chosen by the Director of the Federal Mediation and Conciliation Service.

(c) On or before June 30 of each year, the results of the annual study shall be made public and shall be avail-

able to the parties involved in negotiations between the District of Columbia and representatives of the officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia under the District of Columbia labor relations program. The results of such annual study shall also form the basis for consideration of adjustments in pay levels for officers of the Metropolitan Police force and the Fire Department of the District of Columbia whose compensation is adjusted in a manner which is outside the scope of the negotiations referred to in the first sentence of this subsection.

SEC. 112. (a) If after January 2, 1975, as a result of collective bargaining the parties have reached a negotiated solution with respect to changes in compensation for officers and members of the Police and Fire Departments, the Mayor shall recommend to the Council of the District of Columbia that said changes should be authorized and that the Congress shall be requested to appropriate sufficient funds for that purpose. The first recommendation made by the Mayor under this subsection shall be made by no later than October 1, 1975.

(b) The recommendations submitted by the Mayor under subsection (a) shall be considered a labor-management issue for the purposes of subsection (c).

(c) If the parties have reached an impasse in negotiations on or before the expiration date of their existing collective bargaining agreements, either party shall promptly notify the Director of the Federal Mediation and Conciliation Service in writing. He shall assist in the resolution of that impasse by selecting an impartial person experienced in public sector disputes to serve as a mediator. If mediation does not resolve the impasse within thirty days, or any shorter period designated by the mediator, the Director shall, only upon the request of either party, then appoint an impartial Board of Arbitration to investigate the labor-management issues involved in the dispute, conduct whatever hearing it deems necessary, and to issue a written award to the parties with the object of achieving a prompt, peaceful, and fair settlement of the dispute. The award shall be issued within twenty days after the Board has been established. The award shall contain findings of fact and a statement of reasons. The award shall be final and binding upon the parties to the dispute.

(d) If the procedures set forth in subsection (c) are implemented, no change in the status quo in effect prior to contract expiration date in the case of negotiations for a contract renewal, or in effect prior to the time of impasse in the case of an initial bargaining negotiation, shall be made pending the completion of mediation and/or arbitration.

(e) The factfinder, mediator, and any members of the Board of Arbitration appointed by the Director of the Federal Mediation and Conciliation Service shall be en-

titled to compensation at the maximum daily rate allowable by law for each day they are actually engaged in performing services under this section.

PART 3—POLICEMEN AND FIREMEN'S RETIREMENT AND DISABILITY ACT

SEC. 121. (a) Subsection (a) of the Policemen and Firemen's Retirement and Disability Act (D.C. Code, sec. 4–521) is amended by adding after paragraph (16) the following new paragraph:

"(17) The term 'average pay' means the highest annual rate resulting from averaging the member's rates of basic salary in effect over any twelve consecutive months of police or fire service, with each rate weighted by the time it was in effect, except that if the member retires under subsection (g) and if on the date of his retirement under the subsection he has not completed twelve consecutive months of police or fire service, such term means his basic salary at the time of his retirement."

(b)(1) Subsections (f), (g), and (h) of that Act (D.C. Code, secs. 4–526—4–528) are each amended by striking out "his basic salary at the time of retirement" each place it occurs and inserting in lieu thereof "his average pay".

(2) Subsection (g)(2) and (h)(1) of that Act are each amended by striking out "his basic salary at the time of his retirement" and inserting in lieu thereof "his average pay".

(3) Subsection (h)(3) of that Act is amended by striking out "the basic salary of such member at the time of retirement" and inserting in lieu thereof "the average pay of such member".

(4) Subsection (k)(2) of that Act (D.C. Code, sec. 4–531) is amended by (1) striking out "basic salary" and inserting in lieu thereof "average pay", and (2) striking out ", subclass (a)," and inserting in lieu thereof "of salary".

(5) Subsection (k)(3) of that Act (D.C. Code, sec. 4–531) is amended by striking out "basic salary" each place it occurs and inserting in lieu thereof "average pay".

(c) Subsection (g) of that Act (D.C. Code, sec. 4–527) is amended by adding at the end thereof the following new paragraph:

"(3) A member shall be retired under this subsection only upon the recommendation of the Board of Police and Fire Surgeons and the concurrence therein by the Commissioner, except that in any case in which a member seeks his own retirement under this subsection, he shall, in the absence of such recommendation, provide the necessary evidence to form the basis for the approval of such retirement by the Commissioner.".

(d)(1) Subsection (a)(3) of that Act (D.C. Code, sec. 4–521(3)) is amended to read as follows:

"(3) The term 'widow' means the surviving wife of a member or former member if—

"(A) she was married to such member or former member (i) while he was a member, or (ii) for at least one year immediately preceding his death, or

"(B) she is the mother of issue by such marriage."

(2) The amendment made by paragraph (1) shall apply with respect to any surviving wife of a member (as that term is defined in subsection (a)(1) of the Policemen and Firemen's Retirement and Disability Act) or former member irrespective of whether such wife became a widow (as that term is defined in such amendment) prior to, on, or after the date of the enactment of this Act, except that no annuity shall be paid by reason of the amendment made by paragraph (1) for any period prior to the first day of the first pay period beginning on or after July 1, 1974.

SEC. 122. (a) In order to carry out his responsibilities under the Policemen and Firemen's Retirement and Disability Act (D.C. Code, secs. 4–521 et seq.) with respect to retirement and disability determinations, and related functions, the Commissioner of the District of Columbia shall establish a Police and Firemen's Retirement and Relief Board (hereinafter in this section referred to as the "Board"). The Board shall be composed of—

(1) members and alternates appointed from among persons who are employees of the District of Columbia, one member and alternate each from the District of Columbia Personnel Office, Corporation Counsel, Department of Human Resources, Metropolitan Police Force, and the Fire Department of the District of Columbia; and

(2) two members, one of whom shall be a physician, appointed from among persons who are not officers or employees of the District of Columbia.

The member, and alternate, appointed to the Board from among employees of the Department of Human Resources shall both be medical officers. All appointments shall be made by the Commissioner.

(b) The members appointed under subsection (a)(2) shall be appointed for two years, and shall be entitled to receive compensation for each day they are actually engaged in carrying out duties vested in the Board in the same manner as persons employed intermittently under section 3109 of title 5 of the United States Code. Such members shall be appointed within ninety days after the date of enactment of this title.

(c) The Commissioner shall establish rules for the Board to assure that the Board functions fairly and equitably. The Commissioner shall provide the staff necessary for the Board.

SEC. 123. Subsection (m)(2) of the Policemen and Firemen's Retirement and Disability Act (D.C. Code, sec. 4–533(2)) is amended by inserting at the end thereof "The Commissioner shall not require employment questionnaires or the medical examination of such member after he reaches the age of 50.".

SEC. 124. (a) The amendments made by subsections (a), (b), and (d) of section 121 shall apply with respect to any annuity which begins on or after July 1, 1975.

(b) The amendment made by subsection (c) of section 121 shall take effect on the first day of the first pay period beginning more than thirty days after the date of enactment of this title.

(c) Section 122 shall take effect on the date of enactment of this title.

TITLE II—TEACHERS' COMPENSATION

SEC. 201. This title may be cited as the "Teachers' Salary Act Amendments of 1974".

SEC. 202. The District of Columbia Teachers' Salary Act of 1955 (D.C. Code, sec. 31–1501 et seq.) is amended as follows:

(1) Effective on the first day of the first pay period beginning on or after September 1, 1974, the salary schedule contained in section 1 of that Act (D.C. Code, sec. 31–1501) is amended to read as follows: *Provided, however,* That salary paid to class 1A shall not exceed the amount payable to level III of the Executive Schedule and that the salary paid to any other class shall not exceed the amount payable to level V of the Executive Schedule:

"TEACHERS AND SCHOOL OFFICERS SALARY SCHEDULE

"Salary class and group	Service step— 1	2	3	4	5	6	7	8	9	10	11	12	13	Longevity step Y
Class 1A	$45,500													
Class 1B	40,000													
Class 2A	38,000													
Class 2B	36,000													
Class 3	27,390	$28,040	$28,690	$29,340	$29,900	$30,640	$31,290	$31,940	$32,590					
Class 4	24,050	24,620	25,190	25,760	26,330	26,900	27,470	28,040	28,620					
Class 5:														
Group B, master's degree	22,750	23,290	23,830	24,370	24,910	25,450	25,990	26,530	27,070					
Group C, master's degree +30	23,235	23,775	24,315	24,855	25,395	25,935	26,475	27,015	27,555					
Group D, doctor's	23,715	24,255	24,795	25,335	25,875	26,415	26,955	27,495	28,035					
Class 6:														
Group B, master's degree	21,740	22,255	22,770	23,285	23,800	24,315	24,830	25,345	25,860					
Level IV principal	21,740	22,255	22,770	23,285	23,800	24,315	24,830	25,345	25,860					
Level III principal	21,100	21,615	22,130	22,645	23,160	23,675	24,190	24,705	25,220					
Level II principal	20,465	20,980	21,495	22,010	22,525	23,040	23,555	24,070	24,585					
Level I principal	19,830	20,345	20,860	21,375	21,890	22,405	22,920	23,435	23,950					
Group C, master's degree +30	22,160	22,675	23,190	23,705	24,220	24,735	25,250	25,765	26,280					
Level IV principal	22,160	22,675	23,190	23,705	24,220	24,735	25,250	25,765	26,280					
Level III principal	21,520	22,035	22,550	23,065	23,580	24,095	24,610	25,125	25,640					
Level II principal	20,885	21,400	21,915	22,430	22,945	23,460	23,975	24,490	25,005					
Level I principal	20,250	20,765	21,280	21,795	22,310	22,825	23,340	23,855	24,370					
Group D, doctor's degree	22,575	23,090	23,605	24,120	24,635	25,150	25,665	26,180	26,695					
Level IV principal	22,575	23,090	23,605	24,120	24,635	25,150	25,665	26,180	26,695					
Level III principal	21,935	22,450	22,965	23,480	23,995	24,510	25,025	25,540	26,055					
Level II principal	21,300	21,815	22,330	22,845	23,360	23,875	24,390	24,905	25,420					
Level I principal	20,665	21,180	21,695	22,210	22,725	23,240	23,755	24,270	24,785					
Class 7:														
Group B, master's degree	20,000	20,475	20,950	21,425	21,900	22,375	22,850	23,325	23,800					
Group C, master's degree +30	20,485	20,960	21,435	21,910	22,385	22,860	23,335	23,810	24,285					
Group D, doctor's	20,965	21,440	21,915	22,390	22,865	23,340	23,815	24,290	24,765					

Class 8:															
Group B–MA	$18,395	$18,855	$19,315	$19,775	$20,235	$20,695	$21,155	$21,615	$22,075						
Group C–MA +30	18,880	19,340	19,800	20,260	20,720	21,180	21,640	22,100	22,560						
Group D–Doctor's	19,360	19,820	20,280	20,740	21,200	21,660	22,120	22,580	23,040						
Class 9:															
Group B, master's degree	17,960	18,410	18,860	19,310	19,760	20,210	20,660	21,110	21,560						
Group C, master's degree +30	18,445	18,895	19,345	19,795	20,245	20,695	21,145	21,595	22,045						
Group D, doctor's	18,925	19,375	19,825	20,275	20,725	21,175	21,625	22,075	22,525						
Class 10:															
Group B, master's degree	17,385	17,820	18,255	18,690	19,125	19,560	19,995	20,430	20,865						
Group C, master's degree +30	17,870	18,305	18,740	19,175	19,610	20,045	20,480	20,915	21,350						
Group D, doctor's	18,350	18,785	19,220	19,655	20,090	20,525	20,960	21,395	21,830						
Class 11:															
Group B, master's degree	16,815	17,235	17,655	18,075	18,495	18,915	19,335	19,755	20,175						
Group C, master's degree +30	17,300	17,720	18,140	18,560	18,980	19,400	19,820	20,240	20,660						
Group D, doctor's	17,780	18,200	18,620	19,040	19,460	19,880	20,300	20,720	21,140						
Class 12:															
Group B, master's degree	16,240	16,645	17,050	17,455	17,860	18,265	18,670	19,075	19,480						
Group C, master's degree +30	16,720	17,125	17,530	17,935	18,340	18,745	19,150	19,555	19,960						
Group D, doctor's	17,205	17,610	18,015	18,420	18,825	19,230	19,635	20,040	20,445						
Class 13:															
Group B, master's degree	14,920	15,405	15,890	16,375	16,860	17,345	17,830	18,315	18,800						
Group C, master's degree +30	15,405	15,890	16,375	16,860	17,345	17,830	18,315	18,800	19,285						
Group D, doctor's	15,885	16,370	16,855	17,340	17,825	18,310	18,795	19,280	19,765						
Class 14:															
Group A, bachelor's degree	11,415	11,920	12,425	12,930	13,435	13,940	14,445	14,950	15,455	$15,960	$16,465	$16,970	$17,475		
Group B, master's degree	12,375	12,880	13,385	13,890	14,395	14,900	15,405	15,910	16,415	16,920	17,425	17,930	18,435		
Group C, master's degree +30	12,865	13,370	13,875	14,380	14,885	15,390	15,895	16,400	16,905	17,410	17,915	18,420	18,925		
Group D, doctor's	13,345	13,850	14,355	14,860	15,365	15,870	16,375	16,880	17,385	17,890	18,395	18,900	19,405		
Class 15:															
Group A, bachelor's degree	9,650	10,035	10,420	10,810	11,195	11,580	12,065	12,550	13,035	13,520	14,005	14,490	14,975	$16,130	
Group A–1, bachelor's degree +15	10,130	10,515	10,900	11,290	11,675	12,060	12,550	13,035	13,620	14,005	14,490	14,975	15,460	17,095	
Group B, master's degree	10,615	11,100	11,585	12,070	12,555	13,040	13,640	14,240	14,845	15,445	16,045	16,645	17,245	18,825	
Group C, master's degree +30	11,100	11,585	12,070	12,555	13,040	13,525	14,125	14,780	15,330	15,930	16,530	17,180	17,730	19,320	
Group D, master's degree +60 or doctor's	11,585	12,070	12,555	13,040	13,525	14,010	14,615	15,215	15,815	16,415	17,015	17,615	18,215	19,950	

(2) Effective on the first day of the first pay period beginning on or after January 1, 1975, that salary schedule is amended to read as follows, except that salary paid to class 1A shall not exceed the amount payable to level III of the Executive Schedule and that the salary paid to any other class shall not exceed the amount payable to level V of the Executive Schedule:

TEACHERS AND SCHOOL OFFICERS SALARY SCHEDULE

Salary class and group	Service step— 1	2	3	4	5	6	7	8	9
Class 1A	$46,865								
Class 1B	41,200								
Class 2A	39,140								
Class 2B	37,080								
Class 3	28,210	$28,880	$29,550	$30,220	$30,890	$31,560	$32,230	$32,900	$33,570
Class 4	24,770	25,355	25,940	26,525	27,110	27,695	28,280	28,865	29,450
Class 5:									
Group B—MA	23,435	23,990	24,545	25,100	25,655	26,210	26,765	27,320	27,875
Group C—MA + 30	23,935	24,490	25,045	25,600	26,155	26,710	27,265	27,820	28,375
Group D—Doctors	24,420	24,975	25,530	26,085	26,640	27,195	27,750	28,305	28,860
Class 6:									
Group B—MA	22,390	22,920	23,450	23,980	24,510	25,040	25,570	26,100	26,630
Level IV—Principal	22,390	22,920	23,450	23,980	24,510	25,040	25,570	26,100	26,630
Level III—Principal	21,730	22,260	22,790	23,320	23,850	24,380	24,910	25,440	25,970
Level II—Principal	21,075	21,605	22,135	22,665	23,195	23,725	24,255	24,785	25,315
Level I—Principal	20,420	20,950	21,480	22,010	22,540	23,070	23,600	24,130	24,660
Group C—MA + 30	22,890	23,420	23,950	24,480	25,010	25,540	26,070	26,600	27,130
Level IV—Principal	22,890	23,420	23,950	24,480	25,010	25,540	26,070	26,600	27,130
Level III—Principal	22,230	22,760	23,290	23,820	24,350	24,880	25,410	25,940	26,470
Level II—Principal	21,575	22,105	22,635	23,165	23,695	24,225	24,755	25,285	25,815
Level I—Principal	20,720	21,250	21,780	22,310	22,840	23,370	23,900	24,430	24,960
Group D—Doctors	23,375	23,905	24,435	24,965	25,495	26,025	26,555	27,085	27,615
Level IV—Principal	23,375	23,905	24,435	24,965	25,495	26,025	26,555	27,085	27,615
Level III—Principal	22,715	23,245	23,775	24,305	24,835	25,365	25,895	26,425	26,955
Level II—Principal	22,060	22,590	23,120	23,650	24,180	24,710	25,240	25,770	26,300
Level I—Principal	21,405	21,935	22,465	22,995	23,525	24,055	24,585	25,115	25,645
Class 7:									
Group B—MA	20,600	21,090	21,580	22,070	22,560	23,050	23,540	24,030	24,520
Group C—MA + 30	21,100	21,590	22,080	22,570	23,060	23,550	24,040	24,530	25,020
Group D—Doctors	21,585	22,075	22,565	23,055	23,545	24,035	24,525	25,015	25,505
Class 8:									
Group B—MA	19,130	19,605	20,080	20,555	21,030	21,505	21,980	22,455	22,930
Group C—MA + 30	19,630	20,105	20,580	21,055	21,530	22,005	22,480	22,955	23,430
Group D—Doctors	20,115	20,590	21,065	21,540	22,015	22,490	22,965	23,440	23,915

TEACHERS AND SCHOOL OFFICERS SALARY SCHEDULE—Continued

Salary class and group	Service step— 1	2	3	4	5	6	7	8	9
Class 9:									
Group B—MA	18,500	18,985	19,470	19,955	20,440	20,925	21,410	21,895	22,380
Group C—MA + 30	19,000	19,465	19,930	20,395	20,860	21,325	21,790	22,255	22,720
Group D—Doctors	19,485	19,950	20,415	20,880	21,345	21,810	22,275	22,740	23,205
Class 10:									
Group B—MA	17,905	18,355	18,805	19,255	19,705	20,155	20,605	21,055	21,505
Group C—MA + 30	18,405	18,855	19,305	19,755	20,205	20,655	21,105	21,555	22,005
Group D—Doctors	18,890	19,340	19,790	20,240	20,690	21,140	21,590	22,040	22,490
Class 11:									
Group B—Ma	17,320	17,755	18,190	18,625	19,060	19,495	19,930	20,365	20,800
Group C—MA + 30	17,820	18,255	18,690	19,125	19,560	19,995	20,430	20,865	21,300
Group D—Doctors	18,305	18,740	19,175	19,610	20,045	20,480	20,915	21,350	21,785
Class 12:									
Group B—MA	16,725	17,140	17,555	17,970	18,385	18,800	19,215	19,630	20,045
Group C—MA + 30	17,225	17,640	18,055	18,470	18,885	19,300	19,715	20,130	20,545
Group D—Doctors	17,710	18,125	18,540	18,955	19,370	19,785	20,200	20,615	21,030
Class 13:									
Group B—MA	15,370	15,870	16,370	16,870	17,370	17,870	18,370	18,870	19,370
Group C—MA + 30	15,870	16,370	16,870	17,370	17,870	18,370	18,870	19,370	19,870
Group D—Doctors	16,355	16,855	17,355	17,855	18,355	18,855	19,355	19,855	20,355

Salary class and group	Service step— 1	2	3	4	5	6	7	8	9	10	11	12	13	Longevity step Y
Class 14:														
Group A—BA	$11,750	$12,270	$12,790	$13,310	$13,830	$14,350	$14,870	$15,390	$15,910	$16,430	$16,950	$17,470	$17,990	----
Group B—MA	12,745	13,265	13,785	14,305	14,825	15,345	15,865	16,385	16,905	17,425	17,945	18,465	18,985	----
Group C—MA+30	13,245	13,765	14,285	14,805	15,325	15,845	16,365	16,885	17,405	17,925	18,445	18,965	19,485	----
Group D—Doctors	13,730	14,250	14,770	15,290	15,810	16,330	16,850	17,370	17,890	18,410	18,930	19,450	19,970	----
Class 15:														
Group A—BA	9,940	10,335	10,730	11,125	11,520	11,915	12,415	12,915	13,415	13,915	14,415	14,915	15,415	$16,615
Group A-1—BA+15	10,435	10,830	11,225	11,620	12,015	10,410	12,910	13,410	13,910	14,410	14,910	15,410	15,910	17,610
Group B—MA	10,935	11,435	11,935	12,435	12,935	13,435	14,055	14,675	15,295	15,915	16,535	17,155	17,775	19,390
Group C—MA+30	11,435	11,935	12,435	12,935	13,435	13,935	14,555	15,175	15,795	16,415	17,035	17,655	18,275	19,900
Group D, master's degree + 60 or Doctor's	11,935	12,435	12,935	13,435	13,935	14,435	15,055	15,675	16,295	16,915	17,535	18,155	18,775	20,559

(3) Effective on the first day of the first pay period beginning on or after September 1, 1974, the schedule of pay rates in section 13(a) of that Act (D.C. Code, sec. 31–1542(a)) is amended to read as follows:

"Classification	Per period		
	Step 1	Step 2	Step 3
Summer school (regular):			
Teachers, elementary and secondary schools; counselor, elementary and secondary schools; librarian, elementary and secondary schools; school social worker; speech correctionist, school psychologist	$8.53	$9.67	$10.90
Psychiatric social worker	9.81	11.12	12.54
Veterans' summer school centers: Teacher	8.53	9.67	10.90
Adult education schools;			
Teacher	9.38	10.64	11.99
Assistant principal	13.13	14.90	16.79
Principal	14.54	16.49	18.59"

(4) Effective on the first day of the first pay period beginning on or after January 1, 1975, that schedule of pay rates is amended to read as follows:

SUMMER SCHOOL TEACHERS AND ADULT EDUCATION SCHOOLS SALARY SCHEDULE

Classification	Per period		
	Step 1	Step 2	Step 3
Summer school (regular):			
Teachers, elementary and secondary schools; counselor, elementary and secondary schools; librarian, elementary and secondary schools; school social worker; speech correctionist; school psychologist	$8.79	$9.97	$11.23
Psychiatric social worker	10.11	11.47	13.11
Veterans' summer school centers: Teachers	8.79	9.97	11.23
Adult education schools:			
Teacher	9.61	10.97	12.35
Assistant principal	13.54	15.36	17.29
Principal	14.99	17.00	19.14

SEC. 203. Beginning with the calendar year 1975, the District of Columbia Board of Education shall, by March 1 of each year, submit to the Mayor of the District of Columbia the—

(a) percentage rate of the cost-of-living change since the effective date of the last increase of the compensation schedule for educational personnel in the District of Columbia; and

(b) results of a study comparing compensation of teachers in the District of Columbia with (1) teachers in cities of comparable size, and (2) teachers within other jurisdictions of the Washington metropolitan area.

The Mayor shall submit the information submitted to him by the Board under this section to the Council of the District of Columbia along with his recommendations with respect to compensation (and other related matters) of educational personnel of the Board.

SEC. 204. (a) Each person receiving basic compensation under class 15 of the salary schedule in section 1(a) of the District of Columbia Teachers' Salary Act of

1955 (D.C. Code, sec. 31–1501) shall be issued a five-year teaching certificate. Renewals shall be dependent upon application and six or more hours of appropriate credit earned during the preceding five-year period. The District of Columbia Board of Education shall establish appropriate rules, regulations, and requirements to carry out the purposes of this section.

(b) For the purposes of this section, class 15, group B, shall include persons possessing a master's degree or thirty appropriate semester hours beyond the bachelor's degree.

(c) For purposes of implementing this section the Board shall determine the appropriateness of the course work obtained in lieu of the degree.

SEC. 205. (a) Section 2(a) of the District of Columbia Teachers' Salary Act of 1955 (D.C. Code, sec. 31–1511(a)) is amended by striking out "(D) attendance officer, or (E) child labor inspector," and inserting "or" after "tactics," in paragraph (B).

(b) The employees in the category repealed by the amendment made by subsection (a) shall meet the general requirements of such section 2(a).

(c) The amendment made by subsection (a) shall be effective on and after the date of enactment of this Act.

TITLE III—TEACHER'S RETIREMENT ANNUITIES

SEC. 301. Section 5 of the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946 (D.C. Code, sec. 31–725) is amended by adding at the end thereof the following:

"(e)(1) Notwithstanding any other provision of this Act, other than this subsection, the monthly rate of annuity payable under this section shall not be less than the smallest primary insurance amount, including any cost-of-living increase added to that amount, authorized to be paid from time to time under title II of the Social Security Act.

"(2) Notwithstanding any other provision of this Act, other than this subsection, the monthly rate of annuity payable under this section to a surviving child shall not be less than the smallest primary insurance amount, including any cost-of-living increase added to that amount, authorized to be paid from time to time under title II of the Social Security Act, or three times such primary insurance amount divided by the number of surviving children entitled to an annuity, whichever is the lesser.

"(3) The provisions of this subsection shall not apply to an annuitant or to a survivor who is or becomes entitled to receive from the United States, or the District of Columbia, an annuity or retired pay under any other civilian or military retirement system, benefits under

title II of the Social Security Act, a pension, veterans' compensation, or any other periodic payment of a similar nature, when the monthly rate thereof is equal to or greater than the smallest primary insurance amount, including any cost-of-living increase added to that amount, authorized to be paid from time to time under title II of the Social Security Act.

"(4) An annuity payable from the teachers' retirement and annuity fund to a former teacher, which is based on a separation occurring prior to October 20, 1969, is increased by $240.

"(5) In lieu of any increase based on an increase under paragraph (4) of this subsection, an annuity payable from the teachers' retirement and annuity fund to the surviving spouse of a teacher or annuitant, which is based on a separation occurring prior to October 20, 1969, shall be increased by $132.

"(6) The monthly rate of an annuity resulting from an increase under paragraph (4) or (5) shall be considered as the monthly rate of annuity payable under subsection (a) for purposes of computing the minimum annuity under subsection (e).".

SEC. 302. This title shall become effective on the date of enactment. Annuity increases under this title shall apply to annuities which commence before, on, or after the date of enactment of this title, but no increase in annuity shall be paid for any period prior to the first day of the first month which begins on or after the ninetieth day after the date of enactment of this title, or the date on which the annuity commences, whichever is later.

TITLE IV—REAL PROPERTY TAX

PART 1—SHORT TITLE, STATEMENT OF PURPOSE, AND DEFINITIONS

SEC. 401. This title may be cited as the "District of Columbia Real Property Tax Revision Act of 1974".

SEC. 402. It is the intent of Congress to revise the real property tax in the District of Columbia to achieve the following objectives:

(1) Equitable sharing of the financial burden of the government of the District of Columbia.

(2) Full public information regarding assessments and appeal procedures.

(3) Promotion of economic activity, diversity of land use, and preservation of the character of the District of Columbia.

(4) Assurance that shifts in the tax burden on individual taxpayers will not be excessive.

(5) Comparability of tax effort between the District of Columbia and surrounding jurisdictions in the metropolitan area and cities of comparable size.

SEC. 403. For the purposes of this title—

(1) The term "real property" means real estate identified by plat on the records of the District of Columbia Surveyor according to lot and square together with improvements thereon.

(2) The term "Commissioner" means the Commissioner of the District of Columbia established under Reorganization Plan Numbered 3 of 1967.

(3) The term "Council" means the District of Columbia Council established under Reorganization Plan Numbered 3 of 1967.

(4) The term "estimated market value" means 100 per centum of the most probable price at which a particular piece of real property, if exposed for sale in the open market with a reasonable time for the seller to find a purchaser, would be expected to transfer under prevailing market conditions between parties who have knowledge of the uses to which the property may be put, both seeking to maximize their gains and neither being in a position to take advantage of the exigencies of the other.

(5) The term "regulation", unless specifically identified as a regulation of the Commissioner, means a regulation of the Council enacted under section 406 of the Reorganization Plan Numbered 3 of 1967, and after January 2, 1975, such term means an act of the Council of the District of Columbia enacted uner section 412 (and related sections) of the District of Columbia Self-Government and Governmental Reorganizations Act.

(6) The term "tax year" means—

(A) with respect to a real property tax rate proposed by the Mayor or established by the Council after January 1 but before June 30 of any calendar year, showing fiscal year; and

(B) with respect to a real property tax rate proposed by the mayor or established by the Council after June 30 in any calendar year, the fiscal year during which the rate was proposed or establish.

PART 2—AUTHORITY AND PROCEDURE TO ESTABLISH REAL PROPERTY TAX RATES

SUBPART A—REAL PROPERTY TAX RATE

SEC. 411. Notwithstanding the provisions of the Act of June 2, 1922 (D.C. Code, sec. 47–501), there is hereby levied for each fiscal year a tax on the real property in the District of Columbia at a rate determined according to the provisions of this title. Unless otherwise provided by law, all revenues received from such tax shall be deposited, from time to time, in the Treasury of the United States, to the credit of the District of Columbia.

SEC. 412. The Council, after public hearing, shall establish each year, within thirty days after receipt of the Commissioner's recommendation under section 413, a rate of taxation which, except as provided in section 431,

shall be applied, during the tax year, to the assessed value of all real property subject to taxation. The Council may by resolution extend the time for any year for setting such rate of taxation, except that if the Council does make such an extension, it must establish such a rate for that tax year. If the Council fails to establish such a rate within such thirty days, and fails to exted the time for establishing such a rate, the rate calculated by the Commissioner, pursuant to section 413, shall be the rate for that tax year.

SEC. 413. (a)(1) Except as provided in paragraph (2), by July 15 of each year, the Commissioner shall calculate and submit to the council a proposed real property tax rate for the tax year, and inform the Council of his certification of the assessment roll pursuant to section 426(g). The Commissioner may extend the period for submitting such recommendation.

(2) With respect to the real property tax rate for the fiscal year ending June 30, 1975, the Commissioner shall submit his recommendation to the Council within 30 days after the date of enactment of this title.

(b) At the time the Commissioner submits to the Council the proposed real property tax rate under subsection (a), he shall also submit the following:

(1) The total aggregate assessed value of taxable real property for the year preceding the tax year by major class or type of property.

(2) The estimated total aggregate assessed value of taxable real property for the tax year for which the property tax rate recommendation is being made, by major class or type of property, indicating separately for each class or type the estimated value attributable to new construction.

(3) The real property tax rate (rounded to the nearest penny) calculated to yield in the tax year the same amount of revenue (exclusive of the revenue attributable to new construction) as was raised by that tax at the rate applicable during the year preceding the tax year.

(c) The real property tax rate submitted by the Commissioner pursuant to subsection (a) shall become the real property tax rate applicable during the tax year for which it is submitted unless the Council acts to set a different such rate pursuant to section 412.

(d) On or before February 1 of each year the Commissioner shall estimate as closely as possible the rate to be calculated in subsection (a) and shall so inform the Council.

(e) The real property tax rate applicable in the District for the fiscal year ending June 30, 1975, calculated according to the provisions of sections 411, 412, 413, and 461, shall be applied to the assessment roll for 1975 determined according to provisions of law in effect prior to the effective date of this Act.

SEC. 414. At the time the Commissioner submits to the Council the proposed real property tax rate under section 413, he shall also submit the following:

(1) The total aggregate assessed value of real property exempt from the real property tax levied in the District for the current fiscal year by major class or type of exempt status and the tax that would have been paid during such fiscal year had such property not been exempt.

(2) The estimated total aggregate assessed value of real property exempt from the real property tax levied in the District by major class or type of exempt status and the tax that would be paid during the fiscal year under the real property tax rate proposed by the Commissioner pursuant to section 413.

SEC. 415. In establishing a real property tax rate the Council shall make a comparison of tax rates and burdens applicable to residential and nonresidencial property in the District with those such rates applicable to such property in jurisdictions in the vicinity of the District. The comparison shall include other major taxes in addition to the tax on real property. Without in any way limiting the authority of the Council, it is the intention of Congress that tax burdens in the District be reasonably comparable to those in the surrounding jurisdictions of the Washington metropolitan area.

SEC. 416. The Commissioner shall, by June 30 of each year, compile and publish information regarding the relative amount of tax for all major taxes in the District compared with those in surrounding jurisdictions in the Washington metropolitan area and with those in other cities. The information shall include the rate of the property tax levied on residential and nonresidential property, and the effect of major taxes levied on families of different income levels and on businesses.

SUBPART B—ASSESSMENT AND ADMINISTRATION

SEC. 421. (a) The assessed value of all real property shall be listed on the assessment roll for real property taxation purposes annually as provided in this part. The assessed value for all real property shall be the estimated market value of such property as of January 1 of the year preceding the tax year, as determined by the Commissioner. In determining estimated market value for various kinds of real property the Commissioner shall take into account any factor which might have a bearing on the market value of the real property including, but not limited to, sales information on similar types of real property, mortgage, or other financial considerations, reproduction cost less accrued depreciation because of age, condition, and other factors, income earning potential (if any), zoning, and government-imposed restrictions. Assessments shall be based upon the sources of

information available to the Commissioner which may include actual view.

(b) All real property shall be assessed no less frequently than once every two years, and as soon as practicable such assessment shall be made annually. The Council may authorize and direct assessments to be made annually for some or all classes of real property, except that for fiscal year 1978, and for each fiscal year thereafter, all real property shall be assessed on an annual basis.

(c) The Council may adopt regulations concerning the assessment and reassessment of real property and matters relating thereto which shall be consistent with the provisions of this title and other applicable provisions of law.

(d) The Council may adopt regulations regarding information to be furnished the Commissioner by owners of real property. Such regulations shall provide, under penalty of law, that all such information with respect to income derived from investment on income-producing real property shall be handled in the same confidential manner as income tax returns and supporting data required to be submitted to the government of the District of Columbia under laws applicable in the District.

(e) The Commissioner shall submit to the Council, within forty-five days after the date of enactment of this title, proposed regulations to be adopted by the Council pursuant to subsection (c).

(f) Consistent with the provisions of this Act and regulations of the Council, the Commissioner shall promulgate necessary regulations and administrative orders. If the Council shall not have adopted regulations concerning assessment pursuant to subsection (c) within ninety days after the date of enactment of this title, the Commissioner shall promulgate such regulations.

SEC. 422. (a) The Commissioner shall assess all real property, identifying separately the value of land and improvements thereon, and administer and collect the real property tax within the District. The Commissioner shall also notify owners of real property of assessments and of appeal procedures. In addition, he shall maintain adequate records relating to the administration of the real property tax in the District, and provide appropriate public information concerning such tax.

(b) The Commissioner shall appoint assessors competent to determine values of real property to carry out the provisions of this title and other relevant portions of this title. Each person so appointed shall take and subscribe an oath to diligently, faithfully, and impartially assess all real property according to applicable law and regulations and otherwise perform the duties of office.

(c) The Commissioner shall assure that information regarding the characteristics of real property, sales and

exchanges of all such property, building permits, land use plans, and any other information pertinent to the assessment process shall be made available to the assessors on a timely basis.

SEC. 423. (a) All real property, except as hereinafter provided, shall be assessed in the name of the owner, or trustee or trustees of the owner thereof. All undivided real property of a deceased person may be assessed in the name of such deceased person until such undivided real property is divided according to law, or has otherwise passed into the possession of some other person; and all real property, the ownership of which is unknown, shall be assessed as owner unknown.

(b) All real property, whether taxable or not, shall be assessed according to the address and the number of the squares and lots thereof, or part of lots, and upon the number of the square or superficial feet in each square or lot or part of a lot.

SEC. 424. (a) The Commissioner shall, on or before March 1 of each year, compile in tabular form and place in a book, known as the preliminary assessment roll, the name of the owner, address, lot and square, amount, description, and value, as of January 1 of that year, of the land and improvements of all real property whether such property is taxable or exempt.

(b) The preliminary assessment roll, together with all maps, field books, assessment-sales ratio studies, surveys, and plats, shall be open to public inspection during normal business hours. In addition, any notes and memorandums relating to the assessment of his real property, or a statement clearly indicating the basis upon which his real property has been assessed, shall be open to inspection by the taxpayer or his designated representative during normal business hours. Provision shall be made to furnish copies of all material to any person, upon request, at the lowest charge which covers cost of making such copies.

(c) The Commissioner shall undertake, publish, and otherwise publicize the results of assessment-sales ratio studies for different types of real property for the entire District and for different types of real property within each of the districts utilized in making assessments. If, for a given year, adequate sales data are lacking for particular studies, the Commissioner shall so indicate.

(d) The Commissioner shall, either himself or in a newspaper of general circulation, publish a listing of the assessed value of each property by address, lot, and square, and he shall also make such listing available at the main public library in the District and at such other points as he may determine. Such publication can be by neighborhood areas so long as maps showing the assessment areas are generally available.

SEC. 425. Beginning as soon as possible after January 1, but no later than March 1 of each year, each taxpayer

shall be notified of the assessment of his real property for the next fiscal year. The notice, or statement accompanying the notice, shall include—

(1) the address, lot, square, and type of land use by major category of the property;

(2) the assessed value of the land and improvements (shown separately and in total) of the property for the next fiscal year and such amounts for the previous fiscal year;

(3) the amount and percentage of change in assessed value over the previous fiscal year;

(4) an indication of the reason for such change in assessment, such as, but not limited to, improvements to the property, zoning change, changing market values;

(5) statement of appeal procedures pursuant to section 426(i);

(6) the citation to the regulations or orders under which the property was assessed;

(7) the location of the assessment roll, studies, and notes referred to in sections 424 and 426(g) and the hours during which the information is available;

(8) the availability of a listing of the assessed value of property referred to in section 424(c); and

(9) an explanation of all special benefits, incentives, limitations, or credits which relate to real property taxes as a result of this or any other Act.

SEC. 426. (a) There is established a Board of Equalization and Review for the District (hereinafter in this title referred to as the "Board") which shall be composed of fifteen members, a majority of whom shall be residents of the District, appointed by the Commissioner, with the advice and consent of the Council. The Council may authorize a larger size if the caseload so requires. Members of the Board shall be persons having knowledge of the valuation of property, real estate transactions, building costs, accounting, finance, or statistics. The Commissioner shall name one member as Chairman. None of the members may be officers of the District of Columbia government. Each member shall serve for a term of five years, except of the members first appointed under this section, the Commissioner shall designate equal numbers for terms of one, two, three, four, and five years. The terms of the members first appointed under this section shall begin on January 1, 1975. Any person appointed to fill a vacancy shall be appointed to serve for the remainder of the term during which the vacancy arose. Each member shall receive compensation at a rate to be determined by the Council unless otherwise prohibited by law, but not to exceed one two-thousandth of the annual salary of the highest step of grade 15 of the General Schedule in section 5332 of title 5 of the United States Code for each hour such member is engaged in the actual performance of duties vested in the Board.

(b) The Commissioner shall provide such other support as is needed for the efficient operation of the Board.

(c) The Board shall convene as business necessitates from the first Monday in January until the Commissioner shall be presented with the assessment roll for the fiscal year as provided in subsection (g). The Board shall also convene as business necessitates for a period of thirty days following any special assessment which shall be generally applicable to a class of real property, and as business in the Board otherwise makes necessary.

(d) A majority of the Board shall constitute a quorum for transacting business, except the Board may provide for the establishment of three member panels for hearing and deciding individual appeals. The Board shall adopt and publish necessary rules, and all applicable provisions of the District of Columbia Administrative Procedures Act (D.C. Code, secs. 1–1501–1–1510) shall apply to the rules and procedure of the Board.

(e) On or before April 15 of each year any taxpayer may appeal the amount of his assessment for the forthcoming fiscal year.

(f) Pursuant to applicable provisions of law, regulations adopted by the Council, or orders of the Commissioner, the Board shall attempt to assure that all real property is assessed at the estimated market value. Based on the record of complaints or of other information available to or solicited by the Board, the Board shall raise or lower the estimated market value of any real property which it finds to be more than 5 per centum above or below the estimated market value contained in the preliminary assessment roll prepared by the Commissioner according to section 423 and shall revise the assessment roll accordingly.

(g) On or before June 1 the Board shall present the revised assessment roll for the forthcoming fiscal year to the Commissioner. The Commissioner shall make such further revisions to the assessment roll as are required under other applicable provisions of law, and shall approve such asessment roll not later than June 30. Except as otherwise provided by law, the approved assessment roll shall constitute the basis of assessment for the forthcoming fiscal year and until another assessment roll is made according to law.

(h) Neither the Board nor any court shall order the increase of the assessed value of any parcel of real property above its estimated market value, nor the decrease of the assessed value of any parcel of real property below its estimated market value solely on the basis of average ratio studies comparing sales and asessments, unless such studies are the primary basis for the assessment, or reassessment of the concerned property.

(i) Any person aggrieved by any assessment, equalization, or valuation made, may, by October 15 of the calendar year in which such assessment, equalization,

or valuation is made, appeal from such assessment, equalization, or valuation in the same manner and to the same extent as provided in sections 3 and 14 of title IX of the Act of August 17, 1937 (D.C. Code, secs. 47–2404, 47–24143), if such person shall have first made his complaint to the Board respecting such assessment as herein provided, except that in any case where no notice in writing of such increase of valuation was given the taxpayer prior to March 15 of the particular year, no such complaint shall be required for appeal.

SEC. 427. Each assessor of the District, and each assistant assesor, in the discharge of any of his duties, or the Board, may administer all necessary oaths or affirmations. The Commissioner or, in his absence, his designated agent, and the Chairman of the Board, shall have power to summon the attendance of any person to be examined under oath touching such matters and things as the Commissioner or the Board may deem advisable in the discharge of their duties; and any member of the Metropolitan Police force of the District of Columbia may serve subpenas in his behalf. Such fees shall be allowed witnesses so examined, to be paid out of funds available to the Commissioner, as are allowed in civil actions before the United States District Court for the District of Columbia. Any person summoned and examined as aforesaid who shall knowingly make false oath or affirmation shall be guilty of perjury, and upon conviction thereof be punished according to the laws in force for the punishment of perjury.

SEC. 428. Within one year after the date of enactment of this title the Superior Court of the District of Columbia shall establish a method which it deems appropriate by which class action cases regarding any matter relating to real and personal property taxes may be brought before the Superior Court.

SEC. 429. Any person who shall refuse or knowingly neglect to perform any duty enjoined on him by law, or who shall conset to or connive at any evasion of the provision of the first section of the Act of March 3, 1881 (D.C. Code. sec. 47–209), or section 13 of the Act of August 14, 1894 (D.C. Code, sec. 47–606), or any other provision of this title shall, for each offense, be removed from office and fined not more than $10,000, or imprisoned for no longer than one year, or both, in the discretion of the court.

SUBPART C—MODIFIED HOMEOWNER EXEMPTION TO PREVENT SHIFT OF THE TAX BURDEN TO LOW AND MODERATE INCOME FAMILIES WHO RENT OR OWN SINGLE FAMILY HOMES

SEC. 430. (a) In order that the shift to equalized assessment at the same percentage of estimated market value for all properties not result in increases in proportionate tax burden for households of low or moderate income who own or rent property identified on the as-

sessment roll as row dwellings, detached dwellings, or semi-detached dwellings, the Council by regulation is authorized to provide that the amount of up to $3,000 of market value may be deducted from the estimated market value of some or all of such property.

(b) Subsection (a) shall take effect on and after July 1, 1974.

SUBPART D—TAX INCENTIVES FOR REHABILITATION OF PROPERTY AND NEW CONSTRUCTION IN AREAS OF THE CITY AND FOR THE PRESERVATION OF HISTORIC PROPERTY

SEC. 431. (a) The Council shall, within one year after the date of enactment of this title, after public hearing, adopt regulations providing tax incentives for the rehabilitation of existing structures and for new construction, including rehabilitation or construction of commercial property, located in areas of the District as designated by the Council. The Council shall also adopt regulations providing tax incentives for the rehabilitation and maintenance of historic property. Such tax incentives may include, but are not limited to—

(1) establishing different tax rates for land and for improvements thereon; and

(2) providing that any increase in assessed value of improvements resulting from rehabilitation or new construction be ignored for tax purposes for up to five years from the year of such reassessment.

(b) To be eligible for incentive under this section, historic property must be property designated as an historic landmark and conform to the provisions of subpart E.

SUBPART E—TAX RELIEF FOR CERTAIN HISTORIC PROPERTIES

SEC. 432. For certain officially designated historic property in the District, the Commissioner shall, in addition to assessing at full market value, assess land and improvement on the basis of current use and structures of the property, which latter assessment, if it is less than full market value, shall be the basis of tax liability to the District.

SEC. 433. To be eligible for historic property tax relief, real property must be historic property designated by the Joint Committee on Landmarks of the National Capital Planning Commission and the Commission on Fine Arts, and, in addition, must be approved by the Commissioner under section 434.

SEC. 434. The Council may provide that the owners of properties which have been designated historic landmarks by the Joint Committee on Landmarks of the National Capital Planning Commission and the Commission of Fine Arts may enter into agreements with the government of the District of Columbia for periods of at least twenty years which will assure the continued maintenance of historic properties in return for property tax relief. Such a provision shall, as a condition for tax

relief, require reasonable assurance that such property will be used and properly maintained and such other conditions as the Council finds to be necessary to encourage the preservation of historic property. The Council shall also provide for the recovery of back taxes, with interest, which would have been due and payable in the absence of the exemption, if the conditions for such exemption are not fulfilled.

SUBPART F—TAX DEFERRAL

SEC. 435. (a) An eligible taxpayer may defer each year any real property tax owed in excess of 110 per centum of his immediately preceding year's real property tax liability. To be eligible for such deferral the taxpayer must—

(1) have owned for at least five years the residential real property for which deferral is claimed;

(2) certify that the combined household adjusted gross income (for purposes of District income taxes) does not exceed $20,000 in one year;

(3) file a written request for deferral on a form prescribed by the Commissioner;

(4) certify that such residential real property is the principal place of residence of the taxpayer;

(5) certify that the zoning classification of such residential property has not changed in the immediately past fiscal year;

(6) certify that increases in the assessed valuation of such residential real property attributable to improvements which increase the intrinsic value of such residential real property are not included in the calculation of the increase in real property tax payable; and

(7) certify that the assessment of such residential real property for the immediately previous fiscal year was not the result of an obvious arithmetical error.

(b) Taxes deferred under this section shall bear interest compounded annually. The rate of interest which shall be applied in each year shall be the average Treasury bill rate for the preceding twelve months as certified by the Secretary of the Treasury to the Commissioner.

(c) No further deferrals of real property tax shall be granted a taxpayer when his deferred tax plus interest equals more than 10 per centum of the current assessed value of his property.

(d) Taxes deferred under this section, together with all accumulated interest, shall constitute a preferential lien upon the real property which shall be immediately payable by the seller, transferor, or conveyor whenever the real property is sold, refinanced, transferrred, or conveyed in any manner, or whenever additional co-owners (other than spouse) are added to the real property.

SEC. 436. (a) Any owner of residential real property whose combined household adjusted gross income is in excess of $20,000, and who meets the qualifications specified in clauses (1), (3), (4), (5), and (6) of subsection (a) of section 435, may defer the amount of real property tax attributable to an increase by more than 25 per centum in any one year over the assessment of the immediately previous fiscal year. For the purposes of this section and section 435, for the fiscal year 1975 the assessed value of all properties assessed at 55 per centum of estimated market value shall be the assessed value of the property divided by 0.55.

(b) Taxes deferred under this section shall bear interest compounded annually. Notwithstanding any other provision of law, the rate of interest which shall be applied in each year is the average Treasury bill rate for the preceding twelve months as certified by the Secretary of the Treasury to the Commissioner.

(c) No further deferrals of real property tax shall be granted a taxpayer when his deferred tax plus interest equals more than 10 per centum of the current assessed value of his property.

(d) Taxes deferred under this section, together with all accumulated interest, shall constitute a preferential lien upon the property which shall be immediately payable by the seller, transferor, or conveyor whenever the property is sold, refinanced, transferred, or conveyed in any manner, or whenever additional co-owners (other than spouse) are added to the property.

(e) The deferral provided in this section shall terminate June 30, 1979 unless specifically extended by the Council.

SUBPART G—DISPOSAL OF TAX DELINQUENT PROPERTY TO ENCOURAGE HOMEOWNERSHIP

SEC. 437. Notwithstanding any other provision of law, whenever any real property in the District of Columbia has been, or shall hereafter be, offered for sale for nonpayment of taxes or assessments of any kind whatsoever, and shall have been bid off in the name of the District of Columbia, and two years or more have elapsed since such property was bid off as aforesaid, and the same has not been redeemed as provided by law, the Commissioner of the District may enforce the lien of the District for taxes or other assessments on such real property by ordering that a deed in fee simple to such property be issued by the Commissioner of the District of Columbia to the District of Columbia, and up to the time of the issuance of the deed such property may be redeemed by the owner or other person having an interest therein by the payment of all taxes or assessments due the District of Columbia upon said property, and all legal penalties, interest and costs thereon, together with such other ex-

penses and costs, including costs of publication, as may have been incurred by the District.

SEC. 438. The Council is hereby authorized to establish a program whereby title to properties acquired by tax sale pursuant to section 437 may, for whatever sum it deems appropriate, be transferred to persons meeting criteria which shall be established by the Council, who guarantee to pay taxes on and to live in the property for at least five years, and who give assurance of bringing such property into reasonable compliance with the building code in the District.

PART 3—REAL AND PERSONAL PROPERTY TAX EXEMPTIONS

SEC. 441. The first section of the Act of December 24, 1942 (D.C. Code, sec. 47–801(a)) is amended, on and after July 1, 1974, by adding at the end thereof the following:

"(s) Buildings owned by and actually occupied and used for legitimate theater, music, or dance purposes by a corporation which is not organized or operated for commercial purposes or for private gain, which buildings are open to the public, generally, and for admission to which changes may be made to cover the cost of expenses."

SEC. 442. The Commissioner shall publish, by class and by individual property, a listing of all real property exempt from the real property tax in the District. Such listing shall include the address, lot, and square, the name of the owner, the assessed value of the land and improvements of such property, and the amount of the tax exemption in the previous fiscal year.

PART 4—PROPERTY TAX CREDIT FOR DISTRICT OF COLUMBIA RESIDENTS

SEC. 451. Effective January 1, 1975, title VI of the District of Columbia Income and Franchise Act of 1947 is amended by adding at the end thereof the following new section:

"SEC. 7. CREDIT FOR PROPERTY TAXES ACCRUED AND PAYABLE BY DISTRICT OF COLUMBIA RESIDENTS—(a)(1) For purposes of providing relief to certain District of Columbia residents who own or rent their principal place of abode and who reside in same, a credit shall be allowed to the eligible claimant equal to the amount by which all or a portion of real property taxes the taxpayer pays, or rent paid constituting property taxes, on his principal place of residence for the taxable year, exceeds a percentage (determined under subsection (a)(2) of his household gross income for that year.

"(2) The percentage required under paragraph (1) of this subsection to be determined under this subsection for taxpayers shall be the percentage specified in the following table:

"If household gross income is:	The percentage of property tax paid on the first $400 of property tax, or rent constituting property tax, which shall constitute credit is:
Under $3,000	80 per centum of tax in excess of 2 per centum of income.
$3,000 to $4,999	70 per centum of tax in excess of 3 per centum of income.
$5,000 to $6,999	60 per centum of tax in excess of 4 per centum of income.

"(b) DEFINITIONS.—For purposes of this section:

"(1)(A) The term 'household gross income' means gains, profits, and income derived from salaries, wages, or compensation for personal services of whatever kind and in whatever form paid, including salaries, wages, and compensation paid by the United States to its officers and employees, or income derived from any trade or business or sales or dealings in property, whether real or personal, including capital assets as defined in this article growing out of the ownership or sale of or interest in such property; income from rent, royalies, interest, dividends, securities, or transactions of any trade or business carried on for gain or profit, or gains or profits and income derived from any source whatever, including but not limited to alimony, and separate maintenance payments (including amounts received under separate maintenance agreements), strike benefits, cash public assistance and relief (not including relief or credit granted under this section), sick pay, workmen's compensation, proceeds of life insurance policies, the gross amount of any pension or annuity (including railroad retirement benefits, veterans' disability pensions, or payment received under the Federal Social Security Act), State or District of Columbia unemployment compensation laws, and nontaxable interest received from the United States, a State or any agency or instrumentality thereof. The word 'income' does not include gifts from nongovernmental sources, food stamps, or food or other relief in kind supplied by a governmental agency.

"(B) In determining household gross income the exclusions from gross income as provided by subsection (b) of section 2 of title III of this article shall not apply.

"(2) The term 'household income' shall have the same meaning as the words 'adjusted gross income' are defined in subsection (c) of section 2 of title III of this article. For purposes of determining adjusted gross income within the meaning of this section, gross income shall mean household income as defined in this section.

"(3) The term 'home' means the claimant's dwelling house, whether owned or rented by the claimant, and so much of the land surrounding it as is reasonably necessary for use of the dwelling as a home, and may include a multiunit building or a multipurpose building and a part of the land upon which it is located.

"(4) The term 'claimant' means a person who has filed a claim under this section, was an owner of record of a home in the District, or a lessee, tenant at will or tenant at sufferance paying rent on a home in the District, during the entire calendar year preceding the year in which he files a claim for relief under this section. Only one

claimant per home and per household per year shall be entitled to relief under this section.

"(5)(A) The term 'rent constituting property taxes accrued' means 15 per centum of the rent actually paid by a claimant in cash or its equivalent in the calendar year 1975 or any subsequent calendar year solely for the right to occupy his District home in such calendar year, and which rent constitutes the basis in the succeeding calendar year for the claim for relief made by the claimant under this section, exclusive of amounts which are paid as rent or other consideration for the providing by the landlord of furniture or furnishings of any kind, and exclusive of amounts included in the rent for utilities. Whenever the amount of rent includes charges for the providing by the landlord of furniture or furnishings or charges for utilities, and the charges therefor are not separately stated, then there shall be deducted from the rent as the charge for such furniture or furnishings 20 per centum of the rent, and for utilities 10 per centum of the rent, and the balance shall be deemed to be the amount paid by the claimant solely for the right to occupy his District home for the purposes of the credit allowed under this section.

"(c) In the event that any installment of rent for a calendar year for which a claim is filed is paid prior to the beginning of or subsequent to the end of such calendar year, it shall be included as rent for the year for which the claim was made and for no other year, and shall not be included as rent for purposes of this section for the year in which the installment was paid.

"(d) If the Commissioner determines that the rent paid was not the result of an agreement entered into at arm's length between the tenant and his landlord, the Commissioner may adjust the rent to a reasonable amount for the purposes of this section.

"(e)(1) Beginning with the calendar year 1975 and for each succeeding calendar year, if a claimant owns and occupies his home in the District on July 1 of any such year, 'property taxes accrued' means property taxes (exclusive of special assessments, interest on a delinquency in payment of tax, and any penalties and service charges) assessed and paid to date against such home commencing January 1, 1975, and for succeeding years. If a home is an integral part of a larger unit such as a multipurpose building or a multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the home bears to the total value of the property.

"(2) When a claimant rents two or more different homes in the District in the same calendar year, rent paid by the claimant during that year shall be determined by dividing the rent paid pursuant to the last rental agreement in force during that calendar year by the number of months during that calendar year for

which this rent was paid and multiplying the result by twelve.

"(f) The right to file under this section shall be personal to the claimant, but such right may be exercised by his legal guardian or attorney-in-fact. The right to file a claim shall not survive the death of a claimant. If a claimant dies after having filed a claim, any amount refunded as a result thereof shall be disbursed to his estate: *Provided,* That if no executor or administrator qualifies therein within two years of the filing of the claim, or no petition for distribution of a small estate is filed pursuant to the first section of the Act of September 14, 1965 (D.C. Code, secs. 20–2101 and 20–2102), the claim shall not be allowed.

"(g) Subject to the limitations provided in this section, commencing with the taxable year beginning after December 31, 1974, and for succeeding taxable years, the claimant may claim as a credit against the District income taxes otherwise due on his income, property taxes accrued or rent constituting property taxes accrued for that year. If the allowable amount of such claim exceeds the income taxes otherwise due from the claimant, or other tax liabilities of the claimant to the District, or if there are no District income taxes due from the claimant, the amount of the claim not used as an offset against income taxes or other tax liabilities of the claimant to the District shall be paid or credited to the claimant. No interest shall be allowed on any payment made to a claimant pursuant to this section.

"(h) No claim with respect to property taxes accrued or with respect to rent constituting property taxes accrued shall be allowed unless a District of Columbia individual income tax return or (if the claimant is not required to file such return) a claim for credit under this section is filed with the District on the forms and in such manner and with such information as the Commissioner may prescribe. Any claim for credit shall be filed on or before the time prescribed for the filing of a return of individual income under this article. The Commissioner may grant a reasonable extension of time, not to exceed six months, for the filing of a return or claim for credit under this section whenever in his judgment good cause exists therefor.

"(i) The amount of any claim otherwise payable under this section may be applied by the District against any outstanding tax liability of the claimant to the District.

"(j)(1) In determining eligibility for the credit allowable under this section, and for the purpose of determining outstanding tax liability (if any) of the claimant to the District household income for which the claim is filed and the claimant's outstanding tax liability (if any) shall be determined on the basis of the combined household income of all members present in the household, except there shall be excluded from the computation of

gross household income the first $1,000 earned by a dependent.

"(2) In the case of husband and wife, who during the entire calendar year for which a claim is filed under this section, maintain separate homes, for the purpose of determining household income and the claimant's outstanding tax liability (if any), such husband and wife shall be deemed to have been unmarried during the calendar year for which the claim is made.

"(k) No credit shall be allowed under this title for any year during which the person claiming the credit was a dependent, under any State, Federal, or District law levying a tax on income, unless during that year such person is or becomes sixty-five years of age or older.

"(l) In the case of persons whose incomes vary substantially from year to year, the District of Columbia Council shall adopt regulations concerning income averaging for purposes of calculating benefits.

"(m) Each owner of a rental unit or his authorized agent shall, when requested in writing, furnish to the tenant making such written request a statement indicating the amount of rent paid by the tenant during the calendar year solely for the right of occupancy of the leased premises. Requests shall be made under this paragraph only by those persons entitled to file a claim under this section or who at the time of the making of the request deem themselves entitled to file a claim for credit under this section.

"(n)(1) If, on an audit of any claim filed under this section, the Commissioner finds the amount to have been incorrectly computed, he shall determine the correct amount and notify the claimant in accordance with the procedures set forth in section 5 of title XII of this article.

"(2) If it is determined that a claim was filed with fraudulent intent, it shall be disallowed in full. If the claim has been paid or a credit has been allowed against income taxes otherwise payable, the credit shall be canceled and the amount paid shall be assessed against the claimant and recovered in the same manner as provided for the collection of taxes under section 1601 of title XVI of the Act of May 18, 1954 (D.C. Code, sec. 47–312).

"(o) No claim for relief under this section shall be allowed to any person who was not living in a home which was subject to District of Columbia real property taxation during the calendar year for which the claim is filed.

"(p) Notwithstanding any other provision of law to the contrary, any person aggrieved by the denial in whole or in part of a claim for the credit authorized by this section, or an assessment of tax made pursuant to paragraph (1) of this section, may appeal the denial within six months after notice of the denial of the claim or within six months after notice of assessment, to the Board which shall consider such appeal as a contested case under

section 10 of the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1–1509). In the case of an assessment of tax, the mailing to the claimant of a statement of taxes due shall be considered notice of assessment with respect to such taxes.

"(q) The Commissioner is authorized to provide a table which will approximate, as closely as feasible, the amount of relief allowable under this section.

"(r) If it is determined by the District that a claimant received title to his home in the District or became legally obligated to pay rent for his home in the District primarily for the purpose of receiving benefits under the provisions of this section, his claim shall be disallowed.

"(s) The District of Columbia Council is empowered to make such changes in the amount of annual relief provided under section 7(a) of this title as it may deem proper.".

PART 5—DISTRICT OF COLUMBIA PROPERTY TAX RATE.

SEC. 461. Notwithstanding any other provision of law the property tax rate for the District of Columbia for fiscal year 1975 shall be set by the Council at such an amount to yield at least $146 million in fiscal year 1975; except that such amount may be reduced by any amount raised by the Council pursuant to delegation of authority contained in section 471 of this Act, or by any revenue obtained pursuant to any other provision of law, or by any amount raised by reprogramming or reallocation of the fiscal year 1975 budget.

PART 6—DELEGATION OF GENERAL TAXING AUTHORITY: AMENDMENTS TO DISTRICT SALES TAX ACT AND MISCELLANEOUS

SEC. 471. In order to provide for additional revenue to meet additional expenditures resulting from a compensation increase adopted for persons paid under the District of Columbia Teachers' Salary Act of 1955, policemen, and firemen, the Council, in accordance with section 406 of Reorganization Plan Numbered 3 of 1967, is authorized to change the rate of the taxes imposed under—

(1) the District of Columbia Income and Franchise Tax Act of 1947,

(2) the District of Columbia Sales Tax Act,

(3) the District of Columbia Use Tax Act,

(4) the District of Columbia Cigarette Tax Act,

(5) the District of Columbia Alcoholic Beverage Control Act,

(6) the Act of April 23, 1924 (relating to motor vehicle fuel tax),

(7) title V of the District of Columbia Revenue Act of 1937, and

(8) any other Act of Congress imposing a tax solely in the District of Columbia.

SEC. 472. Section 471 shall take effect on the date of enactment of this Act.

SEC. 473. Section 114(a)(8) of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2601(a)(8) is amended to read as follows:

"(8) The sale of or charges for admission to public events, except live performances of ballet, dance, or choral performances, concerts (instrumental and vocal), plays (with and without music), operas and readings and exhibitions of paintings, sculpture, photography, graphic and craft arts, but including movies, circuses, burlesque shows, sporting events, and performances or exhibitions of any other type or nature: *Provided,* That any casual or isolated sale of or charge for admission made by a semipublic institution not regularly engaged in asking such sales or charges shall not be considered a retail sale or sale at retail."

SEC. 474. The following Acts or parts of Acts are repealed effective June 30, 1975:

(a) Title XV of the District of Columbia Public Works Act of 1954 (D.C. Code, sec. 47–501a.).

(b) The fourth and fifth paragraphs under the heading "General Expenses" of the Act of March 3, 1881 (D.C. Code, sec. 47–601).

(c) The fifth paragraph under the paragraph headed "Militia" of the Act of July 7, 1898 (D.C. Code, sec. 47–602).

(d) Section 11 of the Act of June 25, 1938 (D.C. Code, sec. 47–603).

(e) The first paragraph of section 5 (D.C. Code, sec. 47–713), and the second unnumbered paragraph of section 6 (D.C. Code, sec. 47–605), of the Act of July 1, 1902.

(f) The first section, and sections 2, 3, 4, 6, 7, and 8 of the Act of August 14, 1894 (D.C. Code, secs. 47–604, 701, 702, 704, 707).

(g) The first five sentences, and the last two sentences, of section 5(a) of the Act of August 17, 1937 (D.C. Code, secs. 47–708—47–709).

(h) Section 5 of the Act of March 3, 1883 (D.C. Code, sec. 47–703).

SEC. 475. Except as specifically provided in this title, nothing in this title, or any amendments made by this Act, shall be construed so as to affect the authority vested in the Commissioner of the District of Columbia or the authority vested in the District of Columbia Council by Reorganization Plan Numbered 3 of 1967. The performance of any function vested by this title in the Commissioner of the District of Columbia or in any office or agency under his jurisdiction and control, or in the District of Columbia Council, may be delegated by the Com-

missioner or by the Council, as the case may be, in accordance with the provisions of such plan.

SEC. 476. (a) The repeal or amendment by this title of any provision of law shall not affect any act done or any right accrued or accruing under such provision of law before the effective date of this title or any suit or proceeding had or commenced before the effective date of this title, but all such rights and liabilities under such law shall continue, and may be enforced in the same manner and to the same extent, as if such repeal or amendment had not been made.

(b) All offenses committed, and all penalties incurred, prior to the effective date of this title, under any provision of law hereby repealed or amended, may be prosecuted and punished in the same manner and with the same effect as if this title had not been enacted.

SEC. 477. Except as specifically provided in this Act, or in other provisions of law applicable to the District of Columbia, the Council may by regulation establish penalties for violations of any provision of this title, including any regulation issued pursuant to this title. Such penalties may not exceed imprisonment for longer than one year, or a fine not to exceed $10,000, or both, for each offense.

SEC. 478. Except as specifically provided in this title, the provisions of this title shall take effect on the date of enactment of this title, except that Part 1 and subparts A through G of Part 2 shall apply beginning with the fiscal year beginning July 1, 1975.

TITLE V—POWERS OF THE COUNCIL

SEC. 501. Notwithstanding any other provision of law, or any rule of law, nothing in this Act shall be construed as limiting the authority of the Council of the District of Columbia to enact any act, resolution, or regulation, after January 2, 1975, pursuant to the District of Columbia Self-Government and Governmental Reorganization Act with respect to any matter covered by this Act.

Approved September 3, 1974.

Legislative History:

House Reports: No. 93-1203 (Comm. on the District of Columbia) and No. 93-1294 (Comm. of Conference).

Senate Reports: No. 93-1077 (Comm. on the District of Columbia) and No. 93-1101 (Comm. of Conference).

Congressional Record, Vol. 120 (1974):

July 29, considered and passed House.

Aug. 8, considered and passed Senate, amended.

Aug. 16, Senate agreed to conference report.

Aug. 20, House agreed to conference report.

An Act to amend the District of Columbia Police and Firemen's Salary Act of 1958 to provide for the same cost-of-living adjustments in the basic compensation of officers and members of the United States Park Police force as are given to Federal employees under the General Schedule and to require sub-

mittal of a report on the feasibility and desirability of codifying the laws relating to the United States Park Police force. (90 Stat. 2493) (P.L. 94-533)

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

PURPOSE

SEC. 1. The purpose of this Act is to insure that officers and members of the United States Park Police force are entitled to adjustments in basic compensation in the same overall percentage as are other Federal employees within the General Schedule under the Federal pay comparability system.

ADJUSTMENTS IN BASIC COMPENSATION OF OFFICERS AND MEMBERS OF THE PARK POLICE FORCE

SEC. 2. Section 501 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-833) is amended—

(1) by striking out "The rates" and inserting in lieu thereof "(a) Except as provided in subsections (b) and (c), the rates" in lieu thereof, and

(2) by adding at the end thereof the following new subsections:

"(b) (1) Effective at the beginning at the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5305 of title 5, United States Code, in the rate of pay under General Schedule, the annual rate of basic compensation of officers and members of the United States Park Police force shall be adjusted by the Secretary of the Interior by an amount (rounded to the next highest multiple of $5) equal to the percentage of such annual rate of pay which corresponds to the overall percentage (as set forth in the applicable report transmitted to the Congress under such section 5305) of the adjustment made in the rates of pay under the General Schedule.

"(2) No adjustment in the annual rate of basic compensation of such officers and members may be made except in accordance with paragraph (1).

"(c) Any reference in any law to the salary schedule in section 101 of this Act with respect to officers and members of the United States Park Police force shall be considered to be a reference to such schedule as adjusted in accordance with subsection (b)."

REPORT ON THE FEASIBILITY OF CODIFYING LAWS RELATING TO THE PARK POLICE

SEC. 3. The Secretary of the Interior shall submit to Congress not later than one year after the date of enactment of this Act a report on the feasibility and de-

sirability of enacting as a part of the United States Code those provisions concerning the powers, duties, functions, salaries, and benefits of officers and members of the United States Park Police force which presently are contained in several statutes and are compiled in the District of Columbia Code

EFFECTIVE DATE

SEC. 4. The amendments made by this Act shall take effect on October 1, 1976.

Approved October 17, 1976.

Legislative History:

House Report No. 94-1473 (Comm. on the District of Columbia).
Senate Report No. 94-1342 (Comm. on the District of Columbia).
Congressional Record, Vol. 122 (1976):
Sept. 13, considered and passed House.
Oct. 1, considered and passed Senate.

15. William Jennings Bryan Statue

An Act to authorize the conveyance to the city of Salem, Illinois, of a statute of William Jennings Bryan. (88 Stat. 1186) (P.L. 93-432)

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 and directed to donate, by appropriate cooperative agreement, and without monetary consideration, to the city of Salem, Illinois, all right, title, and interest of the United States in and to the statue of William Jennings Bryan authorized by the Act of June 18, 1930 (46 Stat. 783). Such donation shall be on condition that the city of Salem, Illinois, shall suitably display and maintain within such city such statue as a memorial to William Jennings Bryan, onetime Member of the House of Representatives of the United States, Secretary of State of the United States, and three times nominated by his party for President of the United States.

Approved October 4, 1974.

Legislative History:

House Report No. 93-1253 (Comm. on House Administration).
Senate Report No. 93-1158 (Comm. on Rules and Administration).
Congressional Record, Vol. 120 (1974):
Aug. 19, considered and passed House.
Sept. 23, considered and passed Senate.

XIV. NATIONAL PRESERVES

1. Big Cypress

An Act to establish the Big Cypress National Preserve in the State of Florida, and for other purposes. (88 Stat. 1255) (P.L. 93-440)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to assure the preservation, conservation, and protection of the natural, scenic, hydrologic, floral and faunal, and recreational values of the Big Cypress Watershed in the State of Florida and to provide for the enhancement and public enjoyment thereof, the Big Cypress National Preserve is hereby established.

(b) The Big Cypress National Preserve (hereafter referred to as the "preserve") shall comprise the area generally depicted on the map entitled "Big Cypress National Preserve", dated November 1971 and numbered BC-91,001, which shall be on file and available for public inspection in the Offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and shall be filed with appropriate offices of Collier, Monroe, and Dade Counties in the State of Florida. The Secretary of the Interior (hereafter referred to as the "Secretary") shall, as soon as practicable, publish a detailed description of the boundaries of the preserve in the Federal Register which shall include not more than five hundred and seventy thousand acres of land and water.

(c) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange, any lands, waters, or interests therein which are located within the boundaries of the preserve: *Provided,* That any lands owned or acquired by the State of Florida, or any of its subdivisions, may be acquired by donation only: *Provided further,* That no Federal funds shall be appropriated until the Governor of Florida executes an agreement on behalf of the Sate which (i) provides for the transfer to the United States of all lands within the preserve previously owned or acquired by the State and (ii) provides for the donation to the United States of all lands acquired by the State within the preserve pursuant to the provision of "the Big Cypress Conservation Act of 1973" (Chapter 73-131 of the Florida Statutes) or provides for the donation to the United States of any remaining moneys appropriated pursuant to such Act for

the purchase of lands within the preserve. No improved property, as defined by this Act, nor oil and gas rights, shall be acquired without the consent of the owner unless the Secretary, in his judgment, determines that such property is subject to, or threatened with, uses which are, or would be, detrimental to the purposes of the preserve. The Secretary may, if he determines that the acquisition of any other subsurface estate is not needed for the purposes of the preserve, exclude such interest in acquiring any lands within the preserve. Notwithstanding the provisions of section 301 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894, 1904) the Secretary (i) may evaluate any offer to sell land within the preserve by any landowner and may, in his discretion, accept any offer not in excess of $10,000 without an appraisal and (ii) may direct an appraisal to be made of any unimproved property within the preserve without notice to the owner or owners thereof. Notwithstanding any other provision of law, and federally owned lands within the preserve shall, with the concurrence of the head of the administering agency, be transferred to the administrative jurisdiction of the Secretary for the purposes of this Act, without transfer of funds.

SEC. 2. (a) In recognition of the efforts of the State of Florida in the preservation of the area, through the enactment of chapter 73–131 of the Florida statutes, "The Big Cypress Conservation Act of 1973", the Secretary is directed to proceed as expeditiously as possible to acquire the lands and interests in lands necessary to achieve the purposes of this Act.

(b) Within one year after the date of the enactment of this Act, the Secretary shall submit, in writing, to the Committee on Interior and Insular Affairs and to the Committees on Appropriations of the United States Congress a detailed plan which shall indicate:

(i) the lands and areas which he deems essential to the protection and public enjoyment of this preserve.

(ii) the lands which he has previously acquired by purchase, donation, exchange or transfer for administration for the purpose of this preserve, and

(iii) the annual acquisition program (including the level of funding) which he recommends for the ensuing five fiscal years.

(c) It is the express intent of the Congress that the Secretary should substantially complete the land acquisition program contemplated by this Act within six years after the date of its enactment.

SEC. 3. (a) 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 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, which shall include the exercise of such right in violation of any applicable State or local laws and ordinances, 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.

(b) As used in this Act, the term "improved property" means:

(i) a detached, one family dwelling, construction of which was begun before November 23, 1971, which is used for noncommercial residential purposes, together with not to exceed three acres of land on which the dwelling is situated and such additional lands as the Secretary deems reasonably necessary for access thereto, such land being in the same ownership as the dwelling, and together with any structures accessory to the dwelling which are situated on such lands and

(ii) any other building, construction of which was begun before November 23, 1971, which was constructed and is used in accordance with all applicable State and local laws and ordinances, together with as much of the land on which the building is situated, such land being in the same ownership as the building, as the Secretary shall designate to be reasonably necessary for the continued enjoyment and use of the building in the same manner and to the same extent as existed in November 23, 1971, together with any structures accessory to the building which are situated on the lands so designated. In making such designation the Secretary shall take into account the manner of use in which the building, accessory structures, and lands were customarily enjoyed prior to November 23, 1971.

(c) 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.

SEC. 4. (a) The area within the boundaries depicted

on the map referred to in section 1 shall be known as the Big Cypress National Preserve. Such lands shall be administered by the Secretary as a unit of the National Park System in a manner which will assure their natural and ecological integrity in perpetuity in accordance with the provisions of this Act and with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

(b) In administering the preserve, the Secretary shall develop and publish in the Federal Register such rules and regulations as he deems necessary and appropriate to limit or control the use of Federal lands and waters with respect to:

(1) motorized vehicles,

(2) exploration for and extraction of oil, gas, and other minerals,

(3) grazing,

(4) draining or constructing of works or structures which alter the natural water courses,

(5) agriculture,

(6) hunting, fishing, and trapping,

(7) new construction of any kind, and

(8) such other uses as the Secretary determines must be limited or controlled in order to carry out the purposes of this Act: *Provided,* That the Secretary shall consult and cooperate with the Secretary of Transportation to assure that necessary transportation facilities shall be located within existing or reasonably expanded rights-of-way and constructed within the reserve in a manner consistent with the purposes of this Act.

SEC. 5. The Secretary shall permit hunting, fishing, and trapping on lands and water under his jurisdiction within the preserve in accordance with the applicable laws of the United States and the State of Florida, except that he may designate zones where and periods when no hunting, fishing, trapping, or entry may be permitted for reasons of public safety, administration, floral and faunal protection and management, or public use and enjoyment. Except in emergencies, any regulations prescribing such restrictions relating to hunting, fishing, or trapping shall be put into effect only after consultation with the appropriate State agency having jurisdiction over hunting, fishing, and trapping activities. Notwithstanding this section or any other provision of this Act, members of the Miccosukee Tribe of Indians of Florida and members of the Seminole Tribe of Florida shall be permitted, subject to reasonable regulations established by the Secretary, to continue their usual and customary use and occupancy of Federal or federally acquired lands and waters within the preserve, including hunting, fishing, and trapping on a subsistence basis and traditional tribal ceremonials.

SEC. 6. Notwithstanding any other provision of law,

before entering into any contract for the provision of revenue producing visitor services,

(i) the Secretary shall offer those members of the Miccosukee and Seminole Indian Tribes who, on January 1, 1972, were engaged in the provision of similar services, a right of first refusal to continue providing such services within the preserve subject to such terms and conditions as he may deem appropriate, and

(ii) before entering into any contract or agreement to provide new revenue-producing visitor services within the preserve, the Secretary shall offer to the Miccosukee Tribe of Indians of Florida and the Seminole Tribe of Florida the right of first refusal to provide such services, the right to be open for a period of ninety days. Should both Tribes respond with proposals that satisfy the terms and conditions established by the Secretary, the Secretary may allow the Tribes an additional period of ninety days in which to enter into an inter-Tribal cooperative agreement to provide such visitor services, but if neither tribe responds with proposals that satisfy the terms and conditions established by the Secretary, then the Secretary shall provide such visitor services in accordance with the Act of October 9, 1965 (79 Stat. 969, 16 U.S.C. 20). No such agreement may be assigned or otherwise transferred without the consent of the Secretary.

SEC. 7. Within five years from the date of the enactment of this Act, the Secretary shall review the area within the preserve and shall report to the President, in accordance with section 3 (c) and (d) of the Wilderness Act (78 Stat. 891; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any area within the preserve for preservation as wilderness, and any designation of any such areas as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed $116,000,000 for the acquisition of lands and interests in lands and not to exceed $900,000 for development. Any funds donated to the United States by the State of Florida pursuant to chapter 73-131 of the Florida statutes shall be used solely for the acquisition of lands and interests in land within the preserve.

Approved October 11, 1974.

Legislative History:

House Report No. 93-502 (Comm. on Interior and Insular Affairs).
Senate Report No. 93-1128 (Comm. on Interior and Insular Affairs).
Congressional Record:
Vol. 119 (1973): Oct. 3, considered and passed House.
Vol. 120 (1974): Sept. 9, considered and passed Senate, amended.
Sept. 24, House concurred in Senate amendments with amendments.
Oct. 1, Senate concurred in House amendments to Senate amendments.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE II—ACQUISITION CEILING INCREASES

SEC. 201. The limitations on appropriations for the acquisition of lands and interests therein within certain units of the National Park System are amended as follows:

* * * * * * *

(1) Big Cypress National Preserve, Florida: Section 8 of the Act of October 11, 1974 (88 Stat. 1258), is amended by changing "$116,000,000" to "$156,700,000".

* * * * * * *

Approved November 10, 1978.

2. Big Thicket

An Act to authorize the establishment of the Big Thicket National Preserve in the State of Texas, and for other purposes. (88 Stat. 1254) (P.L. 93–439)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to assure the preservation, conservation, and protection of the natural, scenic, and recreational values of a significant portion of the Big Thicket area in the State of Texas and to provide for the enhancement and public enjoyment thereof, the Big Thicket National Preserve is hereby established.

(b) The Big Thicket National Preserve (hereafter referred to as the "preserve") shall include the units generally depicted on the map entitled "Big Thicket National Preserve", dated November 1973 and numbered NBR–BT 91,027 which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and shall be filed with appropriate offices of Tyler, Hardin, Jasper, Polk, Liberty, Jefferson, and Orange Counties in the State of Texas. The Secretary of the Interior (hereafter referred to as the "Secretary") shall, as soon as practicable, but no later than six months after the date of enactment of this Act, publish a detailed description of the boundaries of the preserve in the Federal Register. In establishing such boundaries, the Secretary shall locate stream corridor unit boundaries referenced from the stream bank on each side thereof and he shall further make every reasonable effort to exclude from the units hereafter described any improved year-round residential properties which he determines, in his discretion, are not necessary for the protection of the values of the area or for its proper administration. The preserve shall consist of the following units:

Big Sandy Creek unit, Polk County, Texas, comprising approximately fourteen thousand three hundred acres:

Menard Creek Corridor unit, Polk, Hardin, and Liberty Counties, Texas, including a module at its confluence with the Trinity River, comprising approximately three thousand three hundred and fifty-nine acres;

Hickory Creek Savannah unit, Tyler County, Texas, comprising approximately six hundred and sixty-eight acres;

Turkey Creek unit, Tyler and Hardin Counties, Texas, comprising approximately seven thousand eight hundred acres;

Beech Creek unit, Tyler County, Texas, comprising approximately four thousand eight hundred and fifty-six acres;

Upper Neches River corridor unit, Jasper, Tyler, and Hardin Counties, Texas, including the Sally

Withers Addition, comprising approximately three thousand seven hundred and seventy-five acres;

Neches Bottom and Jack Gore Baygall unit, Hardin and Jasper Counties, Texas, comprising approximately thirteen thousand three hundred acres;

Lower Neches River corridor unit, Hardin, Jasper, and Orange Counties, Texas, except for a one-mile segment on the east side of the river including the site of the papermill near Evadale, comprising approximately two thousand six hundred acres;

Beaumont unit, Orange, Hardin, and Jefferson Counties, Texas, comprising approximately six thousand two hundred and eighteen acres;

Loblolly unit, Liberty County, Texas, comprising approximately five hundred and fifty acres;

Little Pine Island-Pine Island Bayou corridor unit, Hardin and Jefferson Counties, Texas, comprising approximately two thousand one hundred acres; and

Lance Rosier Unit, Hardin County, Texas, comprising approximately twenty-five thousand and twenty-four acres.

(c) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange, any lands, waters, or interests therein which are located within the boundaries of the preserve: *Provided* That any lands owned or acquired by the State of Texas, or any of its political subdivisions, may be acquired by donation only. After notifying the Committees on Interior and Insular Affairs of the United States Congress, in writing, of his intention to do so and of the reasons therefor, the Secretary may, if he finds that such lands would make a significant contribution to the purposes for which the preserve was created, accept title to any lands, or interests in lands, located outside of the boundaries of the preserve which the State of Texas or its political subdivisions may acquire and offer to donate to the United States or which any private person, organization, or public or private corporation may offer to donate to the United States and he may administer such lands as a part of the preserve after publishing notice to that effect in the Federal Register. Notwithstanding any other provision of law, any federally owned lands within the preserve shall, with the concurrence of the head of the administering agency, be transferred to the administrative jurisdiction of the Secetary for the purposes of this Act, without transfer of funds.

SEC. 2. (a) The Secretary shall, immediately after the publication of the boundaries of the preserve, commence negotiations for the acquisition of the lands located therein: *Provided,* That he shall not acquire the mineral estate in any property or existing easements for public utilities, pipelines or railroads without the consent of the owner unless, in his judgment, he first determines that such property or estate is subject to, or threatened

with, uses which are, or would be, detrimental to the purposes and objectives of this Act: *Provided further,* That the Secretary, insofar as is reasonably possible, may avoid the acquisition of improved properties, as defined in this Act, and shall make every effort to minimize the acquisition of land where he finds it necessary to acquire properties containing improvements.

(b) Within one year after the date of the enactment of this Act, the Secretary shall submit, in writing, to the Committee on Interior and Insular Affairs and to the Committees on Appropriations of the United States Congress a detailed plan which shall indicate:

(i) the lands and areas which he deems essential to the protection and public enjoyment of this preserve,

(ii) the lands which he has previously acquired by purchase, donation, exchange or transfer for administration for the purpose of this preserve, and

(iii) the annual acquisition program (including the level of funding) which he recommends for the ensuing five fiscal years.

(c) It is the express intent of the Congress that the Secretary should substantially complete the land acquisition program contemplated by this Act within six years after the date of its enactment.

SEC. 3. (a) 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.

(b) As used in this Act, the term "improved property" means a detached, one-family dwelling, construction of which was begun before July 1, 1973, which is used for noncommercial residential purposes, together with not to exceed three acres of land on which the dwelling is situated and 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 dwellings, together with any structures accessory to the dwelling which are situated on such land.

(c) 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.

SEC. 4. (a) The area within the boundaries depicted on the map referred to in section 1 shall be known as the Big Thicket National Preserve. Such lands shall be administered by the Secretary as a unit of the National Park System in a manner which will assure their natural and ecological integrity in perpetuity in accordance with the provisions of this Act and with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4),as amended and supplemented.

(b) In the interest of maintaining the ecological integrity of the preserve, the Secretary shall limit the construction of roads, vehicular campgrounds, employee housing, and other public use and administrative facilities and he shall promulgate and publish such rules and regulations in the Federal Register as he deems necessary and appropriate to limit and control the use of, and activities on, Federal lands and waters with respect to:

(1) motorized land and water vehicles;

(2) exploration for, and extraction of, oil, gas, and other minerals;

(3) new construction of any kind;

(4) grazing and agriculture; and

(5) such other uses as the Secretary determines must be limited or controlled in order to carry out the purposes of this Act.

(c) The Secretary shall permit hunting, fishing, and trapping on lands and waters under his jurisdiction within the preserve in accordance with the applicable laws of the United States and the State of Texas, except that he may designate zones where and periods when, no hunting, fishing, trapping, or entry may be permitted for reasons of public safety, administration, floral and faunal protection and management, or public use and enjoyment. Except in emergencies, any regulations prescribing such restrictions relating to hunting, fishing, or trapping shall be put into effect only after consultation with the appropriate State agency having jurisdiction over hunting, fishing, and trapping activities.

SEC. 5. Within five years from the date of enactment of this Act, the Secretary shall review the area within the preserve and shall report to the President, in ac-

cordance with section 3 (c) and (d) of the Wilderness Act (78 Stat. 891; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any area within the preserve for preservation as wilderness, and any designation of any such areas as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, but not to exceed $63,812,000 for the acquisition of lands and interests in lands and not to exceed $7,000,000 for development.

Approved October 11, 1974.

Legislative History:

House Report No. 93-676 (Comm. on Interior and Insular Affairs).
Senate Report No. 93-875 (Comm. on Interior and Insular Affairs).
Congressional Record:
Vol. 119 (1973): Dec. 3, considered and passed House.
Vol. 120 (1974): May 30, considered and passed Senate, amended.
Sept. 24, House concurred in Senate amendments with an amendment.
Oct. 1, Senate concurred in House amendment to Senate amendment.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

TITLE III—MISCELLANEOUS PROVISIONS

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BIG THICKET NATIONAL PRESERVE

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.

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Approved October 21, 1976.

XV. NATIONAL RESERVES

1. Ebey's Landing

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE V—ESTABLISHMENT OF NEW AREAS AND ADDITIONS TO NATIONAL TRAILS SYSTEM

SUBTITLE A — PARKS, SEASHORE, ETC.

* * * * * * *

EBEY'S LANDING NATIONAL HISTORICAL RESERVE

SEC. 508. (a) There is hereby established the Ebey's Landing National Historical Reserve (hereinafter referred to as the "reserve"), in order to preserve and protect a rural community which provides an unbroken historical record from nineteenth century exploration and settlement in Puget Sound to the present time, and to commemorate—

(1) the first thorough exploration of the Puget Sound area, by Captain George Vancouver, in 1792;

(2) settlement by Colonel Isaac Neff Ebey who led the first permanent settlers to Whidbey Island, quickly became an important figure in Washington Territory, and ultimately was killed by Haidahs from the Queen Charlotte Islands during a period of Indian unrest in 1857;

(3) early active settlement during the years of the Donation Land Law (1850–1855) and thereafter; and

(4) the growth since 1883 of the historic town of Coupeville.

The reserve shall include the area of approximately eight thousand acres identified as the Central Whidbey Island Historic District.

(b)(1) To achieve the purpose of this section, the Secretary, in cooperation with the appropriate State and local units of general government, shall formulate a comprehensive plan for the protection, preservation, and interpretation of the reserve. The plan shall identify those areas or zones within the reserve which would most appropriately be devoted to—

(A) public use and development;

(B) historic and natural preservation; and

(C) private use subject to appropriate local zoning ordinances designed to protect the historical rural setting.

(2) Within eighteen months following the date of enactment of this section, the Secretary shall transmit the plan to the President of the Senate and the Speaker of the House of Representatives.

(c) At such time as the State or appropriate units of local government having jurisdiction over land use within the reserve have enacted such zoning ordinances or other land use controls which in the judgment of the Secretary will protect and preserve the historic and natural features of the area in accordance with the comprehensive plan, the Secretary may, pursuant to cooperative agreement—

(1) transfer management and administration over all or any part of the property acquired under subsection (d) of this section to the State or appropriate units of local government;

(2) provide technical assistance to such State or unit of local government in the management, protection, and interpretation of the reserve; and

(3) make periodic grants, which shall be supplemental to any other funds to which the grantee may be entitled under any other provision of law, to such State or local unit of government for the annual costs of operation and maintenance, including but not limited to, salaries of personnel and the protection, preservation, and rehabilitation of the reserve except that no such grant may exceed 50 per centum of the estimated annual cost, as determined by the Secretary, of such operation and maintenance.

(d) The Secretary is authorized to acquire such lands and interests as he determines are necessary to accomplish the purposes of this section by donation, purchase with donated funds, or exchange, except that the Secretary may not acquire the fee simple title to any land without the consent of the owner. The Secretary shall, in addition, give prompt and careful consideration to any offer made by an individual owning property within the historic district to sell such property, if such individual notifies the Secretary that the continued ownership of such property is causing, or would result in, undue hardship.

Lands and interests therein so acquired shall, so long as responsibility for management and administration remains with the United States, be administered by the Secretary subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and in a manner consistent with the purpose of this section.

(e) If, after the transfer of management and administration of any lands pursuant to subsection (c) of this section, the Secretary determines that the reserve is not

being managed in a manner consistent with the purposes of this section, he shall so notify the appropriate officers of the State or local unit of government to which such transfer was made and provide for a ninety-day period in which the transferee may make such modifications in applicable laws, ordinances, rules, and procedures as will be consistent with such purposes. If, upon the expiration of such ninety-day period, the Secretary determines that such modifications have not been made or are inadequate, he shall withdraw the management and administration from the transferee and he shall manage such lands in accordance with the provisions of this section.

(f) There is hereby authorized to be appropriated not to exceed $5,000,000 to carry out the provisions of this section.

* * * * * * *

Approved November 10, 1978.

2. Pinelands

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE V—ESTABLISHMENT OF NEW AREAS AND ADDITIONS TO NATIONAL TRAILS SYSTEM

SUBTITLE A—PARKS, SEASHORES, ETC.

* * * * * * *

PINELANDS NATIONAL RESERVE

SEC. 502. (a) The Congress finds that—

(1) the Pinelands area in New Jersey, containing approximately 1,000,000 acres of pine-oak forest, extensive surface and ground water resources of high quality, and a wide diversity of rare plant and animal species, provides significant ecological, natural, cultural, recreational, educational, agricultural, and public health benefits;

(2) there is a national interest in protecting and preserving these benefits for the residents of and visitors to the area;

(3) a primary responsibility for protecting and enhancing these benefits resides with the State of New Jersey and the various local units of government having jurisdiction over the area;

(4) in view of the longstanding Federal practice of assisting the States in creating, protecting, preserving, and enhancing areas of significant regional and urban importance, and in view of the national significance of this resource, the Federal Government has an interest in assisting the State of New Jersey and its local units of government in fulfilling their responsibilities and in avoiding adverse Federally approved or assisted impacts before these responsibilities can be undertaken;

(5) the State of New Jersey and its local units of government have authority to prevent or minimize adverse uses of the land and water resources of the Pinelands area and can, to a great extent, protect the health, safety, and general welfare by the use of such authority; and

(6) there is a demonstrated need to protect, preserve and enhance the land and water resources of the Pinelands area through a new program which combines the capabilities and resources of the local, State and Federal governments and the private sec-

tor and provides an alternative to large-scale direct Federal acquisition and management in cases where such acquisition and management is inappropriate.

(b) The purposes of this section are—

(1) to protect, preserve and enhance the significant values of the land and water resources of the Pinelands area;

(2) to encourage and assist the State of New Jersey and its units of local government in the development of a comprehensive management plan for the Pinelands area in order to assure orderly public and private development in the area consistent with the findings of this section;

(3) to provide, during the development of this comprehensive plan, Federal financial assistance for the acquisition of lands in the Pinelands area that have critical ecological values which are in immediate danger of being adversely affected or destroyed;

(4) to encourage and assist the State and its units of local government in developing a governmental mechanism to implement this comprehensive plan, and to provide Federal financial assistance for the acquisition of lands consistent with the comprehensive plan;

(5) to encourage adequate coordination of all government programs affecting the land and water resources of the Pinelands area.

(c) There is hereby established the Pinelands National Reserve which shall consist of the approximately 1,000,000-acre area generally depicted on the map entitled "Pinelands National Reserve Boundary Map" numbered NPS/80,011 A and dated September 1978. Within the Pinelands National Reserve, there is hereby established the Federal Project Review Area, which shall consist of the approximately 486,000 acre area also depicted on the map. The map shall be on file and available for public inspection in the offices of the Department of the Interior in Washington, and in the offices of the State of New Jersey planning entity established pursuant to subsection (d), and in locations throughout the Pinelands National Reserve as determined by the planning entity.

(d) Within thirty days after the date of enactment of this section, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall request the Governor of the State of New Jersey to establish, within ninety days of such request, a planning entity to develop a comprehensive management plan for the Pinelands National Reserve. In order to carry out the purposes of this section, such planning entity shall be composed of fifteen members to be appointed as follows: one member appointed by the Secretary; one member from each of the seven counties in the Pinelands National Reserve to be appointed by the respective governing bodies of each

county; and seven members to be appointed by the Governor. The membership of the planning entity shall include residents of the Pinelands National Reserve who represent economic activities such as agriculture in the area, as well as residents of New Jersey who represent conservation interests. The Secretary shall provide technical assistance and grants to the State for the development of the plan or revisions thereof: *Provided,* That such grants shall not exceed 75 percent of the cost of developing the plan, shall be made only upon application of the Governor, on behalf of the planning entity, and shall be subject to such other conditions as the Secretary may deem appropriate to assure State and local interim protection of the area.

(e) During the development of the management plan, the planning entity shall:

(1) consult with appropriate officials of any local government or State or Federal agency which has jurisdiction over lands and waters within the area;

(2) consult with the officials of any local government which has jurisdiction over lands and waters within areas delineated in accordance with subsection (f)(2)(B);

(3) consult with interested professional, scientific and citizen organizations;

(4) consult with a citizens advisory committee which may be established by the Governor; and

(5) conduct public hearings at places within the area, and at such other places as may be appropriate, for the purpose of providing interested persons with an opportunity to express their views with respect to matters covered by the management plan.

(f) The comprehensive management plan for the Pinelands National Reserve shall include, but need not be limited to—

(1) A resource assessment which:

(A) determines the amount and type of human development and activity which the ecosystem can sustain while still maintaining the overall ecological values described in this section with special reference to (i) ground and surface water supply and quality; (ii) natural hazards, including fire; (iii) endangered, unique and unusual plants and animals and biotic communities; (iv) ecological factors relating to the protection and enhancement of blueberry and cranberry production and other agricultural activity; (v) air quality; and (vi) other appropriate considerations affecting the ecological integrity of the area; and

(B) includes an assessment of scenic, aesthetic, cultural, open space, and outdoor recreation resources of the area together with a determination of overall policies required to maintain and enhance these resources.

(2) A map showing the detailed boundary of the Pinelands National Reserve, such map to delineate:

(A) major areas within the boundary which are of critical ecological importance;

(B) major areas and resources adjacent to the boundary that have significance to the ecological integrity of the Pinelands National Reserve; and

(C) areas of scenic, open space, cultural and recreational significance.

(3) A land use capability map and a comprehensive statement of policies for land use management of the area which:

(A) consider and detail the application of a variety of land and water protection and management techniques, including but not limited to, zoning and regulation derived from State and local police powers, development and use standards and permit systems, acquisition of conservation easements and other interests in land, public access agreements with private landowners, purchase of land for resale or lease-back, fee acquisition of public recreation sites and ecologically sensitive areas and any other method of land and water protection and management which will help meet the goals and carry out the policies of the management plan;

(B) include a policy for the use of State and local police power responsibilities to the greatest extent practicable to regulate the use of land and water resources in a manner consistent with the purposes of this section; and

(C) recognize existing economic activities within the area and provide for the protection and enhancement of such activities as farming, forestry, proprietary recreational facilities, and those indigenous industries and commercial and residential developments which are consistent with the findings and purposes of this section.

(4) A coordination and consistency component which details the ways in which local, State and Federal programs and policies may be be coordinated to promote the goals and policies of the management plan, and which details how land, water and structures managed by governmental or nongovernmental entities in the public interest within the area may be integrated into the management plan.

(5) A public use component including, among other items, a detailed program to educate the public concerning appropriate uses of the area.

(6) A financial component, together with a cash flow timetable, which:

(A) details the cost of implementing the management plan, including, but not limited to, payments in lieu of taxes, general administrative

costs, and any anticipated extraordinary or continuing costs; and

(B) details the sources of revenue for covering such costs, including, but not limited to, grants, donations and loans from local, State, and Federal departments and agencies, and from the private sector.

(7) A program to provide for the maximum feasible local government and public participation in the management of the Pinelands National Reserve.

(8) A program for State and local governmental implementation of the comprehensive management plan in a manner that will insure the continued, uniform, consistent protection of this area in accord with the purposes of this section.

(9) In conjunction with existing State programs and planning processes, a plan to implement the provisions of the Clean Water Act and the Safe Drinking Water Act which pertain to the surface and ground waters of the Pinelands National Reserve.

(g)(1) The State of New Jersey, through the planning entity, shall adopt and submit to the Secretary a comprehensive management plan within eighteen months after the date that funds are first provided for its preparation under subsection (d). In the event the State fails to submit the plan within such time period, the Secretary may obtain reimbursement or offset from the State of all Federal funds previously granted under this section. The Secretary shall, within ninety days after the date the plan is submitted to him, either approve or disapprove the plan. Should the Secretary fail to act on the proposed plan within ninety days, the plan shall be regarded as approved. Upon approval, the Secretary shall submit the plan to the Congress for a period of ninety days prior to implementation.

(2) In determining whether or not to approve the management plan, the Secretary shall consider whether:

(A) the planning entity has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation and review of the plan, and whether such review and comment thereon were considered in the plan or revision as presented to him;

(B) he has received adequate assurances from appropriate State officials that the recommended implementation program identified in the plan will be initiated within a reasonable time after the date of approval of the plan and such program will insure effective implementation of the State and local aspects of the plan;

(C) provision is made for the participation of a Federal representative in the implementation program;

(D) the plan requires the exercise of police power responsibilities to the greatest extent practicable to reg-

ulate the use of land and water resources in a manner consistent with the purposes of this section;

(E) the plan, if implemented, would adequately protect the significant natural, ecological, agricultural, scenic, cultural and recreational resources of the Pinelands National Reserve and, consistent with such protection, provide adequate and appropriate outdoor recreational opportunities and economic activities within the area;

(F) the plan provides for the Governor of the State of New Jersey to exercise effective and continuing oversight over its implementation; and

(G) after consultation with the Secretary of Defense, the national defense mission of the military installations within, contiguous or adjacent to the Pinelands National Reserve has been adequately provided for.

(3) If the Secretary disapproves the management plan or a revision thereof, he shall, within sixty days after the date of such disapproval, advise the planning entity in writing of the reasons therefor, together with his recommendations for revision. The State of New Jersey, through the planning entity shall, within one hundred and twenty days after receipt by the planning entity of notification of such disapproval, revise and resubmit the plan to the Secretary who shall approve or disapprove a proposed revision within sixty days after the date it is submitted to him. Should the Secretary fail to act on a proposed revision within sixty days, the revision shall be considered as approved.

(4) The Secretary shall consider a plan revision in accordance with the procedure set forth in paragraph (2). Such revisions must be consistent with the purposes of this section.

(5) In the event that the planning entity fails to obtain approval of the plan by the Secretary within thirty-six months after the date funds are first provided under subsection (d) for development of the plan, the Secretary shall terminate all Federal assistance for and participation in the development of such plan, and may obtain reimbursement or offset from the State of New Jersey of all Federal funds previously granted under this section.

(6) The Secretary shall provide technical assistance for and monitor at periodic intervals the implementation of the approved management plan. A local jurisdiction or the State shall obtain the approval of the Secretary prior to any modification of the approved plan. The Secretary shall consider a plan revision in accordance with the procedure set forth in paragraph (2). Such revisions must be consistent with the purposes of this section. Any jurisdiction that implements changes to the approved management plan, or adopts or acquiesces in changes to laws, regulations, or policies adopted to implement such plan, without approval of the Secretary, may be liable for reimbursement or offset of all Federal funds previ-

ously granted to it under this section without regard to such additional terms and conditions or other requirements of law that may be applicable to such grants.

(h)(1)(A) During the development of the management plan, the Secretary is authorized to make grants to the State of New Jersey for the acquisition of lands and waters or interests therein within the Pinelands National Reserve that he determines, in consultation with the State planning entity, have critical ecological values which are in immediate danger of being adversely affected or destroyed.

(B) The grants authorized by subsection (h)(1)(A) together with the grants made under paragraph (4) of this subsection, shall (i) be made in a manner consistent with the requirements of the Land and Water Conservation Fund Act; (ii) not exceed 75 percent of the total cost of all property acquired by the State pursuant to this subsection; (iii) be supplemental to any other Federal financial assistance for any other program; and (iv) be subject to such additional terms and conditions as the Secretary may deem necessary to effectuate the purposes of this section.

(2) In the event the State elects not to make acquisitions as authorized under subsection (h)(1), the Secretary, during the development of the management plan, is authorized to acquire such lands, waters or interests therein by donation, purchase with donated or appropriated funds, exchange, or otherwise, and to administer such property under the laws generally applicable to units of the National Park System or National Wildlife Refuge System in a manner to carry out the purposes of this section.

(3) After his approval of the management plan, the Secretary (A) is authorized to convey property acquired pursuant to subsection (h)(2) to State or local authorities in accordance with the management plan, under such terms and conditions as he may deem appropriate, which shall include (i) a requirement that where the Secretary transfers land acquired with appropriated funds, the State or local government shall repay not less than 25 percent of the cost of such lands to the Secretary under such terms and conditions as he may deem appropriate, and (ii) a retention of right of reversion of title to the United States, and (B) shall accept from the State those lands acquired pursuant to subsection (h)(1), which are identified in the management plan as being appropriate for Federal ownership and management: *Provided,* That the Secretary shall reimburse to the State such sums as are necessary to (i) cover 100 percent of the original cost of acquisition as to each parcel of land so transferred and (ii) assure that as to the remainder of lands acquired pursuant to subsection (h)(1) not transferred under this subsection, the total Federal land acquisition cost does not exceed 75 percent of the purchase price of such lands.

(4) Upon approval of the management plan, the Sec-

retary is authorized to make grants for the acquisition within the Pinelands National Reserve of lands and waters or interests therein in a manner consistent with the management plan. All applications for such grants shall be made within ten years from the date of implementation of the management plan.

(i) During the development of the management plan for the Pinelands National Reserve, all applications for Federal assistance under programs covered by Part I of OMB Circular A–95 and direct Federal actions covered by Part II of OMB Circular A–95 within the Federal Project Review Area generally depicted on the map referred to in subsection (c) which involve the construction of housing, industrial parks, highways, or sewage or water treatment facilities shall be reviewed by the planning entity, upon receipt from the New Jersey State A–95 Clearinghouse (hereinafter referred to as the Clearinghouse). If the planning entity finds that such application or proposed action would have no adverse impact on the resources and ecological values of the Federal Project Review Area, the planning entity shall so notify the Clearinghouse. If the planning entity does not so find, Congress authorizes the planning entity to notify the Clearinghouse and other affected parties that such application or proposed action shall not proceed pending further review, and the planning entity shall forward such application or notice of proposed action to the Secretary. Any such application or proposed action which the Secretary determines would be significantly adverse to the purposes of this section shall not proceed while the management plan is being developed. The review process established under this subsection shall begin upon the appropriation of funds under subsection (k).

(j) Nothing in this section shall be construed to limit or prohibit any Federal action ordered by a court of competent jurisdiction or directed by a Federal agency as essential for the protection of public health or safety, for national security or defense, or for the maintenance of environmental values within the Pinelands National Reserve or the Federal Project Review Area.

(k) There is authorized to be appropriated not to exceed $26 million to carry out the provisions of this section. Not to exceed $3 million shall be available for planning: *Provided,* That any funds not used for planning shall be available for land acquisition; *Provided further,* That $23,000,000 shall be made available for land acquisition, as authorized by this section. Such appropriations may be made from the general fund of the Treasury or from revenues due and payable to the United States under the Outer Continental Shelf Lands Act, as amended, which would otherwise be credited to miscellaneous receipts.

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Approved November 10, 1978.

XVI. MISCELLANEOUS ENACTMENTS

1. Advisory Council on Historic Preservation

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE VI—MISCELLANEOUS PROVISIONS

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ADVISORY COUNCIL ON HISTORIC PRESERVATION

SEC. 614. Section 212(a) of the Act of October 15, 1966 (80 Stat. 915), as amended (16 U.S.C. 470), is further amended by adding the following at the end thereof:

"There are authorized to be appropriated not to exceed $2,250,000 in fiscal year 1980.".

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Approved November 10, 1978.

2. Camden, South Carolina

An Act to amend the Pennsylvania Avenue Development Corporation Act of 1972; to provide for the establishment of the San Antonio Missions National Historical Park; and for other purposes. (92 Stat. 3635) (P.L. 95–629)

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

TITLE IV

SEC. 401. The Secretary of the Interior shall prepare and transmit to the President of the United States, the Committee on Interior and Insular Affairs of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate a study of Historical Camden, consisting of approximately ninety acres of land in Camden, South Carolina, to determine the feasibility and desirability of establishing such area as a unit of the National Park System. The study shall be transmitted not later than two years following the date on which funds are appropriated for the study and shall include cost estimates for any necessary acquisition, development, operation and maintenance, as well as any alternatives for the administration and protection of the area.

Approved November 10, 1978.

Legislative History:

House Report No. 95–1544 (Comm. on Interior and Insular Affairs).
Senate Report No. 95–743 (Comm. on Energy and Natural Resources).
Congressional Record, Vol. 124 (1978):
Apr. 24, considered and passed Senate.
Oct. 14, considered and passed House, amended.
Oct. 15, Senate concurred in House amendment with an amendment, House concurred in Senate amendments.
Weekly Compilation of Presidential Documents, Vol. 14, No. 45:
Nov. 10, Presidential statement

3. Crow Creek Village Archeological Site

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE V—ESTABLISHMENT OF NEW AREAS AND ADDITIONS TO NATIONAL TRAILS SYSTEM

SUBTITLE A—PARKS, SEASHORES, ETC.

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CROW CREEK VILLAGE ARCHEOLOGICAL SITE

SEC. 512. (a) The Secretary shall prepare and transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives within two years from the date of enactment, a feasibility/suitability study of the Crow Creek Village archeological site, Buffalo County, South Dakota, as a unit of the National Park System. The study shall include cost estimates for any necessary acquisition, development, operation and maintenance, as well as any feasible alternatives for the administration and protection of the area, including, but not limited to, Federal financial and technical assistance to the State of South Dakota, Buffalo County or other suitable entity.

(b) Notwithstanding any other provision of law, the Secretary of the Army is directed to take such actions as may be necessary to preserve and protect such site from any adverse impact on the site and to refrain from any activities which might cause such impact until two years from the date of submission of the study by the Secretary.

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Approved November 10, 1978.

4. International Peace Garden

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93-477)

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

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:

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(3) International Peace Garden, North Dakota: Section 1 of the Act of October 25, 1949 (63 Stat. 888), as amended (68 Stat. 300 and 72 Stat. 985), is amended by changing "$400,000" to "$1,702,000".

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Approved October 26, 1974.

5. Irvine Coast-Laguna, California (study)

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE VI—MISCELLANEOUS PROVISIONS

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IRVINE COAST-LAGUNA, CALIFORNIA STUDY

SEC. 608. (a) In order to consider preserving in its natural condition, the Irvine Coast-Launga area, California from Newport Beach to Laguna Beach as generally depicted on the map entitled "Irvine Coast-Laguna Study Area", numbered IRV-90,000, and dated June 1978, and in order to consider protection of the area's unique ecology and topography, its watershed and marine environment, and public outdoor recreation opportunities, the Secretary shall study, investigate, and formulate recommendations on the feasibility and desirability of establishing such area as a unit of the National Park System, such as a park, recreation area, or seashore. The Secretary shall consult with other appropriate Federal agencies, as well as with the appropriate State and local bodies and officials involved, and shall coordinate the study with applicable local and State plans and planning activities relating to the area. Federal departments and agencies are authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to furnish such statistics, data, reports, and other material as the Secretary may deem necessary for purposes of the study.

(b) The Secretary shall submit to the President and the Congress of the United States, within six months after the date of enactment of this section, a report of his findings and recommendations. The report of the Secretary shall contain, but not be limited to, findings with respect to—

(1) the scenic, scientific, natural, and outdoor recreation values of the Irvine Coast-Laguna area;

(2) the type of Federal, State, and local programs that are feasible and desirable in the public interest to preserve, develop, and make accessible for public use the values identified; and

(3) the relationship of any recommended national park, recreation area, or seashore area to existing or proposed Federal, State, and local programs to manage in the public interest the natural resources of the entire Irvine Coast-Laguna area.

(c) There is hereby authorized to be appropriated $50,000 to carry out the provisions of this section.

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Approved November 10, 1978.

6. Kansas Historical Events

An Act to amend the Act of August 31, 1965, commemorating certain historical events in the State of Kansas. (87 Stat. 456) (P.L. 93–128)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of August 31, 1965 (79 Stat. 588), is amended to read as follows:

"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. Such sums, when appropriated, shall be available for planning, site rehabilitation, development, and marking of historic sites pursuant to the provisions of this Act."

Approved October 18, 1973.

Legislative History:
House Report No. 93–484 (Comm. on Interior and Insular Affairs).
Senate Report No. 93–413 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 119 (1973):
Sept. 18, considered and passed House.
Oct. 4, considered and passed Senate.

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94–578)

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

TITLE III—MISCELLANEOUS PROVISIONS

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KANSAS HISTORICAL EVENTS

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".

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Approved October 21, 1976.

An Act to authorize the establishment of the Chattahoochee River National Recreation Area in the State of Georgia, and for other purposes. (90 Stat. 474) (P.L. 95–344)

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

TITLE II

SEC. 201. Section 4 of the Act approved August 31, 1965 (79 Stat. 588), as amended, providing for the com-

memoration of certain historical events in the State of Kansas, is further amended by changing "$2,000,000." to "$2,750,000.": *Provided,* That such increase shall be effective on October 1, 1978.

Approved August 15, 1978.

Legislative History:

House Report No. 95-598 (Comm. on Interior and Insular Affairs).
Senate Report No. 95-812 (Comm. on Energy and Natural Resources).
Congressional Record, Vol. 124 (1978):
Feb. 9, 14, considered and passed House.
July 21, considered and passed Senate, amended.
July 31, House concurred in Senate amendment with an amendment.
Aug. 3, Senate concurred in House amendment.
Weekly Compilation of Presidential Documents, Vol. 14, No. 33:
Aug. 15, Presidential statement.

7. Lowell Historic Canal District

An Act to provide for a plan for the preservation, interpretation, development, and use of the historic, cultural, and architectural resources of the Lowell Historic Canal District in Lowell, Massachusetts, and for other purposes. (88 Stat. 2330) (P.L. 93–645)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of preserving and interpreting for the educational and inspirational benefit of present and future generations the unique and significant contribution to our national heritage of certain historic and cultural lands, waterways, and edifices in the city of Lowell, Massachusetts (the cradle of the industrial revolution in America as well as America's first planned industrial city) with emphasis on harnessing this unique urban environment for its educational value as well as for recreation, there is hereby established the Lowell Historic Canal District Commission (hereinafter referred to as the "Commission"), the purpose of which shall be to prepare a plan for the preservation, interpretation, development, and use, by public and private entities, of the historic, cultural, and architectural resources of the Lowell Historic Canal District in the city of Lowell, Massachusetts.

SEC. 2. (a) The Commission shall consist of nine members, as follows:

(1) the Secretary of the Interior, the Secretary of Housing and Urban Development, the Secretary of Transportation, and the Secretary of Commerce, all ex officio; and

(2) five members appointed by the Secretary of the Interior, one of whom shall be the Director of the National Park Service, two of whom shall be appointed from recommendations submitted by the manager of the city of Lowell, and two of whom shall be appointed from recommendations submitted by the Governor of the Commonwealth of Massachusetts. The members appointed pursuant to this paragraph shall have knowledge and experience in one or more of the fields of history, architecture, the arts, recreation planning, city planning, or government.

(b) Each member of the Commission specified in paragraph (1) of subsection (a) and the Director of the National Park Service may designate an alternate official to serve in his stead. Members appointed pursuant to paragraph (2) of subsection (a) who are officers or employees of the Federal Government, the city of Lowell, or the Commonwealth of Massachusetts, shall serve without compensation as such. Other members, when engaged in activities of the Commission, shall be entitled to compensation at the rate of not to exceed $100 per diem. All members of the Commission shall receive reim-

bursement for necessary travel and subsistence expenses incurred by them in the performance of the duties of the Commission.

SEC. 3. (a) The Commission shall elect a Chairman from among its members. Financial and administrative services (including those relating to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided for the Commission by the General Services Administration, for which payments shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator, General Services Administration: *Provided,* That the regulations of the Department of the Interior for the collection of indebtedness of personnel resulting from erroneous payments shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Secretary for the administrative control of funds shall apply to appropriations of the Commission: *And provided further,* That the Commission shall not be required to prescribe such regulations.

(b) The Commission shall have power to appoint and fix the compensation of such additional personnel as may be necessary to carry out its duties, without regard to the provisions of the civil service laws and the Classification Act of 1949.

(c) The Commission may also procure, without regard to the civil service laws and the Classification Act of 1949, temporary and intermittent services to the same extent as is authorized for the executive departments by section 15 of the Administrative Expenses Act of 1946, but at rates not to exceed $100 per diem for individuals.

(d) The members of the Commission specified in paragraph (1) of section 2(a) shall provide the Commission, on a reimbursable basis, with such facilities and services under their jurisdiction and control as may be needed by the Commission to carry out its duties, to the extent that such facilities and services are requested by the Commission and are otherwise available for that purpose. To the extent of available appropriations, the Commission may obtain, by purchase, rental, donation, or otherwise, such additional property, facilities, and services as may be needed to carry out its duties. Upon the termination of the Commission all property, personal and real, and unexpended funds shall be transferred to the Department of the Interior.

SEC. 4. It shall be the duty of the Commission to prepare the plan referred to in the first section of this Act, and to submit the plan together with any recommendations for additional legislation, to the Congress not later than two years from the effective date of this Act. The plan for the Lowell Historic Canal District shall

include considerations and recommendations, without limitation, regarding (1) the objectives to be achieved by the establishment, development, and operation of the area; (2) the types of use, both public and private, to be accommodated; (3) criteria for the design and appearance of buildings, facilities, open spaces, and other improvements; (4) a program for the staging of development; (5) the anticipated interpretive, cultural, and recreational programs and uses for the area; (6) the proposed ownership and operation of all structures, facilities, and lands; (7) areas where cooperative agreements may be anticipated; (8) estimates of costs, both public and private, of implementing the plan; and (9) procedures to be used in implementing and insuring continuing conformance to the plan.

SEC. 5. The Commission shall be dissolved (1) upon the termination, as determined by its members, of need for its continued existence for the implementation of the plan and the operation or coordination of the entity established by the plan, or (2) upon expiration of a two-year period commencing on the effective date of this Act, whereupon the completed plan has not been submitted to the Congress, whichever occurs first.

SEC. 6. It is contemplated that the plan to be developed may propose that the Commission may be authorized to—

(1) acquire lands and interests therein within the Lowell Historic Canal District by purchase, lease, donation, or exchange;

(2) hold, maintain, use, develop, or operate buildings, facilities, and any other properties;

(3) sell, lease, or otherwise dispose of real or personal property as necessary to carry out the plan;

(4) enter into and perform such contracts, leases, cooperative agreements, or other transactions with any agency or instrumentality of the United States, the Commonwealth of Massachusetts, and any governmental unit within its boundaries, or any person, firm, association, or corporation as may be necessary;

(5) establish (through covenants, regulations, agreements, or otherwise) such restrictions, standards, and requirements as are necessary to assure development, maintenance, use, and protection of the Lowell Historic Canal District in accordance with the plan; and

(6) borrow money from the Treasury of the United States in such amounts as may be authorized in appropriation Acts on the basis of obligations issued by the Commission in accordance with terms and conditions approved by the Secretary of the Treasury. The Secretary of the Treasury is authorized and directed to purchase any such obligations of the Commission.

SEC. 7. Title to property of the Commission shall be in the name of the Commission, but it shall not be subject to any Federal, State, or municipal taxes.

SEC. 8. There are authorized to be appropriated not to exceed $150,000 for the preparation of the plan authorized by this Act.

Approved January 4, 1975.

Legislative History:

House Report No. 93–1430 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 120 (1974):
Oct. 7, considered and passed House.
Dec. 17, considered and passed Senate.
Weekly Compilation of Presidential Documents, Vol. 11, No. 2:
Jan. 4, Presidential statement.

8. National Park System Studies

An Act to authorize the study of certain areas by the Secretaries of Agriculture and the Interior. (90 Stat. 2447) (P.L. 94–518)

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

TITLE I—FREDERICK LAW OLMSTED HOME AND OFFICE, BROOKLINE, MASSACHUSETTS

SEC. 101. The Secretary of the Interior shall prepare and transmit to the Committees on Interior and Insular Affairs of the Senate and House of Representatives within two years from the date of enactment of this Act a feasibility/suitability study of the Frederick Law Olmsted Home and Office as a unit of the National Park System. The study shall include cost estimates for any necessary acquisition, development, operation, and maintenance, as well as any alternatives for the administration and protection of the area.

TITLE II—SAINT PAUL'S CHURCH, EASTCHESTER, NEW YORK

SEC. 201. The Secretary of the Interior shall prepare and transmit to the Committees on Interior and Insular Affairs of the Senate and House of Representatives within two years from the date of enactment of this Act a feasibility/suitability study of Saint Paul's Church as a unit of the National Park System. The study shall include cost estimates for any necessary acquisition, development, operation, and maintenance, as well as any alternatives for the administration and protection of the area.

TITLE III—NATIONAL MUSEUM OF AFRO-AMERICAN HISTORY AND CULTURE AT OR NEAR WILBERFORCE, OHIO

SEC. 301. The Secretary of the Interior shall prepare and transmit to the Committees on Interior and Insular Affairs of the Senate and the House of Representatives within two years from the date of enactment of this Act a feasibility/suitability study for a National Museum of Afro-American History and Culture at or near Wilberforce, Ohio. The study shall include cost estimates for any necessary acquisition, development, operation, and maintenance, as well as any alternatives for the administration of such museum.

TITLE IV—KALAUPAPA SETTLEMENT OF THE ISLAND OF MOLOKAI, HAWAII

SEC. 401. (a) The Congress finds:

(1) Since 1866 a colony for the care and treatment of the victims of leprosy, known as the Kalaupapa settlement, has existed on the island of Molokai in the State of Hawaii. On this site Father Joseph Damien de Veuster (1840–1889) worked for sixteen years among those victims until at last succumbing to their disease. This inspiring work made him a figure of such national acclaim that a statue of him rests in the Nation's Capitol. This work led to proceedings for his beatification by the Catholic Church and to worldwide veneration of this devotion and mission. This respect and admiration served to focus unprecedented attention on the disease of leprosy and stimulated charity and scientific research toward its cure.

(2) The Kalaupapa settlement constitutes a unique and nationally significant cultural, historical, educational, and scenic resource.

(b) The purposes of this title are—

(1) to preserve and interpret the Kalaupapa settlement for the education and inspiration of present and future generations, and

(2) to provide that the preservation and interpretation of that settlement be managed and performed by native Hawaiians, including patients and former patients of the Kalaupapa settlement, to the extent practical, and that training opportunities be provided such persons in management and interpretation of the settlement's cultural, historical, educational, and scenic resources.

SEC. 402. (a) The Secretary of the Interior (hereinafter referred to as the "Secretary") shall study the feasibility and desirability of establishing as a part of the National Park System an area (hereinafter referred to as the "proposed park area") comprising all, or a portion of, the lands, waters, and interest in Kalawao County on the island of Molokai.

(b) As a part of such study, the Secretary shall consult with other interested Federal agencies, with other interested State and local bodies and officials, with patients and former patients presently in residence at the Kalaupapa settlement and with the Commission established by section 404, and he shall coordinate the study with other applicable planning activities.

403. (a) The Secretary shall submit to the President and the Congress within two years after the date of the enactment of this title a report of his study. The report of the Secretary shall contain, but not be limited to, findings with respect to the historic, cultural, educational, scenic, and natural val-

ues of the resources involved and recommendations for preservation and interpretation of those resources.

(b) The report of the Secretary referred to in subsection (a) shall include a detailed proposed master plan for the development of the proposed park area. Such plan shall include: (1) a schedule of acquisition of the proposed park area, (2) an assessment of planned restorations of historic sites, (3) an estimate of park development and long-term operation costs, (4) a plan for the development of programs (including training programs) for native Hawaiians, including patients and former patients of the Kalaupapa settlement, to manage and perform the preservation and interpretation of the park, (5) provision for the preservation of existing, exclusive hunting and fishing (konohiki) rights of the residents of Kalawao County, and (6) provision to prevent the dislocation or displacement of any patient or former patient presently in residence at the Kalaupapa settlement and to maintain transportation and hospital facilities and other public services as may be necessary for any remaining patients or settlement staff.

SEC. 404. (a) There is hereby established a Kalaupapa National Historical Park Advisory Commission.

(b) The Commission shall be composed of fifteen members, at least six of whom shall be native Hawaiians, appointed by the Secretary, as follows:

(1) two members, one of whom will be appointed from recommendations made by each of the United States Senators representing the State of Hawaii, respectively;

(2) two members, one of whom will be appointed from recommendations made by each of the United States Representatives for the State of Hawaii, respectively;

(3) five public members, who shall have knowledge and experience in one or more fields as they pertain to Hawaii of history, ethnology, education, medicine, religion, culture, and folklore and including representatives of the Bishop Museum, the University of Hawaii, and organizations active in the State of Hawaii in the conservation of resources, to be appointed from recommendations made by the Governor of the State of Hawaii;

(4) two members to be appointed from recommendations made by local organizations representing the native Hawaiian people;

(5) at least two members representing the patient's organization; and

(6) two members to be appointed from recommendations made by the mayor of the county of Maui.

(c) The term "native Hawaiian", as used in this title

means a descendant of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands previous to the year 1778.

(d) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(e) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this title on vouchers signed by the Chairman.

(f) The Commission shall cease to exist at the time of submission of the Secretary's report referred to in section 403(a) to the President and the Congress.

SEC. 405. During the period commencing with the date of the enactment of this title and ending with submission of the Secretary's report to the President and the Congress and any necessary completion of congressional consideration of recommendations included in that report (1) no department or agency of the United States shall, without prior approval of the Secretary, assist by loan, grant, license, or otherwise in the implementation of any project which, in the determination of the Secretary, would unreasonably diminish the value of cultural, historical, educational, scenic, or natural resources relating to the proposed park area and (2) the Chief of Engineers, Department of the Army, shall not, without prior approval of the Secretary, undertake or assist by license or otherwise the implementation of any project which, in the determination of the Secretary, would diminish the value of natural resources located within one-quarter mile of the proposed park.

TITLE V—SHAWNEE HILLS, ILLINOIS

SEC. 501. The Congress finds that the Shawnee Hills in the State of Illinois contain unique recreational resources; that the Shawnee Hills possess historical, cultural, educational, recreational and natural qualities which offer outstanding opportunities for public enjoyment; and that such opportunities should be utilized and developed to their optimum potential for the full enjoyment of present and future generations.

SEC. 502. The Secretary of Agriculture is authorized and directed to study the Shawnee Hills in Saline, Pope, Gallatin, and Hardin Counties, Illinois, as depicted on the map entitled, "Shawnee Hills Study Area," dated June 1976, which shall be on file and available for inspection in the Office of the Chief, Forest Service, United States Department of Agriculture. Within three years from the date of enactment of this title, the Secretary shall submit a report to the Congress, including his recommendation as to the desirability and feasibility of es-

tablishing a national recreation area within the Shawnee Hills Study Area. Such report shall include the estimated costs of such establishment and proposed legislation to implement any recommendation for the establishment of such area.

TITLE VI—GEORGE W. NORRIS HOME, McCOOK, NEBRASKA

SEC. 601. The Secretary of the Interior shall prepare and transmit to the Committees on Interior and Insular Affairs of the Senate and House of Representatives within two years from the date of enactment of this Act a feasibility/suitability study of the George W. Norris home as a unit of the National Park System. The study shall include cost estimates for any necessary acquisition, development, operation, and maintenance, as well as any alternatives for the administration and protection of the area.

TITLE VII—MOUNT MITCHELL, NORTH CAROLINA

SEC. 701. The Secretary of the Interior, in consultation with the Governor of the State of North Carolina and the Secretary of Agriculture, shall prepare and transmit to the Committees on Interior and Insular Affairs of the Senate and the House of Representatives within three years from the date of enactment of this Act a feasibility/suitability study of the Black Mountain Range of North Carolina, including the Mount Mitchell State Park, and the nearby federally owned lands adjacent to the Blue Ridge Parkway, including the Craggy Mountains, as a proposed Mount Mitchell National Park. The study shall include cost estimates for any necessary acquisition, development, operation, and maintenance, as well as any alternatives for the administration and protection of the area.

Approved October 17, 1976.

Legislative History:

House Report No. 94-1610 accompanying H.R. 15558 (Comm. on Interior and Insular Affairs).
Senate Report No. 94-1152 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
Aug. 25, considered and passed Senate.
Sept. 22, considered and passed House, amended, in lieu of H.R. 15558.
Oct. 1, Senate concurred in House amendments with amendments; House concurred in Senate amendments.

9. Ohio and Erie Canal Study

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93–477)

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

TITLE IV—MISCELLANEOUS PROVISIONS

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OHIO AND ERIE CANAL

SEC. 404. (a) The Secretary of the Interior is authorized and directed to undertake a study of the most feasible and suitable means of preserving and interpreting for the benefit of the public the historic and natural resources of the Ohio and Erie Canal in the State of Ohio, together with associated and related lands. In carrying out the study the Secretary shall consider existing and proposed State and local highway plans, land-use plans, outdoor recreation plans, and related plans for the preservation of historic and natural resources. Not later than one year from the date of enactment of this Act the Secretary shall submit to the Congress a report of such study, including his recommendations as to the means of protecting, interpreting, and developing the resources of the Ohio and Erie Canal and adjacent lands.

(b) To carry out the purposes of this section, there are authorized to be appropriated such sums as may be necessary, but not more than $40,000.

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Approved October 26, 1974.

10. Pearson-Skubitz Big Hill Lake

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE VI—MISCELLANEOUS PROVISIONS

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PEARSON-SKUBITZ BIG HILL LAKE

SEC. 613. The project for flood protection on Big Hill Creek, Kansas, authorized by the Flood Control Act of 1962, Public Law 87-874, shall hereafter be known and designated as the "Pearson-Skubitz Big Hill Lake". Any reference in a law, map, regulation, document, or record, or other paper of the United States to such project shall be held to be a reference to the "Pearson-Skubitz Big Hill Lake".

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Approved November 10, 1978.

11. Philip A. Hart Visitors' Center

An Act to name the Visitors' Center at the Sleeping Bear Dunes National Lakeshore the "Philip A. Hart Visitors' Center". (90 Stat. 1944) (P.L. 94–459)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Visitors' Center at the Sleeping Bear Dunes National Lakeshore shall hereinafter be known as, and is hereby designated as, the "Philip A. Hart Visitors' Center".

Approved October 8, 1976.

Legislative History:

Congressional Record, Vol. 122 (1976):
Sept. 22, considered and passed Senate.
Sept. 27, considered and passed House.

12. Ridgelands Area Study

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

TITLE VI—MISCELLANEOUS PROVISIONS

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RIDGELANDS AREA STUDY

SEC. 602. (a) In order to consider preserving in their natural condition appropriate segments of the Ridgelands east of San Francisco Bay for protection of the area's unique ecology and topography and for public outdoor recreation, the Secretary shall study, investigate, and formulate recommendations on the feasibility and desirability of establishing such area as a unit of the National Park System. The Secretary shall consult with the Secretary of Agriculture, the Chief of Engineers, Department of the Army, and any other appropriate Federal agencies, as well as with the East Bay Regional Park District, the Association of Bay Area Governments, and other State and local bodies and officials involved, and shall coordinate the study with applicable local and State plans and planning activities relating to the Ridgelands. Federal departments and agencies are authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to furnish such statistics, data, reports, and other material as the Secretary may deem necessary for purposes of the study.

(b) The Secretary shall submit to the President and the Congress of the United States, within one year after the date of enactment of this Act, a report of his findings and recommendations. The report of the Secretary shall contain, but not be limited to, findings with respect to—

(1) the scenic, scientific, historic, natural, and outdoor recreation values of the Ridgelands, including their use for walking, hiking, horseback riding, bicycling, swimming, picnicking, camping, forest management, fish and wildlife management, educational exhibiting, and scenic and historic site preservation;

(2) the type of Federal, State, and local programs that are feasible and desirable in the public interest to preserve, develop, and make accessible for public use the values identified;

(3) the relationship of any recommended national park, recreation area, or wilderness area to existing or proposed Federal, State, and local programs to manage in the public interest the natural resources of the entire San Francisco Bay area;

(4) alternative means of restoring and preserving the values inherent in the area under present ownership patterns; and

(5) the development of public land policies consistent with the protection of private open space land.

(c) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

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Approved November 10, 1978.

13. St. Paul's Church, Eastchester

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE V—ESTABLISHMENT OF NEW AREAS AND ADDITIONS TO NATIONAL TRAILS SYSTEM

SUBTITLE A—PARKS, SEASHORES, ETC.

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SAINT PAUL'S CHURCH, EASTCHESTER

SEC. 504. (a) In order to preserve and protect Saint Paul's Church, Eastchester, in Mount Vernon, New York, for the benefit of present and future generations, the Secretary may accept any gift or bequest of any property or structure which comprises such church and any other real or personal property located within the square bounded by South Columbus Avenue, South Third Avenue, Edison Avenue, and South Fulton Avenue, in Mount Vernon, New York, including the cemetery located within such square and any real property located within such square which was at any time a part of the old village green, now in Mount Vernon, New York.

(b) Any property acquired under subsection (a) shall be administered by the Secretary acting through the National Park Service, in accordance with this section and provisions of law generally applicable to units of the National Park System, including the Act approved August 25, 1916 (16 U.S.C. 1 and following) and the Act approved August 21, 1935. The Secretary, in carrying out the provisions of such Acts (i) shall give particular attention to assuring the completion of such structural and other repairs as he considers necessary to restore and preserve any property acquired in accordance with this section, and (ii) may enter into cooperative agreements with other public or private entities for the management, protection, development, and interpretation, in whole or in part, of the property so acquired.

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Approved November 10, 1978.

14. William M. Ketchum

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE VIII—RECOGNITION OF THE HONORABLE WILLIAM M. KETCHUM

* * * * * * *

SEC. 801. Within the War in the Pacific National Historical Park, Guam, and the American Memorial Park, Saipan, the Secretary, acting through the Director of the National Park Service, and in consultation with the Governor of each area, is authorized to provide in each of these parks some form of appropriate recognition of the outstanding contributions and untiring commitments of the late Congressman William M. Ketchum of California toward the needs of the people of the insular areas. Fully cognizant of sacrifices that sometimes must be made in order to preserve the basic principles of democracy, Congressman Ketchum personally experienced the devastations of war, as he served with distinction in the United States military during the Second World War in the Pacific Theater and during the Korean Conflict. Congressman Ketchum, an individual of strong principle and commitment, through his leadership and active participation in the United States Congress, made substantial and invaluable contributions to the political and economic growth, development, and well-being of American Samoa, Guam, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands. In particular, he will be remembered for the key role he played in the passage of the historic Covenant to establish a Commonwealth of the Northern Mariana Islands in political union with the United States.

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Approved November 10, 1978.

XVII. APPENDIX

1. Historic Sites and Monuments

An Act to provide for the establishment of the Clara Barton National Historic Site, Maryland; John Day Fossil Beds National Monument, Oregon; Knife River Indian Villages National Historic Site, North Dakota; Springfield Armory National Historic Site, Massachusetts; Tuskegee Institute National Historic Site, Alabama; Martin Van Buren National Historic Site, New York; and Sewall-Belmont House National Historic Site, Washington, District of Columbia; and for other purposes. (88 Stat. 1461) (P.L. 93-486)

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

TITLE I

SEC. 101. (a) Unless otherwise provided hereafter, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire by purchase with donated or appropriated funds, donation, exchange, or by transfer from another Federal agency such lands and interests in lands as hereafter provided for establishment as units of the national park system, as follows:

(1) for establishment as the Clara Barton National Historic Site, Maryland, those lands depicted on the map entitled "Boundary Map, Clara Barton National Historic Site, Maryland", numbered NHS-CLBA 90,001 and dated February 1974, which shall include the land and improvements occupied by Clara Barton, founder of the American Red Cross located at 5801 Oxford Road, Glen Echo, Maryland: *Provided,* That the above-mentioned land and improvements may be acquired only by donation; *And provided further,* That the donation of any privately owned lands within the historic site may not be accepted unless and until the property is vacant;

(2) for establishment as the John Day Fossil Beds National Monument, Oregon, those lands depicted on the map entitled "Boundary Map, John Day Fossil Beds National Monument", numbered NM-JDFB-20,014-A and dated June 1971: *Provided,* That the national monument shall not be established unless and until the State of Oregon donates or agrees to donate the Thomas Condon-John Day Fossil Beds, Clarno, and Painted Hills State Parks: *Provided further,* That the Secretary shall not acquire a fee title interest to more than one thousand

acres of privately owned lands except by donation or exchange: *Provided further,* That the Secretary shall designate the principal visitor center as the "Thomas Condon Visitor Center";

(3) for establishment as the Knife River Indian Villages National Historic Site, North Dakota, those lands depicted on the map entitled "Boundary Map, Knife River Indian Villages National Historic Site, North Dakota", numbered 468–20,012 and dated July 1970;

(4) for establishment as the Springfield Armory National Historic Site, Massachusetts, those lands depicted on the map entitled "Boundary Map, Springfield Armory National Historic Site, Massachusetts", numbered NHS–SPAR–91,003 and dated January 1974, the oldest manufacturing arsenal in the United States: *Provided,* That the historic site shall not be established unless an agreement is executed which will assure the historical integrity of the site and until such lands as are needed for the historic site are donated for this purpose;

(5) for establishment as the Tuskegee Institute National Historic Site, Alabama, those lands depicted on the map entitled "Boundary Map, Tuskegee Institute National Historic Site, Alabama", numbered NHS–TI 20,000–C and dated September 1973, which shall include the home of Booker T. Washington, the Carver Museum, and an antebellum property adjacent to the campus of Tuskegee Institute, known as Grey Columns; and

(6) for establishment as the Martin Van Buren National Historic Site, New York, those lands depicted on the map entitled "Boundary Map, Martin Van Buren National Historic Site, New York", numbered NHS–MAVA–91,001 and dated January 1974, which shall include the home of Martin Van Buren, eighth President of the United States.

(b) The Secretary may also acquire personal property associated with the areas referred to in subsection (a) of this section. Lands and interests therein owned by a State or any political subdivision thereof which are acquired for the purposes of subsection (a) of this section may be acquired only by donation.

SEC. 102. (a) When the Secretary determines that an adequate interest in lands has been acquired to constitute an administrable unit for each of the areas described in section 1 of this Act, he may, after notifying the Committees on Interior and Insular Affairs of the United States Congress of his intention to do so at least fourteen days in advance, declare the establishment of such unit by publication of a notice to that effect in the Federal Register. Such notice shall contain a map or other description of the boundaries of the unit, together with an explanation of the interests acquired and the costs in-

cident thereto. The Secretary may refrain from acquiring property for establishment of any unit authorized by this Act where, in his judgment, satisfactory agreements or donations with respect to properties which are needed for the protection and administration of a particular unit have not been consummated with the owners of such properties.

(b) Pending the establishment of each unit and, thereafter, the Secretary shall administer the property acquired pursuant to this Act in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and, to the extent applicable, the provisions of the Act of August 21, 1935 (49 Stat. 666), as amended.

SEC. 103. Notwithstanding any other provision of law, the Secretary is authorized to construct roads on real property in non-Federal ownership within the boundaries of the Tuskegee Institute National Historic Site. Any roads so constructed shall be controlled and maintained by the owners of the real property.

SEC. 104. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act, not to exceed, however, the following:

(a) Clara Barton National Historic Site, $812,000 for acquisition of lands and interests in lands and for development;

(b) John Day Fossil Beds National Monument, $400,000 for the acquisition of lands and interests in lands and $4,435,200 for development;

(c) Knife River Indian Villages National Historic Site, $600,000 for the acquisition of lands and interests in lands and $2,268,000 for development;

(d) Springfield Armory National Historic Site, $5,300,000 for development;

(e) Tuskegee Institute National Historic Site, $185,000 for the acquisition of lands and interests in lands and $2,722,000 for development; and

(f) Martin Van Buren National Historic Site, $213,000 for acquisition of lands and interests in lands and $2,737,000 for development.

TITLE II

SEC. 201. In order to preserve for the benefit and inspiration of the people of the United States as a national historic site, the Sewall-Belmont House within the District of Columbia, the Secretary of the Interior is authorized to enter into a cooperative agreement to assist in the preservation and interpretation of such house.

SEC. 202. The property subject to cooperative agreement pursuant to section 101 of this Act is hereby designated as the "Sewall-Belmont House National Historic Site".

SEC. 203. The cooperative agreement shall contain, but shall not be limited to, provisions that the Secretary,

through the National Park Service, shall have right of access at all reasonable times to all public portions of the property covered by such agreement for the purpose of conducting visitors through such property and interpreting it to the public, that no changes or alterations shall be made in such property except by mutual agreement between the Secretary and the other parties to such agreement. The agreement may contain specific provisions which outline in detail the extent of the participation by the Secretary in the restoration, preservation, and maintenance of the historic site.

SEC. 204. 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 $500,000.

Approved October 26, 1974.

Legislative History:

House Report No. 93-1285 (Comm. on Interior and Insular Affairs)
Senate Report No. 93-1233 (Comm. on Interior and Insular Affairs)
Congressional Record, Vol. 120 (1974):
Aug. 19, considered and passed House.
Oct. 8, considered and passed Senate, amended.
Oct. 16, House concurred in Senate amendments.

2. National Park System 93rd Congress Omnibus

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, to authorize appropriations for additional costs of land acquisition for the National Park System, and for other purposes. (88 Stat. 1445) (P.L. 93-477)

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) Biscayne National Monument, Florida: Section 5 of the Act of October 18, 1968 (82 Stat. 1188, 1189) is amended by changing "$24,575,000" to "$28,350,000";

(2) Colonial National Historical Park, Virginia: Section 4 of the Act of July 3, 1930 (46 Stat. 856), as amended (16 U.S.C. 81f) is amended by changing "$2,777,000" to "$10,472,000";

(3) Cumberland Gap National Historical Park, Kentucky and Tennessee: For the acquisition of lands authorized in subsection 301(2) of this Act, there are authorized to be appropriated such sums as may be necessary, but not more than $427,500;

(4) Fort Necessity National Battlefield, Pennsylvania: Section 5 of the Act of August 10, 1961 (75 Stat. 336), is amended by changing "$115,000" to "$722,000";

(5) Independence National Historical Park, Pennsylvania: Section 6 of the Act of June 28, 1948 (62 Stat. 1061, 1062), as amended (16 U.S.C. 407r), is amended by changing "$11,200,000." to "$12,792,000.";

(6) Indiana Dunes National Lakeshore, Indiana: Section 10 of the Act of November 5, 1966 (80 Stat. 1309, 1312; 16 U.S.C. 406u-9) is amended by changing "$27,900,000" to "$35,526,000";

(7) Moores Creek National Military Park, North Carolina: The Act of September 27, 1944 (58 Stat. 746) is amended by adding the following new section:

"SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, but not more than $243,000 shall be appropriated for the acquisition of lands and interests in lands and not more than $325,000 shall be appropriated for development.";

(8) Morristown National Historical Park, New Jersey: Section 3 of the Act of September 18, 1964

(78 Stat. 957) is amended by changing "$281,000" to "$2,111,000";

(9) Rocky Mountain National Park, Colorado: For the acquisition of lands authorized in subsection 301(6) of this Act, there are authorized to be appropriated not more than $2,423,740 and for development of such lands there are authorized to be appropriated not more than $318,000;

(10) Virgin Islands National Park, Virgin Islands: Section 4 of the Act of October 5, 1962 (76 Stat. 748; 16 U.S.C. 398f) is amended by changing "$1,250,000" to "$12,250,000";

(11) Apostle Islands National Lakeshore, Wisconsin: Section 8 of the Act of September 26, 1970 (84 Stat. 880) is amended by deleting "$4,250,000" and inserting in lieu thereof "$5,250,000";

(12) Lake Mead National Recreation Area, Arizona and Nevada: Section 10 of the Act of October 8, 1964 (78 Stat. 1039) is amended by deleting "$1,200,000" and inserting in lieu thereof "$7,100,000"; and

(13) Sleeping Bear Dunes, Michigan: Section 15 of the Act of October 21, 1970 (84 Stat. 1075) is amended by deleting "$19,800,000" and inserting in lieu thereof "$57,753,000".

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) 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;

(2) Cumberland Gap National Historical Park, Kentucky and Tennessee: In addition to any funds heretofore appropriated for said national historical park, there are hereby authorized to be appropriated not more than $160,000 for development; and

(3) International Peace Garden, North Dakota: Section 1 of the Act of October 25, 1949 (63 Stat. 888), as amended (68 Stat. 300 and 72 Stat. 985), is amended by changing "$400,000" to "$1,702,000".

TITLE III—BOUNDARY CHANGES

SEC. 301. The Secretary of Interior shall revise the boundaries of the following units of the National Park System:

(1) Biscayne National Monument, Florida: To add approximately 8,738 acres of land and water, including all of Swan Key and Gold Key;

(2) Cumberland Gap National Historical Park, Kentucky and Tennessee: Notwithstanding the provisions of the Act of June 11, 1940 (54 Stat. 262), as amended (16 U.S.C. 261–265), the Secretary of the Interior is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange not to exceed 60 acres of land or interests in land located in Bell County, Kentucky, and Claiborne County, Tennessee, for addition to and inclusion in the said national historical park which, upon acquisition, shall become a part of the Cumberland National Historical Park subject to the laws, rules, and regulations governing such park;

(3) Fort Necessity National Battlefield, Pennsylvania: To add approximately 411 acres;

(4) Independence National Historical Park, Pennsylvania: To add approximately 4.67 acres, which shall include the area bounded by Chestnut Street, Front Street, Walnut Street, and Second Street, to be known as Project F: *Provided,* That the authority of the Secretary of the Interior to acquire property by condemnation under this Act shall be suspended with respect to all property within the boundaries of the area known as Project F during the time the city of Philadelphia shall have in force and applicable to such property a duly adopted, valid zoning ordinance approved by the Secretary: *And provided further,* That no zoning ordinance or amendment of a zoning ordinance shall be approved by the Secretary which (1) contains any provision which he may consider adverse to the preservation and development of the Independence National Historical Park, or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under and any exception made to the application of such ordinance or amendment;

(5) Lava Beds National Monument, California: To add approximately 321.58 acres and to delete approximately 60.12 acres, which additions and deletions shall comprise only federally owned lands, and lands deleted from the monument shall be administered by the Secretary of the Interior in accordance with the Federal reclamation laws;

(6) Morristown National Historical Park, New Jersey: The Act of September 18, 1964 (78 Stat. 957) is amended changing "two hundred and eighty-one acres" in both places in which it appears in the first section to "465 acres" and change the period to a colon and insert "*Provided,* That title to the property known as the Cross estate may not be accepted until the property is vacant." and

(7) Rocky Mountain National Park, Colorado: To add approximately 1,556.21 acres.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. The Secretary of the Interior is authorized to accept the donation of the fee simple title of not to exceed five acres of land and submerged land within the Ventura Marina, Ventura County, California; and to develop, operate, and maintain thereon administrative and visitor facilities to be used as a mainland headquarters for the Channel Islands National Monument: *Provided,* That no lands or any interests therein may be accepted by the Secretary until a mutually satisfactory agreement has been executed which shall include, among other things, an agreement on the design for such facilities, a reasonable timetable for their construction, and an agreement concerning public use of and access to such facilities. Any property accepted under the provisions of this Act shall be administered as a part of the national monument.

SEC. 402. The Act of September 27, 1944 (58 Stat. 746), providing for the Moores Creek National Military Park is amended by changing the words "accept in behalf of the United States donations of" to "acquire by donation, purchase, or exchange", and by changing "to be accepted" to "acquired".

SEC. 403. (a) The Secretary of the Interior, in cooperation with the Secretary of the Army, shall cause to be conducted such studies as they deem reasonable and necessary to determine the causes and extent of the damage to the foundations of the historic structures of the San Juan National Historic Site and shall transmit to the Congress, as soon as possible, but no later than one year after the date of the enactment of this Act, the alternative courses of action, together with their recommendations, which might be taken to assure the historical integrity of such structures and the safety of the visiting public. Pending the submission of such recommendations, the Secretary of the Interior shall take every reasonable precaution to assure the public safety and the maximum public enjoyment of the historic site.

(b) To carry out the purposes of this section, there are authorized to be appropriated such sums as may be necessary, but not more than $100,000.

SEC. 404. (a) The Secretary of the Interior is authorized and directed to undertake a study of the most feasible and suitable means of preserving and interpreting for the benefit of the public the historic and natural resources of the Ohio and Erie Canal in the State of Ohio, together with associated and related lands. In carrying out the study the Secretary shall consider existing and proposed State and local highway plans, land-use plans, outdoor recreation plans, and related plans for the preservation of historic and natural resources. Not later than one year from the date of enactment of this Act the Sec-

retary shall submit to the Congress a report of such study, including his recommendations as to the means of protecting, interpreting, and developing the resources of the Ohio and Erie Canal and adjacent lands.

(b) To carry out the purposes of this section, there are authorized to be appropriated such sums as may be necessary, but not more than $40,000.

SEC. 405. (a) In all instances where authorizations of appropriations for the acquisition of lands for the National Park System enacted prior to January 9, 1971, do not include provisions therefor, there are authorized to be appropriated such additional sums as may be necessary to provide for moving costs, relocation benefits, and other expenses incurred pursuant to the applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91–646; 84 Stat. 1894). There are also authorized to be appropriated not to exceed $8,400,000 in addition to those authorized in Public Law 92–272 (86 Stat. 120) to provide for such moving costs, relocation benefits, and other related expenses in connection with the acquisition of lands authorized by Public Law 92–272.

(b) Whenever an owner of property elects to retain a right of use and occupancy pursuant to any statute authorizing the acquisition of property for purposes of a unit of the National Park System, such owner shall be deemed to have waived any benefits 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 those sections such owner shall not be considered a displaced person as defined in section 101(6) of that Act.

SEC. 406. The Act of March 10, 1966 (80 Stat. 33; 16 U.S.C. 459g) providing for the establishment of Cape Lookout National Seashore in the State of North Carolina is amended as follows:

(1) Section 1 is amended by deleting "'Proposed Boundaries—Proposed Cape Lookout National Seashore', dated April 1964, and numbered NS–CL–7101–B," and substituting in lieu thereof "'Boundary Map, Cape Lookout National Seashore', dated March 1974, and numbered 623–20,009," and by changing the colon to a period and deleting the remainder of the section.

(2) Subsection 2(a) is amended by deleting the third sentence and inserting in lieu thereof the following: "Lands owned by the State of North Carolina or any political subdivision thereof may be acquired only by donation, but the Secretary may, subject to the provisions of section 7 of this Act, acquire any other non-Federal lands, marshlands, waters, or interests therein which are located within the boundaries of the seashore by donation, purchase with donated or appropriated funds, or exchange. Notwithstanding any other provision of

law, the Secretary may accept any lands donated by the State of North Carolina subject to a provision for reversion to the State conditioned upon continued use of the property for national seashore purposes.".

(3) Section 3 is amended by revising the first sentence to read as follows: "When title to lands and interests in lands in an amount sufficient to constitute an efficiently administerable unit for the purposes of this Act is vested in the United States, the Secretary shall declare the establishment of the seashore by publication of notice thereof in the Federal Register.".

(4) Section 7 is amended to read as follows:

"SEC. 7. On or before January 1, 1978, the Secretary shall review the area within the seashore and shall report to the President, in accordance with section 3 (c) and (d) of the Wilderness Act (78 Stat. 891; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any area within the seashore for preservation as wilderness, and any designation of any such areas as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act."

(5) Add a new section 8 to read as follows:

"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 $7,903,000 for acquisition of lands and interests therein, of which no more than $1,000,000 may be expended for acquisition of lands owned by Core Banks Club Properties, Incorporated. For development of essential public facilities there are authorized to be appropriated not more than $2,935,000. On or before January 1, 1978, 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 seashore consistent with the preservation objectives of this Act, indicating—

"(1) the facilities needed to accommodate the health, safety and recreation 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 seashore."

Approved October 26, 1974.

Legislative History:

House Report No. 93-1286 (Comm. on Interior and Insular Affairs).
Senate Report No. 93-1232 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 120 (1974):
Aug. 19, considered and passed House.
Oct. 8, considered and passed Senate, amended.
Oct. 16, House concurred in Senate amendments with an amendment; Senate concurred in House amendment.

3. National Park System 94th Congress Omnibus

An Act to provide for increases in appropriation ceilings and boundary changes in certain units of the National Park System, and for other purposes. (90 Stat. 2732) (P.L. 94-578)

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

(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;

"(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 (hereinafter 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 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 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 noncommercial 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.

(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.

Approved October 21, 1976.

Legislative History:

House Report No. 94-1162 (Comm. on Interior and Insular Affairs).
Senate Report No. 94-1158 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
June 8, considered and passed House.
Aug. 26, considered and passed Senate, amended.
Sept. 29, House concurred in certain Senate amendments and in others with amendments.
Oct. 1, Senate agreed to certain House amendments and to one with an amendment; House agreed to Senate amendment.

4. National Park System 95th Congress Omnibus

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95–625)

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

SHORT TITLE AND TABLE OF CONTENTS

SECTION 1. This Act may be cited as the "National Parks and Recreation Act of 1978".

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DEFINITION

SEC. 2. As used in this Act, except as otherwise specifically provided, the term "Secretary" means the Secretary of the Interior.

AUTHORIZATION OF APPROPRIATIONS

SEC. 3. Authorizations of moneys to be appropriated under this Act shall be effective on October 1, 1978. Notwithstanding any other provision of this Act, authority to enter into contracts, to incur obligations, or to make payments under this Act shall be effective only to the extent, and in such amounts, as are provided in advance in appropriation Acts.

TITLE I—DEVELOPMENT CEILING INCREASES

SPECIFIC INCREASES

SEC. 101. The limitations on funds for development within certain units of the National Park System and affiliated areas are amended as follows:

(1) Agate Fossil Beds National Monument, Nebraska: Section 4 of the Act of June 5, 1965 (79 Stat. 123), is amended by changing $1,842,000" to "$2,012,000".

(2) Andersonville National Historic Site, Georgia: Section 4 of the Act of October 16, 1970 (84 Stat. 989), is amended by changing $1,605,000" to "$2,205,000 for development.", and by deleting "(March 1969 prices), for development, plus or minus such amounts, if any, as may be justified by reason of

ordinary fluctuation in construction costs as indicated by engineering cost indices applicable to the types of construction involved herein.".

(3) Andrew Johnson National Historic Site, Tennessee: Section 3 of the Act of December 11, 1963 (77 Stat. 350) is amended by changing $266,000" to "$286,000".

(4) Biscayne National Monument, Florida: Section 5 of the Act of October 18, 1968 (82 Stat. 1188), is amended by changing "$2,900,000" to "$6,565,000".

(5) Capitol Reef National Park, Utah: Section 7 of the Act of December 18, 1971 (85 Stat. 739), is amended by changing "1,052,700 (April 1970 prices)" to "$1,373,000 for development.", and by deleting "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.".

(6) Carl Sandburg Home National Historic Site, North Carolina: Section 3 of the Act of October 17, 1968 (82 Stat. 1154), is amended by changing "$952,000" to "$1,662,000".

(7) Cowpens National Battlefield Site, South Carolina: Section 402 of the Act of April 11, 1972 (86 Stat. 120), is amended by changing "$3,108,000" to "$5,108,000".

(8) De Soto National Memorial, Florida: Section 3 of the Act of March 11, 1948 (62 Stat. 78), as amended, is further amended changing $3,108,000" to "$5,108,000".

(9) Fort Bowie National Historic Site, Arizona: Section 4 of the Act of August 30, 1964 (78 Stat. 681), is amended by deleting "$550,000 to carry out the purposes of this Act.", and inserting in lieu thereof: "$85,000 for land acquisition and $1,043,000 for development".

(10) Frederick Douglass Home, District of Columbia: Section 4 of the Act of September 5, 1962 (76 Stat. 435), is amended by changing "$413,000" to "$1,350,000".

(11) Grant Kohrs Ranch National Historic Site, Montana: Section 4 of the Act of August 25, 1972 (86 Stat. 632), is amended to read as follows: "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 $752,000 for land acquisition and not to exceed $2,075,000 for development."; the additional sums herein authorized for land acquisition may be used to acquire the fee simple title to lands over which the United States has acquired easements or other less than fee interests.

(12) Guadalupe Mountains National Park, Texas: Section 6 of the Act of October 15, 1966 (80 Stat.

920), is amended by changing "$10,362,000" to "$24,715,000", and by adding the following new sentence at the end of the section: "No funds appropriated for development purposes pursuant to this Act may be expended for improvements incompatible with wilderness management within the corridor of the park leading to the summit of Guadalupe Peak.".

(13) Gulf Islands National Seashore, Florida-Mississippi: Section 11 of the Act of January 8, 1971 (84 Stat. 1967), is amended by changing "$17,774,000" to "$24,224,000", and by deleting the phrase "(June 1970 prices) for development, plus 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.", and inserting in lieu thereof "for development.".

(14) Harper's Ferry National Historical Park, Maryland-West Virginia: Section 4 of the Act of June 30, 1944 (58 Stat. 645), is amended further by changing "$8,690,000" to "$12,385,000".

(15) Hubbell Trading Post National Historic Site, Arizona: Section 3 of the Act of August 28, 1965 (79 Stat. 584), is amended by changing "$952,000" to "$977,000".

(16) Indiana Dunes National Lakeshore, Indiana: Section 10 of the Act of November 5, 1966 (80 Stat. 1312), is amended by changing "$8,500,000" to "$9,440,000".

(17) John Muir National Historic Site, California: Section 3 of the Act of August 31, 1964 (78 Stat. 753), is amended by striking out "$300,00 for land acquisition and restoration of the buildings thereon." and inserting in lieu thereof "$224,000 for land acquisition and $1,285,000 for development".

(18) For the preservation and protection of certain lands in Prince Georges and Charles Counties, Maryland: Section 4 of the joint resolution of October 4, 1961 (75 Stat. 783) is amended by inserting "(a)" after "SEC. 4." and by adding the following new subsection (b) at the end thereof:

"(b) In addition to such other sums as have been appropriated for such purposes, there is authorized $2,000,000 for development.".

(19) Longfellow National Historic Site, Massachusetts: Section 4 of the Act of October 9, 1972 (86 Stat. 791), is amended by changing $568,000 (May 1971 prices)" to "$682,000 for development.", and by deleting "of the area, 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.".

(20) Pecos National Monument, New Mexico: Sec-

tion 3 of the Act of June 28, 1965 (79 Stat. 195), is amended by changing "$500,000" to "$2,375,000".

(21) Perry's Victory and International Peace Memorial, Ohio: Section 4 of the Act of October 26, 1972 (86 Stat. 1181), is amended by changing "$5,177,000" to "$9,327,000".

(22) San Juan Island National Historical Park, Washington: Section 4 of the Act of September 9, 1966 (80 Stat. 737), is amended by changing "$3,542,000" to "$5,575,000".

(23) Sitka National Historical Park, Alaska: Section 3 of the Act of October 18, 1972 (86 Stat. 904), is amended by changing "$691,000 (June 1971 prices)" to "$1,571,000", by changing the comma following "development" to a period, and by deleting the remainder of the sentence following said period.

(24) Statue of Liberty National Monument, New York-New Jersey: Section 1 of the joint resolution of August 17, 1965 (79 Stat. 543), is amended by changing "$6,000,000" to "$24,000,000."

(25) Thaddeus Kosciuszko Home National Historic Site, Pennsylvania: Section 3 of the Act of October 21, 1972 (86 Stat. 1046), is amended by changing "$592,000" to "$742,000".

(26) Tuskegee Institute National Historic Site, Alabama: Section 104(e) of the Act of October 26, 1974 (88 Stat. 1463), is amended by changing "$2,722,000" to "$2,862,000".

(27) Whiskeytown-Shasta-Trinity National Recreation Area, California: Section 10 of the Act of November 8, 1965 (79 Stat. 1295), is amended by changing "$22,700,000" to "$24,649,000".

(28) William Howard Taft National Historic Site, Ohio: Section 3 of the Act of December 2, 1969 (83 Stat. 273), is amended by changing "$318,000" to "$1,888,000".

(29) Wilson's Creek National Battlefield, Missouri: Section 3 of the Act of December 16, 1970 (84 Stat. 1441), is amended by changing "$2,285,000 (March 1969 prices)," to "$5,640,000.", and deleting the remaining portion of the sentence following the period.

TITLE II—ACQUISITION CEILING INCREASES

ACQUISITION CEILINGS

SEC. 201. The limitations on appropriations for the acquisition of lands and interests therein within certain units of the National Park System are amended as follows:

(1) Big Cypress National Preserve, Florida: Section 8 of the Act of October 11, 1974 (88 Stat. 1258), is amended by changing "$116,000,000" to "$156,700,000".

(2) Buffalo National River, Arkansas: Section 7 of the Act of March 1, 1972 (86 Stat. 44), is amended by changing "$30,071,500" to "$39,948,000".

(3) Cumberland Island National Seashore, Georgia: Section 10 of the Act of October 23, 1972 (86 Stat. 1066), is amended by changing "$10,500,000" to "$28,500,000".

SAWTOOTH NATIONAL RECREATION AREA

SEC. 202. Section 13 of the Act of August 22, 1972 (86 Stat. 612), is amended by changing "$19,802,000" to "$47,802,000".

TITLE III—BOUNDARY CHANGES

REVISION OF BOUNDARIES

SEC. 301. The boundaries of the following units of the National Park System are revised as follows, and there are authorized to be appropriated such sums as may be necessary, but not exceed the amounts specified in the following paragraphs for acquisitions of lands and interests in lands within areas added by reason of such revisions:

(1) Bent's Old Fort National Historic Site, Colorado: To add approximately six hundred and twenty-two acres as generally depicted on the map entitled "Boundary Map, Bent's Old Fort National Historic Site, Colorado", numbered 417–80,007–A, and dated June 1976: $842,000.

(2) Cape Cod National Seashore, Massachusetts: To add approximately thirteen acres and to delete approximately sixteen acres as generally depicted on the map entitled "Cape Cod National Seashore Boundary Map", numbered 609–60,015 and dated February 1978.

(3) Chiricahua National Monument, Arizona: To add approximately four hundred and forty acres as generally depicted on the map entitled "Boundary Map, Chiricahua National Monument, Arizona", numbered 145-80,002, and dated August 1977: $294,000.

(4) Coronado National Memorial, Arizona: To add approximately three thousand and forty acres and delete approximately twelve hundred acres as generally depicted on the map entitled "Land Status Map 01, Coronado National Memorial, Cochise County, Arizona", numbered 8630/80,001, and dated October 1977: $1,410,000.

(5) Eisenhower National Historic Site, Pennsylvania: To add approximately one hundred ninety-five and eighty-three one-hundredths acres as generally depicted on the map entitled "Boundary Map, Eisenhower National Historic Site, Adams County, Pennsylvania", numbered 446–40,001B, and dated April 1978: $166,000.

(6) Fort Caroline National Memorial, Florida: To add approximately ten acres as generally depicted on the map entitled "Boundary Map, Fort Caroline National Memorial, Florida", numbered 5310/80,-000–A, and dated April 1978: $170,000.

(7) George Washington Birthplace National Monument, Virginia: To add approximately eighty-two and twenty-five one-hundredths acres as generally depicted on the map entitled "Boundary Map, George Washington Birthplace National Memorial, Virginia", numbered 332–30,000–B and dated September 1978: $450,000.

(8) Great Sand Dunes National Monument, Colorado: To add approximately one thousand one hundred and nine acres as generally depicted on the map entitled "Boundary Map, Great Sand Dunes National Monument, Colorado", numbered 140–80,001–A, and dated November 1974: $166,000.

(9) Gulf Islands National Seashore, Mississippi-Florida: To add approximately six hundred acres as generally depicted on the map entitled "Boundary Map, Gulf Islands National Seashore, Mississippi-Florida", numbered 20,006, and dated April 1978: $300,000.

(10) Hawaii Volcanoes National Park, Hawaii: To add approximately two hundred sixty-nine acres as generally depicted on the map entitled "Boundary Map, Hawaii Volcanoes National Park, Hawaii", numbered 80,000, and dated August 1975: $562,000.

(11) John Day Fossil Beds National Monument, Oregon: To add approximately one thousand four hundred and eleven acres, and to delete approximately one thousand six hundred and twenty acres as generally depicted on the map entitled "Boundary Map, John Day Fossil Beds National Monument, Oregon", numbered 177–30,000–B, and dated May 1978: $3,500,000. The Act of October 26, 1974 (88 Stat. 1461), which designates the John Day Fossil Beds National Monument is amended by deleting the second proviso of section 101(a)(2). Furthermore, not withstanding any other provision of law to the contrary, the Secretary may, if he determines that to do so will not have a substantial adverse effect on the preservation of the fossil and other resources within the remainder of the monument, convey approximately sixty acres acquired by the United States for purposes of the monument in exchange for non-Federal lands within the boundaries of the monument, and, effective upon such conveyance, the boundaries of the monument are hereby revised to exclude the lands conveyed.

(12) Monocacy National Battlefield, Maryland: To add approximately five hundred and eighty-seven acres as generally depicted on the map entitled, "Boundary Map, Monocacy National Battlefield",

numbered 894–40,001, and dated May 1978: $3,500,000.

(13) Montezuma Castle National Monument, Arizona: To add approximately thirteen acres, and to delete approximately five acres as generally depicted on the map entitled "Montezuma Castle National Monument, Arizona", numbered 20,006, and dated April 1978.

(14) Oregon Caves National Monument, Oregon: To add approximately eight acres as generally depicted on the map entitled "Oregon Cave, Oregon", numbered 20,000, and dated April 1978: $107,000.

(15) Salem Maritime National Historic Site, Massachusetts: To add approximately fifteen one-hundredths of an acre as generally depicted on the map entitled "Salem Maritime National Historic Site Boundary Map", numbered 373–80,010, and dated February 1978: $67,500.

(16) Theodore Roosevelt National Memorial Park, North Dakota: To add approximately one hundred and forty-six acres, and delete approximately one hundred and sixty acres as generally depicted on map entitled "Boundary Map Theodore Roosevelt National Memorial Park-North Unit McKenzie County/North Dakota", numbered 387/80,020, and dated July 1977.

(17) Tumacacori National Monument, Arizona: To add approximately seven acres, and delete approximately eleven-hundredths of an acre as generally depicted on the map entitled "Boundary Map, Tumacacori National Monument, Arizona", numbered 311–80,009–A, and dated March 1978: $24,000.

(18) (A) Tuzigoot National Monument, Arizona: To add approximately seven hundred and ninety-one acres as generally depicted on the map entitled "Master Proposal, Tuzigoot National Monument", numbered 378–30,000D, and dated January 1973: $1,350,000.

(B) The Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, exchange or otherwise and subject to such terms, reservations, conditions applied to the acquired lands as he may deem satisfactory, the lands and interests in lands that are included within the boundaries of the Tuzigoot National Monument as revised by this paragraph. When so acquired, they shall be administered in accordance with provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535).

(C) In exercising his authority to acquire such lands and interests in lands by exchange, the Secretary may accept title to any non-Federal property

within the boundaries of the national monument and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction in the State of Arizona. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

(19) White Sands National Monument, New Mexico: To add approximately three hundred and twenty acres, and delete approximately seven hundred and sixty acres as generally depicted on the map entitled "Boundary Map, White Sands, National Monument, New Mexico", numbered 142/20,010–A, and dated November 1973.

(20) William Howard Taft National Historic Site, Ohio: To add approximately three acres as generally depicted on the map entitled "Boundary Map, William Howard Taft National Historic Site, Ohio", numbered 448–40,021, and dated January 1977.

(21) Wind Cave National Park, South Dakota: To add approximately two hundred and twenty-eight acres as generally depicted on the map entitled "Boundary Map, Wind Cave National Park, South Dakota", numbered 108–80,008, and dated July 1977: $227,000.

MAPS AND DESCRIPTIONS

SEC. 302. Within twelve months after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a detailed map or other detailed description of the lands added or excluded from any area pursuant to section 301.

ACQUISITION AND DISPOSAL OF LANDS

SEC. 303. (a) Within the boundaries of the areas as revised in accordance with section 301, the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Lands and interests therein so acquired shall become part of the area to which they are added, and shall be subjected to all laws, rules, and regulations applicable thereto. When acquiring any land pursuant to this title, the Secretary may acquire any such land subject to the retention of a right of use and occupancy for a term not to exceed twenty-five years or for the life of the owner or owners. Lands owned by a State or political subdivision thereof may be acquired only by donation.

(b) (1) Lands and interests therein deleted from any area pursuant to section 301 may be exchanged for non-

Federal lands within the revised boundaries of such area, or transferred to the jurisdiction of any other Federal agency or to a State or political subdivision thereof, without monetary consideration, or be administered as public lands by the Secretary, as the Secretary may deem appropriate.

(2) In exercising the authority contained in this section with respect to lands and interests therein deleted from any such area which were acquired from a State, the Secretary may, on behalf of the United States, transfer to such State exclusive or concurrent legislative jurisdiction over such lands, subject to such terms and conditions as he may deem appropriate, to be effective upon acceptance thereof by the State.

(c) It is the established policy of Congress that wilderness, wildlife conservation, and park and recreation values of real property owned by the United States be conserved, enhanced, and developed. It is further declared to be the policy of Congress that unutilized, underutilized, or excess Federal real property be timely studied as to suitability for wilderness, wildlife conservation, or park and recreation purposes. To implement this policy, the Secretary, the Administrator of General Services, and the Director of the Office of Management and Budget shall establish a system with appropriate procedures to permit the Secretary full and early opportunity to make such studies and propose appropriate recommendations to disposing agencies for consideration in connection with determinations of further utilization or disposal of such property under existing law. Each affected executive agency is authorized and directed to provide to the Secretary such advice and information relating to such studies as the Secretary may request.

OTHER AUTHORITIES

SEC. 304. The authorities in this title are supplementary to any other authorities available to the Secretary with respect to the acquisition, development, and administration of the areas referred to in section 301.

NAME CHANGE; CITY OF REFUGE NATIONAL HISTORICAL PARK

SEC. 305. The Act of July 21, 1955 (69 Stat. 376) is hereby amended to redesignate the City of Refuge National Historical Park as the Puuhonua o Honaunau National Historical Park.

BLACK HAMMOCK ISLAND

SEC. 306. The lot on Black Hammock Island, identified by warranty deed numbered 70–56,903, recorded among the land records of Duval County, Florida, on November 23, 1970, owned by the Federal Government, shall, pursuant to the Act of December 18, 1967 (81 Stat. 656; 16 U.S.C. 19g, 19h), be deeded to the National Park

Foundation to be sold at fair market value. The proceeds of such sale shall be remitted to the National Park Service for land acquisition and development of the Fort Caroline National Memorial.

ALLEGHENY PORTAGE RAILROAD NATIONAL HISTORIC SITE AND JOHNSTOWN FLOOD NATIONAL MEMORIAL

SEC. 307. (a) The Secretary is authorized to revise the boundaries of the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial in Pennsylvania to add approximately five hundred and twenty-six acres and sixty-seven acres respectively. Sections 302 and 303 of this Act shall be applicable to such boundary revision.

(b) In addition to amounts otherwise available for such purposes there are authorized to be appropriated not more than $2,743,000 for land acquisition and $4,280,000 for development to carry out the purposes of this section.

FORT LARAMIE NATIONAL HISTORIC SITE

SEC. 308. (a) The first section of the Act entitled "An Act to revise the boundaries and change the name of the Fort Laramie National Monument, Wyoming, and for other purposes", approved April 29, 1960 (74 Stat. 83), is amended to read as follows: "That in order to preserve the sites of historic buildings and roads associated with Fort Laramie, the boundaries of the Fort Laramie National Historic Site shall hereafter comprise the area generally depicted on the map entitled 'Boundary Map, Fort Laramie National Historic Site', numbered 375–90,001, and dated September 1977. The map shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior".

(b) The first sentence of section 2 of such Act is amended by inserting between the words "boundary" and "described" the phrase "as depicted on the map.".

FORT UNION TRADING POST NATIONAL HISTORIC SITE

SEC. 309. (a) The first section of the Act entitled "An Act to authorize establishment of the Fort Union Trading Post National Historic Site, North Dakota and Montana, and for other purposes", approved June 20, 1966 (80 Stat. 211), is amended by deleting "located in Williams County, North Dakota, and such additional lands and interests in lands in Williams County, North Dakota, and Roosevelt County, Montana," and inserting in lieu thereof "located in the States of North Dakota and Montana," and by deleting "400 acres" and inserting in lieu thereof "450 acres as generally depicted on the map entitled 'Fort Union Trading Post, Montana-North Dakota', numbered 436–80,025, and dated February 1977".

(b) Section 4 of such Act is amended by deleting "$613,000 for the acquisition of lands and interests in lands and for the development" and inserting in lieu thereof "$280,000 for the acquisition of lands and $4,416,000 for development: *Provided further*, That the Secretary is directed to study the possible reconstruction of the historic remains of Fort Union, and the Secretary is further directed to transmit to the Congress, within one year of the enactment of this Act, a recommendation on the reconstruction of the fort based on historic documentation.".

ADDITION OF DORCHESTER HEIGHTS TO THE BOSTON NATIONAL HISTORICAL PARK

SEC. 310. (a) Section 2(a) of the Boston National Historical Park Act of 1974 (88 Stat. 1184) is amended—

(1) in paragraph (6) by striking out "and" at the end thereof;

(2) in paragraph (7) by striking out the period and inserting in lieu thereof "; and"; and

(3) by inserting at the end thereof the following new paragraph:

"(8) Dorchester Heights, Boston.".

(b) Section 3(a) of such Act is amended—

(1) in paragraph (3) by inserting "and" after the semicolon;

(2) by striking out "(4) Dorchester Heights; and"; and

(3) by striking out "(5)" and inserting in lieu thereof "(4)".

(c) There are authorized to be appropriated such sums as may be necessary for the acquisition of lands or interests in lands designated by subsection (a) of this section as a component of the Boston National Historical Park, and for the development of such component.

(d) Section 2(d) of such Act is amended by deleting the period at the end of the last sentence and inserting: "and the Secretary is authorized to grant, in accordance with such terms and conditions as he deems necessary and consistent with the purposes of this Act, easements and rights-of-way to the Commonwealth of Massachusetts or any political subdivision thereof including the Boston Redevelopment Authority for purposes of the vehicular, pedestrian and utility access to that portion of the Boston Navy Yard outside the boundaries of the Park. Such grants of easements and rights-of-way shall be upon the express condition that the grantee convey to the United States the property known as Building No. 107, being a part of the Boston Navy Yard and owned by the Boston Redevelopment Authority.".

FORT CLATSOP NATIONAL MEMORIAL

SEC. 311. Section 2 of the Act of May 29, 1958 (72

Stat. 153; 16 U.S.C. 450mm–1), is amended to read as follows:

"SEC. 2. The Secretary of the Interior shall designate for inclusion in Fort Clatsop National Memorial land and improvements thereon located in Clatsop County, Oregon, which are associated with the winter encampment of the Lewis and Clark Expedition, known as Fort Clatsop, including the site of the salt cairn (specifically, lot number 18, block 1, Cartwright Park Addition of Seaside, Oregon) utilized by that expedition and adjacent portions of the old trail which led overland from the fort to the coast: *Provided*, That the total area so designated shall contain no more than one hundred and thirty acres.".

ADAMS NATIONAL HISTORIC SITE, MASSACHUSETTS

SEC. 312. (a) In order to preserve for the benefit, education, and inspiration of present and future generations the birthplaces of John Adams and John Quincy Adams, the Secretary is authorized to accept the conveyance, without monetary consideration, of the property known as the John Adams Birthplace at 133 Franklin Street, and the property known as the John Quincy Adams Birthplace at 141 Franklin Street, in Quincy, Massachusetts, together with such adjacent real property as may be desirable, for administration as part of the Adams National Historic Site in Quincy, Massachusetts. Together with, or following such conveyance, the Secretary is authorized to accept the conveyance, without monetary consideration, of furnishings and personal property relating to such birthplaces, after consultation with appropriate officials of the city of Quincy and with the owner or owners of such furnishings and personal property.

(b) The Secretary shall administer the properties acquired pursuant to subsection (a) of this section as part of the Adams National Historic Site in accordance with this section and the provisions of law generally applicable to national historic sites, including the Act of August 25, 1916 (39 Stat. 535) and the Act of August 21, 1935 (49 Stat. 666).

ADDITION OF EPPES MANOR TO PETERSBURG NATIONAL BATTLEFIELD

SEC. 313. (a) The Secretary is authorized to acquire the historic Eppes Manor, and such other lands adjacent thereto, not to exceed twenty-one acres, for addition to the Petersburg National Battlefield, as generally depicted on the map entitled "Petersburg National Battlefield, Virginia", numbered APMA 80,001, and dated May 1978.

(b) There are hereby authorized to be appropriated not to exceed $2,200,000 to carry out the purposes of this section.

ADDITION OF MINERAL KING VALLEY TO SEQUOIA NATIONAL PARK

SEC. 314. (a) It is the purpose of this section to—

(1) assure the preservation for this and future generations of the outstanding natural and scenic features of the area commonly known as the Mineral King Valley and previously designated as the Sequoia National Game Refuge; and

(2) enhance the ecological values and public enjoyment of such area by adding such area to the Sequoia National Park.

(b) (1) In order to add to the Sequoia National Park (hereinafter in this section referred to as the "park") a certain area known as Mineral King Valley possessing unique natural and scenic values, there is hereby established as part of such park all lands, waters, and interests therein, constituting approximately sixteen thousand two hundred acres designated before the date of the enactment of this Act as the Sequoia National Game Refuge and as depicted on the drawing entitled "Boundary Map, Sequoia-Kings Canyon National Park", numbered 102–90,000 and dated April 1975. A copy of such drawing shall be on file and available for public inspection in the office of the Director, National Park Service, Department of the Interior. After advising the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate in writing, the Secretary is authorized to make minor revisions of the boundaries of the park when necessary by publication of a revised drawing or other boundary description in the Federal Register.

(2) The Sequoia National Game Refuge is hereby abolished and the Secretary of Agriculture shall transfer, without consideration, to the administrative jurisdiction of the Secretary, the area constituting such refuge, and any unexpended funds available for purposes of management of the refuge shall be available for purposes of management of the park.

(c) (1) Within the boundaries of the area added to the park pursuant to this section, the Secretary may acquire lands and interests in lands by donation, purchase with donated or appropriated funds, exchange, or transfer from other Federal departments or agencies.

(2) Where the private use of any property acquired pursuant to this subsection would, in the judgment of the Secretary, be compatible with the purposes of this section, the Secretary may, as a condition of such acquisition, permit the owner or owners of such property to retain for themselves and their successors or assigns rights of use and occupancy. Such rights of use and occupancy shall be for not more than twenty-five years or for a term ending at the death of the owner or his or her spouse, whichever is later. The owner shall reserve such rights and elect the term to be reserved on the date of

acquisition of the property. Except for so much of the property as is donated, the Secretary shall pay to the owner the fair market value of the property on the date of its acquisition, less the fair market value on that date of the right retained by the owner.

(3) A right of use and occupancy retained pursuant to paragraph (2) may be terminated by the Secretary upon his determination that the property or any portion thereof is being used in a manner which is incompatible with the purposes of this section. Such right shall terminate by operation of law upon notification by the Secretary to the holder of the right of such determination and tendering to him the amount equal to the fair market value of that portion which remains unexpired as of the date of such tender. In the case of any property which was used for noncommercial purposes during the ten calendar years immediately preceding the enactment of this Act, the commercial use of such property subsequent to the enactment of this Act shall be treated as incompatible with the purposes of this section. In the case of any property which was used for commercial purposes at any time during the ten calendar years immediately preceding the enactment of this Act, any substantial change or expansion of such commercial use subsequent to the enactment of this Act without the express approval of the Secretary shall be treated as incompatible with such purposes.

(4) In exercising his authority to acquire property under this section, the Secretary shall give prompt and careful consideration to any offer made by an individual owning property within the park to sell such property if such individual notifies the Secretary that the continued ownership of such property is causing, or would result in, undue hardship. Nothing in this section, or in any other provision of law, shall prevent the Secretary from exercising his authority to acquire property referred to in this subsection at any time after the date of the enactment of this Act.

(5) If any individual tract or parcel of land acquired is partly inside and partly outside the boundaries of the park the Secretary may, in order to minimize the payment of severance damages, acquire the whole of the tract or parcel.

(6) If the management plan prepared under subsection (e) provides for improved access to the area added to the park under this section, the Secretary is authorized to acquire, by donation, purchase with donated or appropriated funds, exchange or transfer from other Federal departments or agencies, the area comprising the road from State Route 198 to, and within, the Mineral King Valley together with a right-of-way for such road of a width sufficient to include improvements to the road and all bridges, ditches, cuts, and fills appurtenant thereto, but not exceeding a maximum average width of two

hundred feet. Property acquired from the State or any political subdivision thereof may be acquired by donation only. With regard to routes of access to and within the Mineral King Valley, the Secretary shall take such measures as are necessary to protect against the effects of siltation on the ecosystem of the park.

(7) The Secretary shall report to the committees of the Congress named in subsection (b) (1) the action taken by him pursuant to this subsection. Such report shall contain information sufficient to inform such committees of—

(A) the acquisitions made by him pursuant to this subsection during the period covered by such report;

(B) his reasons why all of such property authorized to be acquired and not so acquired as of the date of such report, if any, have not been acquired; and

(C) his schedule of a timetable for the acquisition of such property referred to in subparagraph (B).

Such report shall be submitted before the expiration of the second fiscal year beginning after the date on which the comprehensive management plan is submitted to the committees of Congress pursuant to subsection (e).

(d) (1) The area added to the park by this section shall be administered in accordance with this section and the provisions of law generally applicable to units of the National Park System including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. and following) and the Act of September 25, 1890 (26 Stat. 478; 16 U.S.C. 41 and following). Any other statutory authority available to the Secretary for the conservation and management of wildlife, wildlife habitat, and natural resources may be utilized to the extent he finds such authority will further the purposes of this section.

(2) (A) Except in the case of a lease or permit which the Secretary determines to be incompatible with the administration of the park pursuant to this section, any lease or permit on Federal land within the area added to the park under this section which is in effect immediately before the enactment of this Act shall continue in effect pursuant to its terms and conditions following the expansion of the park under this section.

(B) In the case of a lease or permit which is continued under subparagraph (A), upon notice to the Secretary by the lessee or permittee of his intention to seek renewal or extension of such lease or permit, the lease or permit shall be reviewed by the Secretary, and may be renewed or extended for an additional period of five years. Any such lease or permit shall be reviewed at the end of such renewal or extension period and may also be renewed or extended in the same manner for additional five-year periods thereafter. Any renewals or extensions of leases or permits shall be granted only to those persons who were lessees or permittees of record on the date of enactment of this Act, and any such lease or permit shall

provide that the lease or permit may be terminated by the Secretary at any time if the Secretary determines that such lease or permit is incompatible with the administration of the park pursuant to this section or that the land is needed for park purposes.

(3) The Act of December 14, 1974 (88 Stat. 1660) is amended by inserting the following new section after section 4:

"SEC. 5. Notwithstanding any other provision of law, any federally owned lands incorporated within the boundaries of Sequoia National Park subsequent to the date of enactment of this Act, which entail project works, developments, lands, or facilities which are components of Federal Power Commission Project Numbered 298, shall be subject to all provisions of this Act.".

(e) (1) Within two years from the date of enactment of this Act, the Secretary, in cooperation with the State of California, shall develop and submit to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, a comprehensive management plan for the area added to the park under this section. In the preparation of such plan, the Secretary shall give appropriate consideration to the need for the development of additional recreational opportunities and other public uses which are consistent with sound environmental management of the area and the policies of the National Park Service.

(2) (A) In preparing the comprehensive management plan required by this subsection and in preparing any subsequent revision of such plan, the Secretary shall provide for full public participation and shall consider the comments and views of all interested agencies, organizations, and individuals.

(B) For purposes of insuring such full public participation, the Secretary shall provide reasonable advance notice to State and local governments, interested Federal agencies, private organizations, and the general public of hearings, workshops, meetings, and other opportunities available for such participation. Such notice shall be published in newspapers of general circulation in the localities affected by the development and management of the park, published in the Federal Register, and communicated by other appropriate means. The Western Regional Advisory Committee of the National Park Service (or a subcommittee thereof) shall also be utilized for purposes of facilitating public involvement.

(C) The Secretaries or Directors of all Federal departments, agencies, and commissions having a relevant expertise are hereby authorized and directed to cooperate with the Secretary in his development of such plan and to make such studies as the Secretary may request on a cost reimbursable basis.

(D) In preparing the comprehensive management plan required by this subsection, the Secretary shall con-

sider technical information and other pertinent data assembled or produced by field studies or investigations conducted separately or jointly by the technical and administrative personnel of the Federal and State agencies involved in order to insure the permanent conservation of wildlife within the area added to the park by this section. Except in emergencies, rules and regulations pertaining to the management of wildlife within the area added to the park by this section shall be put into effect only after consultation with the State of California.

(f) There are hereby authorized to be appropriated such sums as may be necessary for the acquisition of land and interests therein described in this section.

(g) Effective upon the transfer referred to in subsection (b) (2), Public Law 85–648 (72 Stat. 604; 16 U.S.C. 45a–3) and section 6 of the Act of July 3, 1926 (44 Stat. 821; 16 U.S.C. 688) are hereby repealed. The repeal of such section 6 shall not be construed to prohibit or prevent the Secretary from exercising any authority applicable to the national parks respecting the protection of birds, game, or other wild animals.

(h) The Congress recognizes that the Mineral King Valley area has outstanding potential for certain year-round recreational opportunities, but the development of permanent facilities for downhill skiing within the area would be inconsistent with the preservation and enhancement of its ecological values.

CUYAHOGA VALLEY NATIONAL RECREATION AREA

SEC. 315. (a) Section 2(a) of the Act of December 27, 1974, entitled "An Act to provide for the establishment of the Cuyahoga Valley National Recreation Area" (88 Stat. 1784) is amended by striking out "Boundary Map, Cuyahoga Valley National Recreation Area, Ohio, numbered 90,000–A, and dated September 1976," and inserting in lieu thereof "Boundary Map, Cuyahoga Valley National Recreation Area, Ohio, numbered 90,001–A, and dated May 1978,".

(b) Section 6(a) of such Act is amended by striking out "$41,100,000" and inserting in lieu thereof "$70,100,000".

(c) The first sentence of section 6(b) of such Act is amended to read as follows: "For the development of the recreation area, including improvements of properties acquired for purposes of this Act, there is authorized to be appropriated not more than $13,000,000".

(d) Section 2(e) of such Act is amended by adding the following at the end thereof: "In applying this subsection with respect to lands and interests therein added to the recreation area by action of the Ninety-fifth Congress, the date 'January 1, 1978,' shall be substituted for the date 'January 1, 1975,' in each place it appears.".

(e) Section 4(f) of such Act is amended by inserting "(or intergovernmental organization)" after "local government" in each place it appears and by adding the

following new sentence at the end thereof: "Assistance under this subsection may include payments for technical aid.".

(f) Section 2(a) is further amended by striking the period at the end thereof and adding the following, ":*Provided*, That with respect to the property known as the Hydraulic Brick Company located in Independence, Ohio, the Secretary shall have the first right of refusal to purchase such property for a purchase price not exceeding the fair market value of such property on the date it is offered for sale. When acquired such property shall be administered as part of the recreation area, subject to the laws and regulations applicable thereto.".

DELAWARE WATER GAP NATIONAL RECREATION AREA

SEC. 316. Section 2(a) of the Act entitled "An Act to authorize establishment of the Delaware Water Gap National Recreation Area, and for other purposes", approved September 1, 1965 (79 Stat. 612) is amended by adding the following at the end thereof: "Beginning on the date of the enactment of the National Parks and Recreation Act of 1978, the Secretary of the Interior is authorized to acquire for purposes of the recreation area established under this Act all lands and interests therein within the exterior boundaries of the area depicted on the drawing referred to in this subsection (including any lands within such exterior boundaries designated for acquisition by the Secretary of the Army in connection with the project referred to in this subsection). In exercising such authority, the Secretary of the Interior may permit the retention of rights of use and occupancy in the same manner as provided in the case of acquisitions by the Secretary of the Army under subsection (d). On the date of enactment of the National Parks and Recreation Act of 1978, the acquisition authorities of any other Federal agency contained in this subsection shall terminate and the head of any other Federal agency shall transfer to the Secretary of the Interior jurisdiction over all lands and interests therein acquired by said agency under the authority of this Act, or any other authority of law which lands are within the exterior boundaries of the area depicted on the drawing referred to in this subsection. On the date of enactment of the National Parks and Recreation Act of 1978, all unexpended balances available to any other Federal agency for acquisition of land within the exterior boundaries referred to in the preceding sentence shall be transferred to the Secretary of the Interior to be used for such purposes. In carrying out his acquisition authority under this section the Secretary shall give priority to the following:

"(1) completion of acquisition of lands for which condemnation proceedings have been started pursuant to the authorization of the project referred to in this subsection;

"(2) acquisition of lands of beneficial owners, not being a corporation, who in the judgment of the Secretary would suffer hardship if acquisition of their lands were delayed;

"(3) acquisition of lands on which, in the judgment of the Secretary, there is an imminent danger of development that would be incompatible with the purposes of the recreation area;

"(4) acquisition of lands of beneficial owners, not being a corporation, who are willing to sell their lands provided they are able to continue to use it for noncommercial residential purposes for a limited period of time which will not, in the judgment of the Secretary, unduly interfere with the development of public use facilities for such national recreation area, pursuant to the authorization for such area;

"(5) acquisition of scenic easements when, in the judgment of the Secretary, such easements are sufficient to carry out the purposes for which such national recreation area was authorized; and

"(6) acquisition of lands necessary to preserve the integrity of the recreation area.".

GOLDEN GATE NATIONAL RECREATION AREA

SEC. 317. (a) Subsection 2(a) of the Act of October 27, 1972 (86 Stat. 1299), as amended (16 U.S.C. 459), is further amended to read as follows: "(a) The recreation area shall comprise the lands, waters, and submerged lands generally depicted on the map entitled: 'Revised Boundary Map, Golden Gate National Recreation Area', numbered NRA-GG-80,003-K and dated October 1978. The authority of the Secretary to acquire lands in the tract known as San Francisco Assessor's Block number 1592 shall be limited to an area of not more than one and nine-tenths acres. Notwithstanding any other provision of this Act, the Secretary shall not acquire the Marin County Assessor's parcels numbered 199-181-01, 199-181-06, 199-181-08, 199-181-13, and 199-181-14, located in the Muir Beach portion of the recreation area.".

(b) Section 3(i) of such Act is amended to read as follows:

"(i) New construction and development within the boundaries described in section 2(a) on lands under the administrative jurisdiction of a department other than that of the Secretary is prohibited, except that improvements on lands which have not been transferred to his administrative jurisdiction may be reconstructed or demolished. Any such structure which is demolished may be replaced with an improvement of similar size, following consultation with the Secretary or his designated representative, who shall conduct a public hearing at a location in the general vicinity of the area, notice of which shall be given at least one week prior to the date

thereof. The foregoing limitation on construction and development shall not apply to expansion of those facilities known as Letterman General Hospital or the Western Medical Institute of Research.".

(c) Subsection 3(j) of such Act is amended to read as follows:

"(j) The owner of improved residential property or of agricultural property on the date of its acquisition by the Secretary under this Act may, as a condition of such acquisition, retain for himself and his or her heirs and assigns a right of use and occupancy 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 or her spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partly donated to the United States, the Secretary shall pay to the owner the fair market value of the property on the date of acquisition minus 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 or her 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 or her an amount equal to the fair market value of that portion of the right which remains unexpired. Where appropriate in the discretion of the Secretary, he or she may lease federally owned land (or any interest therein) which has been acquired by the Secretary under this Act, and which was agricultural land prior to its acquisition. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act. Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land or who was a leaseholder thereon immediately before its acquisition by the United States.".

(d) In subsection 3(k) of such Act, following "June 1, 1971," insert "or, in the case of areas added by action of the Ninety-fifth Congress, October 1, 1978,"; and at the end of the subsection, add the following new sentence: "The term 'agricultural property' as used in this Act means lands which are in regular use for agricultural, ranching, or dairying purposes as of January 1, 1978, together with residential and other structures related to the above uses of the property as such structures exist on said date."

(e) Section 3 of such Act is amended by adding the following at the end thereof:

"(n) The Secretary shall accept and shall manage in accordance with this Act, any land and improvements adjacent to the recreation area which are donated by the State of California or its political subdivisions. The

boundaries of the recreation area shall be changed to include such donated lands.

"(o) In acquiring those lands authorized by the Ninety-fifth Congress for the purposes of this Act, the Secretary may, when agreed upon by the landowner involved, defer payment or schedule payments over a period of ten years and pay interest on the unpaid balance at a rate not exceeding that paid by the Treasury of the United States for borrowing purposes.".

(f) Section 4 of such Act is amended by adding the following at the end thereof:

"(e) No fees or admission charges shall be levied for admission of the general public to the recreation area except to portions under lease or permit for a particular and limited purpose authorized by the Secretary. The Secretary may authorize reasonable charges for public transportation and, for a period not exceeding five years from the date of enactment of this legislation, for admission to the sailing vessel Balclutha.

"(f) Notwithstanding any other provisions of law, in the administration of those parcels of property known as Haslett Warehouse, Cliff House Properties and Louis' Restaurant, the Secretary shall credit any proceeds from the rental of space in the aforementioned properties to the appropriation, if any, bearing the cost of their administration, maintenance, repair and related expenses and also for the maintenance, repair and related expenses of the vessels and the adjacent piers comprising the National Maritime Museum, for major renovation and park rehabilitation of those buildings included in the Fort Mason Foundation Cooperative Agreement, and for a coordinated public and private access system to and within the recreation area and other units of the national park system in Marin and San Francisco Counties: *Provided*, That surplus funds, if any, will be deposited into the Treasury of the United States: *Provided further*, That notwithstanding any other provision of law, in the administration of said parcels the Secretary may, if he deems appropriate, enter into a contract for the management of said parcels of property with such terms and conditions as will protect the Government's interest, with excess funds being used as set forth above.".

(g) Section 5(b) of such Act is amended by changing the word "fifteen" to "seventeen".

POINT REYES NATIONAL SEASHORE

SEC. 318. (a) Section 2(a) of the Act of September 13, 1962 (76 Stat. 538) as amended (16 U.S.C. 459) is further amended as follows:

"SEC. 2. (a) The Point Reyes National Seashore shall consist of the lands, waters, and submerged lands generally depicted on the map entitled 'Boundary Map, Point Reyes National Seashore', numbered 612–80,008–E and dated May 1978.

"The map referred to in this section shall be on file and available for public inspection in the Offices of the National Park Service, Department of the Interior, Washington, District of Columbia. After advising the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate in writing, the Secretary may make minor revisions of the boundaries of the Point Reyes National Seashore when necessary by publication of a revised drawing or other boundary description in the Federal Register.".

(b) Section 5(a) of such Act is amended to read as follows:

"SEC. 5. (a) The owner of improved property or of agricultural property on the date of its acquisition by the Secretary under this Act may, as a condition of such acquisition, retain for himself and his or her heirs and assigns a right of use and occupancy 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 or her spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partly donated to the United States, the Secretary shall pay to the owner the fair market value of the property on the date of acquisition minus 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 or her 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 or her an amount equal to the fair market value of that portion of the right which remains unexpired. Where appropriate in the discretion of the Secretary, he or she may lease federally owned land (or any interest therein) which has been acquired by the Secretary under this Act, and which was agricultural land prior to its acquisition. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act. Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land or was a leaseholder thereon immediately before its acquisition by the United States.".

(c) In subsection 5(b) of such Act, following "September 1, 1959," insert "or, in the case of areas added by action of the Ninety-fifth Congress, May 1, 1978,"; and at the end of the subsection, add the following new sentence: "The term 'agricultural property' as used in this Act means lands which were in regular use for, or were being converted to agricultural, ranching, or dairying purposes as of May 1, 1978, together with residential and other structures related to the above uses of the property.".

(d) Section 5 of such Act is amended by adding the following new subsection (c) to read as follows:

"(c) In acquiring those lands authorized by the Ninety-fifth Congress for the purposes of this Act, the Secretary may, when agreed upon by the landowner involved, defer payment or schedule payments over a period of ten years and pay interest on the unpaid balance at a rate not exceeding that paid by the Treasury of the United States for borrowing purposes.".

(e) Section 8 of such Act is renumbered section 9 and the following new section is inserted after section 7:

"SEC. 8. The Secretary shall cooperate with the Bolinas Public Utilities District to protect and enhance the watershed values within the seashore. The Secretary may, at his or her discretion, permit the use and occupancy of lands added to the seashore by action of the Ninety-fifth Congress by the utilities district for water supply purposes, subject to such terms and conditions as the Secretary deems are consistent with the purposes of this Act.".

ANTIETAM NATIONAL BATTLEFIELD

SEC. 319. (a) In furtherance of the purposes of the Act entitled "An Act to provide for the protection and preservation of the Antietam Battlefield in the State of Maryland", approved April 22, 1960 (74 Stat. 79), and other Acts relative thereto, the Secretary is hereby authorized to acquire only scenic easements over the additional lands generally depicted on the map entitled "Boundary Map, Antietam National Battlefield, Washington County, Maryland," numbered 302–80,005–A and dated June 1977.

(b) The Antietam National Battlefield Site established pursuant to such Act of April 22, 1960, including only scenic easements acquired pursuant to subsection (a) of this section, is hereby redesignated the "Antietam National Battlefield". The boundaries of such battlefield are hereby revised to include the area generally depicted on the map referenced in subsection (a) of this section, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK

SEC. 320. Section 8(b) of the Act of January 8, 1971 (84 Stat. 1978) is amended by changing "$20,400,000" to "$28,400,000". The boundaries of the park are revised to include approximately 600 additional acres: *Provided, however*, That such additions shall not include any properties located between 30th Street and Thomas Jefferson Street in the northwest section of the District of Columbia.

ALIBATES FLINT QUARRIES AND TEXAS PANHANDLE PUEBLO CULTURE NATIONAL MONUMENT

SEC. 321. (a) The first section of the Act of August 31, 1965 (79 Stat. 587) is amended by adding at the end thereof the following: "The national monument shall comprise the area generally depicted on the map entitled 'Boundary Map Alibates Flint Quarries', numbered 432–80,021, and dated November 1976. Minor boundary adjustments may be made from time to time by the Secretary.".

(b) Section 3 of such Act is amended by deleting "$260,000" and inserting "$4,291,000" in lieu thereof.

(c) The Act of August 31, 1965 (79 Stat. 587) is hereby amended to redesignate the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument as the Alibates Flint Quarries National Monument.

FIRE ISLAND NATIONAL SEASHORE

SEC. 322. (a) Subsection 1(b) of the Act of September 11, 1964 (78 Stat. 928), as amended, is further amended to read as follows:

"(b) The boundaries of the national seashore shall extend from the easterly boundary of the main unit of Robert Moses State Park eastward to Moriches Inlet and shall include not only Fire Island proper, but also such islands and marshlands in the Great South Bay, Bellport Bay, and Moriches Bay adjacent to Fire Island as Sexton Island, West Island, Hollins Island, Ridge Island, Pelican Island, Pattersquash Island, and Reeves Island and such other small and adjacent islands, marshlands, and wetlands as would lend themselves to contiguity and reasonable administration within the national seashore and, in addition, the waters surrounding said area to distances of one thousand feet in the Atlantic Ocean and up to four thousand feet in Great South Bay and Moriches Bay and, in addition, mainland terminal and headquarters sites, not to exceed a total of twelve acres, on the Patchogue River within Suffolk County, New York, all as delineated on a map identified as 'Fire Island National Seashore', numbered OGP–0004, dated May 1978. The Secretary shall publish said map in the Federal Register, and it may also be examined in the offices of the Department of the Interior.".

(b) Section 2 of such Act is amended by adding the following new subsection at the end thereof:

"(g) The authority of the Secretary to condemn undeveloped tracts within the Dune District as depicted on map entitled 'Fire Island National Seashore' numbered OGP–0004 dated May, 1978, is suspended so long as the owner or owners of the undeveloped property therein maintain the property in its natural state. Undeveloped property within the Dune District that is acquired by the Secretary shall remain in its natural state.".

(c) Section 7(b) of such Act is amended by striking the phrase "Brookhaven town park at", and inserting in lieu thereof: "Ocean Ridge portion of".

(d) Section 10 of such Act is amended by striking "$18,000,000", and inserting in lieu thereof "$23,000,000".

CUMBERLAND ISLAND NATIONAL SEASHORE

SEC. 323. Section 1 of the Act of October 23, 1972 (86 Stat. 1066), is amended by changing the phrase "numbered CUIS–40,000B, and dated June 1971,", to read "numbered CUIS 40,000D, and dated January 1978,".

TITLE IV—WILDERNESS

DESIGNATION OF AREAS

SEC. 401. The following lands are hereby designated as wilderness in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c)), and shall be administered by the Secretary in accordance with the applicable provisions of the Wilderness Act:

(1) Buffalo National river, Arkansas, wilderness comprising approximately ten thousand five hundred and twenty-nine acres and potential wilderness additions comprising approximately twenty-five thousand four hundred and seventy-one acres depicted on a map entitled "Wilderness Plan, Buffalo National River, Arkansas", numbered 173–20,036–B and dated March 1975, to be known as the Buffalo National River Wilderness.

(2) Carlsbad Caverns National Park, New Mexico, wilderness comprising approximately thirty-three thousand one hundred and twenty-five acres and potential wilderness additions comprising approximately three hundred and twenty acres, depicted on a map entitled "Wilderness Plan, Carlsbad Caverns National Park, New Mexico," numbered 130–20,003–B and dated January 1978, to be known as the Carlsbad Caverns Wilderness. By January 1, 1980, the Secretary shall review the remainder of the park and shall report to the President, in accordance with section 3 (c) and (d) of the Wilderness Act (78 Stat. 891; 16 U.S.C. 1132 (c) and (d)), his recommendations as to the suitability or nonsuitability of any additional areas within the park for preservation as wilderness, and any designation of such areas as wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.

(3) Everglades National Park, Florida, wilderness comprising approximately one million two hundred and ninety-six thousand five hundred acres and potential wilderness additions comprising approximately eighty-one thousand nine hundred

acres, depicted on a map entitled "Wilderness Plan, Everglades National Park, Florida", numbered 160–20,011 and dated June 1974, to be known as the Everglades Wilderness.

(4) Guadalupe Mountains National Park, Texas, wilderness comprising approximately forty-six thousand eight hundred and fifty acres, depicted on a map entitled "Wilderness Plan, Guadalupe Mountains National Park, Texas", numbered 166–20,006–B and dated July 1972, to be known as the Guadalupe Mountains Wilderness.

(5) Gulf Islands National Seashore, Florida, and Mississippi, wilderness comprising approximately one thousand eight hundred acres and potential wilderness additions comprising approximately two thousand eight hundred acres, depicted on a map entitled "Wilderness Plan, Gulf Islands National Seashore, Mississippi, Florida", numbered 635–20,018–-A and dated March 1977, to be known as the Gulf Islands Wilderness.

(6) Hawaii Volcanoes National Park, Hawaii, wilderness comprising approximately one hundred and twenty-three thousand one hundred acres and potential wilderness additions comprising approximately seven thousand eight hundred and fifty acres, depicted on a map entitled "Wilderness Plan, Hawaii Volcanoes National Park, Hawaii", numbered 124–20,020 and dated April 1974, to be known as the Hawaii Volcanoes Wilderness.

(7) Organ Pipe Cactus National Monument, Arizona, wilderness comprising approximately three hundred and twelve thousand six hundred acres and potential wilderness additions comprising approximately one thousand two hundred and forty acres, depicted on a map entitled "Wilderness Plan, Organ Pipe Cactus National Monument, Arizona", numbered 157–20,001–B and dated October 1978, to be known as the Organ Pipe Cactus Wilderness.

(8) Theodore Roosevelt National Memorial Park, North Dakota, wilderness comprising approximately twenty-nine thousand nine hundred and twenty acres, depicted on maps entitled "Theodore Roosevelt National Memorial Park, North Dakota" (North Unit and South Unit) numbered 387–20,007–E and dated January 1978, to be known as the Theodore Roosevelt Wilderness.

MAP AND DESCRIPTION

SEC. 402. A map and description of the boundaries of the areas designated in this title shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of each area designated in this title. As soon as practicable after this

Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in such maps and descriptions may be made.

CESSATION OF CERTAIN USES

SEC. 403. Any lands which represent potential wilderness additions in this title, upon publication in the Federal Register of a notice by the Secretary that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness. Lands designated as potential wilderness additions shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

ADMINISTRATION

SEC. 404. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

SAVINGS PROVISIONS

SEC. 405. Nothing in this title shall be construed to diminish the authority of the Coast Guard, pursuant to sections 2 and 81 of title 14, United States Code, and title 1 of the Ports and Waterways Safety Act of 1972 (33 U.S.C. 1221), or the Federal Aviation Administration to use the areas designated wilderness by this Act within the Everglades National Park, Florida; and the Gulf Islands National Seashore, Florida and Mississippi, for navigational and maritime safety purposes.

TITLE V—ESTABLISHMENT OF NEW AREAS AND ADDITIONS TO NATIONAL TRAILS SYSTEM

SUBTITLE A—PARKS, SEASHORES, ETC.

GUAM NATIONAL SEASHORE

SEC. 501. (a) The Secretary through the Director of the National Park Service, shall revise and update the

National Park Service study of the Guam National Seashore and, after consultation with the Secretary of the Department of Defense and the Governor of Guam, shall transmit the revised study within two years to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives including his recommendations and a series of options for congressional consideration each of which—

(1) will encompass the area from Ajayan Bay to Nimitz Beach including Cocos and Anac Islands and extending inland as far as the Fena Valley Reservoir and Mount Sasalaguan, and

(2) if implemented, will afford protection to the natural and historic resources of the area as well as providing visitor access and interpretive services.

(b) The Secretary, and the Secretary of the Department of Defense, shall take such actions as they may deem appropriate within their existing authorities to protect the resource values of the submerged lands within the area of the study referred to in subsection (a) of this section.

PINE BARRENS AREA, NEW JERSEY

SEC. 502. (a) The Congress finds that—

(1) the Pinelands area in New Jersey, containing approximately 1,000,000 acres of pine-oak forest, extensive surface and ground water resources of high quality, and a wide diversity of rare plant and animal species, provides significant ecological, natural, cultural, recreational, educational, agricultural, and public health benefits;

(2) there is a national interest in protecting and preserving these benefits for the residents of and visitors to the area;

(3) a primary responsibility for protecting and enhancing these benefits resides with the State of New Jersey and the various local units of government having jurisdiction over the area;

(4) in view of the longstanding Federal practice of assisting the States in creating, protecting, preserving, and enhancing areas of significant regional and urgan importance, and in view of the national significance of this resource, the Federal Government has an interest in assisting the State of New Jersey and its local units of government in fulfilling their responsibilities and in avoiding adverse Federally approved or assisted impacts before these responsibilities can be undertaken;

(5) the State of New Jersey and its local units of government have authority to prevent or minimize adverse uses of the land and water resources of the Pinelands area and can, to a great extent, protect

the health, safety, and general welfare by the use of such authority; and

(6) there is a demonstrated need to protect, preserve and enhance the land and water resources of the Pinelands area through a new program which combines the capabilities and resources of the local, State and Federal governments and the private sector and provides an alternative to large-scale direct Federal acquisition and management in cases where such acquisition and management is inappropriate.

(b) The purposes of this section are—

(1) to protect, preserve and enhance the significant values of the land and water resources of the Pinelands area;

(2) to encourage and assist the State of New Jersey and its units of local government in the development of a comprehensive management plan for the Pinelands area in order to assure orderly public and private development in the area consistent with the findings of this section;

(3) to provide, during the development of this comprehensive plan, Federal financial assistance for the acquisition of lands in the Pinelands area that have critical ecological values which are in immediate danger of being adversely affected or destroyed;

(4) to encourage and assist the State and its units of local government in developing a governmental mechanism to implement this comprehensive plan, and to provide Federal financial assistance for the acquisition of lands consistent with the comprehensive plan;

(5) to encourage adequate coordination of all government programs affecting the land and water resources of the Pinelands area.

(c) There is hereby established the Pinelands National Reserve which shall consist of the approximately 1,000,000-acre area generally depicted on the map entitled "Pinelands National Reserve Boundary Map" numbered NPS/80,011 A and dated September 1978. Within the Pinelands National Reserve, there is hereby established the Federal Project Review Area, which shall consist of the approximately 486,000 acre area also depicted on the map. The map shall be on file and available for public inspection in the offices of the Department of the Interior in Washington, and in the offices of the State of New Jersey planning entity established pursuant to subsection (d), and in locations throughout the Pinelands National Reserve as determined by the planning entity.

(d) Within thirty days after the date of enactment of this section, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall request the Governor of the State of New Jersey to establish, within ninety days of such request, a planning entity to develop a com-

prehensive management plan for the Pinelands National Reserve. In order to carry out the purposes of this section, such planning entity shall be composed of fifteen members to be appointed as follows: one member appointed by the Secretary; one member from each of the seven counties in the Pinelands National Reserve to be appointed by the respective governing bodies of each county; and seven members to be appointed by the Governor. The membership of the planning entity shall include residents of the Pinelands National Reserve who represent economic activities such as agriculture in the area, as well as residents of New Jersey who represent conservation interests. The Secretary shall provide technical assistance and grants to the State for the development of the plan or revisions thereof: *Provided*, That such grants shall not exceed 75 percent of the cost of developing the plan, shall be made only upon application of the Governor, on behalf of the planning entity, and shall be subject to such other conditions as the Secretary may deem appropriate to assure State and local interim protection of the area.

(e) During the development of the management plan, the planning entity shall:

(1) consult with appropriate officials of any local government or State or Federal agency which has jurisdiction over lands and waters within the area;

(2) consult with the officials of any local government which has jurisdiction over lands and waters within areas delineated in accordance with subsection (f) (2) (B);

(3) consult with interested professional, scientific and citizen organizations;

(4) consult with a citizens advisory committee which may be established by the Governor; and

(5) conduct public hearings at places within the area, and at such other places as may be appropriate, for the purpose of providing interested persons with an opportunity to express their views with respect to matters covered by the management plan.

(f) The comprehensive management plan for the Pinelands National Reserve shall include, but need not be limited to—

(1) A resource assessment which:

(A) determines the amount and type of human development and activity which the ecosystem can sustain while still maintaining the overall ecological values described in this section with special reference to (i) ground and surface water supply and quality; (ii) natural hazards, including fire; (iii) endangered, unique and unusual plants and animals and biotic communities; (iv) ecological factors relating to the protection and enhancement of blueberry and cranberry production and

other agricultural activity; (v) air quality; and (vi) other appropriate considerations affecting the ecological integrity of the area; and

(B) includes an assessment of scenic, aesthetic, cultural, open space, and outdoor recreation resources of the area together with a determination of overall policies required to maintain and enhance these resources.

(2) A map showing the detailed boundary of the Pinelands National Reserve, such map to delineate:

(A) major areas within the boundary which are of critical ecological importance;

(B) major areas and resources adjacent to the boundary that have significance to the ecological integrity of the Pinelands National Reserve; and

(C) areas of scenic, open space, cultural and recreational significance.

(3) A land use capability map and a comprehensive statement of policies for land use management of the area which:

(A) consider and detail the application of a variety of land and water protection and management techniques, including but not limited to, zoning and regulation derived from State and local police powers, development and use standards and permit systems, acquisition of conservation easements and other interests in land, public access agreements with private landowners, purchase of land for resale or lease-back, fee acquisition of public recreation sites and ecologically sensitive areas and any other method of land and water protection and management which will help meet the goals and carry out the policies of the management plan;

(B) include a policy for the use of State and local police power responsibilities to the greatest extent practicable to regulate the use of land and water resources in a manner consistent with the purposes of this section; and

(C) recognize existing economic activities within the area and provide for the protection and enhancement of such activities as farming, forestry, proprietary recreational facilities, and those indigenous industries and commerical and residential developments which are consistent with the findings and purposes of this section.

(4) A coordination and consistency component which details the ways in which local, State and Federal programs and policies may best be coordinated to promote the goals and policies of the management plan, and which details how land, water and structures managed by governmental or nongovernmental entities in the public interest within

the area may be integrated into the management plan.

(5) A public use component including, among other items, a detailed program to educate the public concerning appropriate uses of the area.

(6) A financial component, together with a cash flow timetable, which:

(A) details the cost of implementing the management plan, including, but not limited to, payments in lieu of taxes, general administrative costs, and any anticipated extraordinary or continuing costs; and

(B) details the sources of revenue for covering such costs, including, but not limited to, grants, donations and loans from local, State, and Federal departments and agencies, and from the private sector.

(7) A program to provide for the maximum feasible local government and public participation in the management of the Pinelands National Reserve.

(8) A program for State and local governmental implementation of the comprehensive management plan in a manner that will insure the continued, uniform, consistent protection of this area in accord with the purposes of this section.

(9) In conjunction with existing State programs and planning processes, a plan to implement the provisions of the Clean Water Act and the Safe Drinking Water Act which pertain to the surface and ground waters of the Pinelands National Reserve.

(g) (1) The State of New Jersey, through the planning entity, shall adopt and submit to the Secretary a comprehensive management plan within eighteen months after the date that funds are first provided for its preparation under subsection (d). In the event the State fails to submit the plan within such time period, the Secretary may obtain reimbursement or offset from the State of all Federal funds previously granted under this section. The Secretary shall, within ninety days after the date the plan is submitted to him, either approve or disapprove the plan. Should the Secretary fail to act on the proposed plan within ninety days, the plan shall be regarded as approved. Upon approval, the Secretary shall submit the plan to the Congress for a period of ninety days prior to implementation.

(2) In determining whether or not to approve the management plan, the Secretary shall consider whether:

(A) the planning entity has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation and review of the plan, and whether such review

and comment thereon were considered in the plan or revision as presented to him;

(B) he has received adequate assurances from appropriate State officials that the recommended implementation program identified in the plan will be initiated within a reasonable time after the date of approval of the plan and such programs will insure effective implementation of the State and local aspects of the plan;

(C) provision is made for the participation of a Federal representative in the implementation program;

(D) the plan requires the exercise of police power responsibilities to the greatest extent practicable to regulate the use of land and water resources in a manner consistent with the purposes of this section;

(E) the plan, if implemented, would adequately protect the significant natural, ecological, agricultural, scenic, cultural and recreational resources of the Pinelands National Reserve and, consistent with such protection, provide adequate and appropriate outdoor recreational opportunities and economic activities within the area;

(F) the plan provides for the Governor of the State of New Jersey to exercise effective and continuing oversight over its implementation; and

(G) after consultation with the Secretary of Defense, the national defense mission of the military installations within, contiguous or adjacent to the Pinelands National Reserve has been adequately provided for.

(3) If the Secretary disapproves the management plan or a revision thereof, he shall, within sixty days after the date of such disapproval, advise the planning entity in writing of the reasons therefor, together with his recommendations for revision. The State of New Jersey, through the planning entity shall, within one hundred and twenty days after receipt by the planning entity of notification of such disapproval, revise and resubmit the plan to the Secretary who shall approve or disapprove a proposed revision within sixty days after the date it is submitted to him. Should the Secretary fail to act on a proposed revision within sixty days, the revision shall be considered as approved.

(4) The Secretary shall consider a plan revision in accordance with the procedure set forth in paragraph (2). Such revisions must be consistent with the purposes of this section.

(5) In the event that the planning entity fails to obtain approval of the plan by the Secretary within thirty-six months after the date funds are first provided under subsection (d) for development of the plan, the Secretary shall terminate all Federal assistance for and participation in the development of such plan, and may obtain

reimbursement or offset from the State of New Jersey of all Federal funds previously granted under this section.

(6) The Secretary shall provide technical assistance for and monitor at periodic intervals the implementation of the approved management plan. A local jurisdiction or the State shall obtain the approval of the Secretary prior to any modification of the approved plan. The Secretary shall consider a plan revision in accordance with the procedure set forth in paragraph (2). Such revisions must be consistent with the purposes of this section. Any jurisdiction that implements changes to the approved management plan, or adopts or acquiesces in changes to laws, regulations, or policies adopted to implement such plan, without approval of the Secretary, may be liable for reimbursement or offset of all Federal funds previously granted to it under this section without regard to such additional terms and conditions or other requirements of law that may be applicable to such grants.

(h) (1) (A) During the development of the management plan, the Secretary is authorized to make grants to the State of New Jersey for the acquisition of lands and waters or interests therein within the Pinelands National Reserve that he determines, in consultation with the State planning entity, have critical ecological values which are in immediate danger of being adversely affected or destroyed.

(B) The grants authorized by subsection (h) (1) (A) together with the grants made under paragraph (4) of this subsection, shall (i) be made in a manner consistent with the requirements of the Land and Water Conservation Act; (ii) not exceed 75 percent of the total cost of all property acquired by the State pursuant to this subsection; (iii) be supplemental to any other Federal financial assistance for any other program; and (iv) be subject to such additional terms and conditions as the Secretary may deem necessary to effectuate the purposes of this section.

(2) In the event the State elects not to make acquisitions as authorized under subsection (b) (1), the Secretary, during the development of the management plan, is authorized to acquire such lands, waters or interests therein by donation, purchase with donated or appropriated funds, exchange, or otherwise, and to administer such property under the laws generally applicable to units of the National Park System or National Wildlife Refuge System in a manner to carry out the purposes of this section.

(3) After his approval of the management plan, the Secretary (A) is authorized to convey property acquired pursuant to subsection (h) (2) to State or local authorities in accordance with the management plan, under such terms and conditions as he may deem appropriate, which shall include (i) a requirement that where the Secretary

transfers land acquired with appropriated funds, the State or local government shall repay not less than 25 percent of the cost of such lands to the Secretary under such terms and conditions as he may deem appropriate, and (ii) a retention of a right of reversion of title to the United States, and (B) shall accept from the State those lands acquired pursuant to subsection (h) (1), which are identified in the management plan as being appropriate for Federal ownership and management: *Provided*, That the Secretary shall reimburse to the State such sums as are necessary to (i) cover 100 percent of the original cost of acquisition as to each parcel of land so transferred and (ii) assure that as to the remainder of lands acquired pursuant to subsection (h) (1) not transferred under this subsection, the total Federal land acquisition cost does not exceed 75 percent of the purchase price of such lands.

(4) Upon approval of the management plan, the Secretary is authorized to make grants for the acquisition within the Pinelands National Reserve of lands and waters or interests therein in a manner consistent with the management plan. All applications for such grants shall be made within ten years from the date of implementation of the management plan.

(i) During the development of the management plan for the Pinelands National Reserve, all applications for Federal assistance under programs covered by Part 1 of OMB Circular A–95 and direct Federal actions covered by Part II of OMB Circular A–95 within the Federal Project Review Area generally depicted on the map referred to in subsection (c) which involve the construction of housing, industrial parks, highways, or sewage or water treatment facilities shall be reviewed by the planning entity, upon receipt from the New Jersey State A–95 Clearinghouse (hereinafter referred to as the Clearinghouse). If the planning entity finds that such application or proposed action would have no adverse impact on the resources and ecological values of the Federal Project Review Area, the planning entity shall so notify the Clearinghouse. If the planning entity does not so find, Congress authorizes the planning entity to notify the Clearinghouse and other affected parties that such application or proposed action shall not proceed pending further review, and the planning entity shall forward such application or notice of proposed action to the Secretary. Any such application or proposed action which the Secretary determines would be significantly adverse to the purposes of this section shall not proceed while the management plan is being developed. The review process established under this subsection shall begin upon the appropriation of funds under subsection (k).

(j) Nothing in this section shall be construed to limit or prohibit any Federal action ordered by a court of competent jurisdiction or directed by a Federal agency as essential for the protection of public health or safety, for

national security or defense, or for the maintenance of environmental values within the Pinelands National Reserve or the Federal Project Review Area.

(k) There is authorized to be appropriated not to exceed $26 million to carry out the provisions of this section. Not to exceed $3 million shall be available for planning: *Provided*, That any funds not used for planning shall be available for land acquisition; *Provided further*, That $23,000,000 shall be made available for land acquisition, as authorized by this section. Such appropriations may be made from the general fund of the Treasury or from revenues due and payable to the United States under the Outer Continental Shelf Lands Act, as amended, which would otherwise be credited to miscellaneous receipts.

EDGAR ALLAN POE NATIONAL HISTORIC SITE

SEC. 503. (a) In recognition of the literary importance attained by Edgar Allan Poe, there is hereby authorized to be established the Edgar Allan Poe National Historic Site.

(b) The Secretary is authorized to acquire by donation, purchase or exchange the lands and buildings within the area described in subsection (c). The lands and buildings acquired by the Secretary under this section shall comprise the Edgar Allan Poe National Historic Site and shall be administered by the Secretary through the National Park Service. The Secretary shall administer, maintain, protect, and develop the site subject to the provisions of law generally applicable to national historic sites.

(c) The lands and buildings specified in subsection (b) comprise that area of Philadelphia, Pennsylvania, known as the Poe House complex and includes the house at the rear of 530 North Seventh Street, the adjoining three-story brick residence on the front of the land backing up to and including the building at 532 North Seventh Street, and the North Garden of approximately seven thousand and eighty square feet and the South Garden of approximately nine thousand three hundred and fifty square feet.

(d) As soon as the Secretary finds that a substantial portion of the acquisition authorized under subsection (b) has been completed, he shall establish the Edgar Allan Poe National Historic Site by publication of notice thereof in the Federal Register.

(e) There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this section.

SAINT PAUL'S CHURCH, EASTCHESTER

SEC. 504. (a) In order to preserve and protect Saint Paul's Church, Eastchester, in Mount Vernon, New

York, for the benefit of present and future generations, the Secretary may accept any gift or bequest of any property or structure which comprises such church and any other real or personal property located within the square bounded by South Columbus Avenue, South Third Avenue, Edison Avenue, and South Fulton Avenue, in Mount Vernon, New York, including the cemetery located within such square and any real property located within such square which was at any time a part of the old village green, now in Mount Vernon, New York.

(b) Any property acquired under subsection (a) shall be administered by the Secretary acting through the National Park Service, in accordance with this section and provisions of law generally applicable to units of the National Park System, including the Act approved August 25, 1916 (16 U.S.C. 1 and following) and the Act approved August 21, 1935. The Secretary, in carrying out the provisions of such Acts (i) shall give particular attention to assuring the completion of such structural and other repairs as he considers necessary to restore and preserve any property acquired in accordance with this section, and (ii) may enter into cooperative agreements with other public or private entities for the management, protection, development, and interpretation, in whole or in part, of the property so acquired.

KALOKO-HONOKOHAU NATIONAL HISTORICAL PARK

SEC. 505. (a) In order to provide a center for the preservation, interpretation, and perpetuation of traditional native Hawaiian activities and culture, and to demonstrate historic land use patterns as well as to provide a needed resource for the education, enjoyment, and appreciation of such traditional native Hawaiian activities and culture by local residents and visitors, there is established the Kaloko-Honokohau National Historical Park (hereinafter in this section referred to as the "park") in Hawaii comprising approximately one thousand three hundred acres as generally depicted on the map entitled "Kaloko-Honokohau National Historical Park," numbered KHN-80,000, and dated May 1978, which shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

(b) Except for any lands owned by the State of Hawaii or its subdivisions, which may be acquired only by donation, the Secretary is authorized to acquire the lands described above by donation, exchange, or purchase through the use of donated or appropriated funds, notwithstanding any prior restriction of law.

(c) The Secretary shall administer the park in accordance with this section and the provisions of law generally applicable to units of the national park system, including the Acts approved August 25, 1916 (39 Stat.

535; 16 U.S.C. 461–467), and August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.), and generally in accordance with the guidelines provided in the study report entitled "Kaloko–Honokohau" prepared by the Honokohau Study Advisory Commission and the National Park Service, May 1974, GPO 690–514.

(d) (1) In administering the park the Secretary may provide traditional native Hawaiian accommodations.

(2) The Secretary shall consult with and may enter into a cooperative management agreement with the State of Hawaii for the management of the submerged lands within the authorized park boundary, following the marine management policies of the State of Hawaii.

(3) Commercial, recreational, and subsistence fishing and shoreline food gathering activities as well as access to and from the Honokohau small boat harbor by motor boats and other water craft shall be permitted wherever such activities are not inconsistent with the purposes for which the park is established, subject to regulation by the Secretary.

(4) The Secretary shall consult with and may enter into agreements with other governmental entities and private landowners to establish adequate controls on air and water quality and the scenic and esthetic values of the surrounding land and water areas. In consulting with and entering into any such agreements, the Secretary shall to the maximum extent feasible utilize the traditional native Hawaiian Ahupua's concept of land and water management.

(e) In carrying out the purposes of this section the Secretary is authorized and directed as appropriate to employ native Hawaiians. For the purposes of this section, native Hawaiians are defined as any lineal descendants of the race inhabiting the Hawaiian Islands prior to the year 1778.

(f) (1) There is hereby established the Kaloko-Honokohau Na Hoa Pili O Kaloko-Honokohau (The Friends of Kaloko-Honokohau), an Advisory Commission for the park. The Commission shall be composed of nine members, appointed by the Secretary, at least five of whom shall be selected from nominations provided by native Hawaiian organizations. All members of the Commission shall be residents of the State of Hawaii, and at least six members shall be native Hawaiians. Members of the Commission shall be appointed for five-year terms except that initial appointment(s) shall consist of two members appointed for a term of five years, two for a term of four years, two for a term of three years, two for a term of two years, and one for a term of one year. No member may serve more than one term consecutively.

(2) The Secretary shall designate one member of the Commission to be Chairman. Any vacancy in the Commission shall be filled by appointment for the remainder of the term.

(3) Members of the Commission shall serve without compensation. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this section on vouchers signed by the Chairman.

(4) The Superintendent of the park, the National Park Service State Director, Hawaii, a person appointed by the Governor of Hawaii, and a person appointed by the mayor of the county of Hawaii, shall serve as ex officio nonvoting members of the Commission.

(5) The Commission shall advise the Director, National Park Service, with respect to the historical, archeological, cultural, and interpretive programs of the park. The Commission shall afford particular emphasis to the quality of traditional native Hawaiian culture demonstrated in the park.

(6) The Commission shall meet not less than twice a year. Additional meetings may be called by the Chairman.

(7) The Advisory Commission shall terminate ten years after the date of enactment of this Act.

(g) There are hereby authorized to be appropriated not to exceed $25,000,000 for acquisition and $1,000,000 for development.

PALO ALTO BATTLEFIELD NATIONAL HISTORIC SITE

SEC. 506. (a) In order to preserve and commemorate for the benefit and enjoyment of present and future generations an area of unique historical significance as one of only two important battles of the Mexican War fought on American soil, the Secretary is authorized to establish the Palo Alto Battlefield National Historic Site in the State of Texas.

(b) For the purposes of this section, the Secretary is authorized to acquire by donation, purchase, or exchange, not to exceed fifty acres of lands and interests therein, comprising the initial unit, in the vicinity of the site of the battle of Palo Alto, at the junction of Farm Roads 1847 and 511, 6.3 miles north of Brownsville, Texas. The Secretary shall complete a study and recommend to the Congress such additions as are required to fully protect the historic integrity of the battlefield by June 30, 1979. The Secretary shall establish the historic site by publication of a notice to that effect in the Federal Register at such time as he determines that sufficient property to constitute an administrable unit has been acquired. Pending such establishment and thereafter, the Secretary shall administer the property acquired pursuant to this section in accordance with this section and provisions of law generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535) and the Act of August 21, 1935 (49 Stat. 666).

(c) There are authorized to be appropriated such sums as may be necessary for lands and interests in lands and $200,000 for development to carry out the provisions of this section.

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA

SEC. 507. (a) The Congress finds that—

(1) there are significant scenic, recreational, educational, scientific, natural, archeological, and public health benefits provided by the Santa Monica Mountains and adjacent coastline area;

(2) there is a national interest in protecting and preserving these benefits for the residents of and visitors to the area; and

(3) the State of California and its local units of government have authority to prevent or minimize adverse uses of the Santa Monica Mountains and adjacent coastline area and can, to a great extent, protect the health, safety, and general welfare by the use of such authority.

(b) There is hereby established the Santa Monica Mountains National Recreation Area (hereinafter referred to as the "recreation area"). The Secretary shall manage the recreation area in a manner which will preserve and enhance its scenic, natural, and historical setting and its public health value as an airshed for the Southern California metropolitan area while providing for the recreational and educational need of the visiting public.

(c) (1) The recreation area shall consist of the lands and waters and interests generally depicted as the recreation area on the map entitled "Boundary Map, Santa Monica Mountains National Recreation Area, California, and Santa Monica Mountains Zone", numbered SMM–NRA 80,000 and dated May 1978, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and in the offices of the General Services Administration in the Federal Office Building in West Los Angeles, California, and in the main public library in Ventura, California. After advising the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, in writing, the Secretary may make minor revisions of the boundaries of the recreation area when necessary by publication of a revised drawing or other boundary description in the Federal Register.

(2) Not later than ninety days after the date of enactment of this Act, the Secretary, after consultation with the Governor of the State of California, the California Coastal Commission, and the Santa Monica Mountains Comprehensive Planning Commission, shall

commence acquisition of lands, improvements, waters, or interests therein within the recreation area. Such acquisition may be by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or otherwise. Any lands or interests therein owned by the State of California or any political subdivision thereof (including any park district or other public entity) may be acquired only by donation, except that such lands acquired after the date of enactment of this section by the State of California or its political subdivisions may be acquired by purchase or exchange if the Secretary determines that the lands were acquired for purposes which further the national interest in protecting the area and that the purchase price or value on exchange does not exceed fair market value on the date that the State acquired the land or interest: *Provided, however*, That the value of any lands acquired by the Secretary under the exception in this sentence shall be deducted from the amount of moneys available for grants to the State under subsection (n) of this section. Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area shall, with the concurrence of the head of the agency having custody thereof, be transferred without cost, to the administrative jurisdiction of the Secretary for the purposes of the recreation area.

(3) The Administrator of the General Services Administration is hereby authorized and directed to transfer the site generally known as Nike Site 78 to the Secretary for inclusion in the recreation area: *Provided*, That the county of Los Angeles shall be permitted to continue to use without charge the facilities together with sufficient land as in the determination of the Secretary shall be necessary to continue to maintain and operate a fire suppression and training facility and shall be excused from payment for any use of the land and facilities on the site prior to the enactment of this Act. At such time as the county of Los Angeles, California, relinquishes control of such facilities and adjacent land or ceases the operation of the fire suppression and training facility, the land and facilities shall be managed by the Secretary as a part of the recreation area.

(d) (1) Within six months after the date of enactment of this Act, the Secretary shall identify the lands, waters, and interests within the recreation area which must be acquired and held in public ownership for the following critical purposes: preservation of beaches and coastal upland; protection of undeveloped inland stream drainage basins; connection of existing State and local government parks and other publicly owned lands to enhance their potential for public recreation use; protection of existing park roads and scenic corridors, including such right-of-way as is necessary for the protection of the Mulholland Scenic Parkway Corridor;

protection of the public health and welfare; and development and interpretation of historic sites and recreation areas in connection therewith, to include, but not be limited to, parks, picnic areas, scenic overlooks, hiking trails, bicycle trails, and equestrian trails. The Secretary may from time to time revise the identification of such areas, and any such revisions shall become effective in the same manner as herein provided for revisions in the boundaries of the recreation area.

(2) By January 1, 1980, the Secretary shall submit, in writing, to the committees referred to in subsection (c) and to the Committees on Appropriations of the United States Congress a detailed plan which shall indicate—

(A) the lands and areas identified in paragraph (1),

(B) the lands which he has previously acquired by purchase, donation, exchange, or transfer for the purpose of this recreation area,

(C) the annual acquisition program (including the level of funding) recommended for the ensuing five fiscal years, and

(D) the final boundary map for the recreation area.

(e) With respect to improved properties, as defined in this section, fee title shall not be acquired unless the Secretary finds that such lands are being used, or are threatened with uses, which are detrimental to the purposes of the recreation area, or unless each acquisition is necessary to fulfill the purposes of this section. The Secretary may acquire scenic easements to such improved property or such other interests as, in his judgment are necessary for the purposes of the recreation area.

(f) For the purposes of this section, the term "improved property" means—

(1) a detached single-family dwelling, the construction of which was begun before January 1, 1976 (hereafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated as is in the same ownership as the dwelling and as the Secretary designates to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures necessary to the dwelling which are situated on the land so designated, and

(2) property developed for agricultural uses, together with any structures accessory thereto as were used for agricultural purposes on or before January 1, 1978.

In determining when and to what extent a property is to be treated as "improved property" for purposes of this section, the Secretary shall take into consideration the manner of use of such buildings and lands prior to Jan-

uary 1, 1978, and shall designate such lands as are reasonably necessary for the continued enjoyment of the property in the same manner and to the same extent as existed prior to such date.

(g) The owner of an improved property, as defined in this section, on the date of its acquisition, as a condition of such acquisition, may retain for herself or himself, her or his heirs and assigns, a right of use and occupancy of the improved property for noncommercial residential or agriculture purposes, as the case may be, 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 her or his spouse, whichever is later. The owner shall elect the term to be reserved. Unless the property is wholly or partially donated, the Secretary shall pay to the owner the fair market value of the property on the date of its acquisition, less the fair market value on that date of the right retained by the owner. A right retained by the owner 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 section, and it shall terminate by operation of law upon notification by the Secretary to the holder of the right of such determination and tendering to him the amount equal to the fair market value of that portion which remains unexpired.

(h) In exercising the authority to acquire property under this section, the Secretary shall give prompt and careful consideration to any offer made by an individual owning property within the recreation area to sell such property, if such individual notifies the Secretary that the continued ownership of such property is causing, or would result in, undue hardship.

(i) The Secretary shall administer the recreation area in accordance with this Act and provisions of laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.). In the administration of the recreation area, the Secretary may utilize such statutory authority available for the conservation and management of wildlife and natural resources as appropriate to carry out the purpose of this section. The fragile resource areas of the recreation area shall be administered on a low-intensity basis, as determined by the Secretary.

(j) The Secretary may enter into cooperative agreements with the State of California, or any political subdivision thereof, for the rendering, on a reimbursable basis, of rescue, firefighting, and law enforcement services and cooperative assistance by nearby law enforcement and fire preventive agencies.

(k) Notwithstanding any other provision of law, the Secretary is authorized to accept donations of funds, property, or services from individuals, foundations, corporations, or public entities for the purpose of land ac-

quisition and providing services and facilities which the Secretary deems consistent with the purposes of this section.

(l) By January 1, 1981, the Santa Monica Mountains National Recreation Area Advisory Commission, established by this section, shall submit a report to the Secretary which shall—

(1) assess the capability and willingness of the State of California and the local units of government to manage and operate the recreation area,

(2) recommend any changes in ownership, management, and operation which would better accomplish the purposes of this section, and

(3) recommend any conditions, joint management agreements, or other land use mechanisms to be contingent on any transfer of land.

(m) The Secretary, after giving careful consideration to the recommendations set forth by the Advisory Commission, shall, by January 1, 1982, submit a report to the Committees referred to in subsection (c) which shall incorporate the recommendations of the Advisory Commission as well as set forth the Secretary's recommendations. Such report shall—

(1) assess the benefits and costs of continued management as a unit of the National Park System,

(2) assess the capability and willingness of the State of California and the local units of government to manage and operate the recreation area, and

(3) recommend any changes in ownership, management, and operation which would better accomplish the purposes of this section.

(n) (1) The Secretary shall request the Santa Monica Mountains Comprehensive Planning Commission to submit a comprehensive plan, prepared in accord with this section and title 7.75 of the California Government Code (commencing with section 67450), for the Santa Monica Mountains Zone generally depicted on the map referred to in subsection (c) of this section for approval.

(2) The comprehensive plan shall include, in addition to the requirements of California State law—

(A) an identification and designation of public and private uses which are compatible with and which would not significantly impair the significant scenic, recreational, educational, scientific, natural, archeological, and public health benefits present in the zone and which would not have an adverse impact on the recreation area or on the air quality of the south coast air basin;

(B) a specific minimum land acquisition program which shall include, but not be limited to, fee and less than fee acquisition of strategic and critical sites not to be acquired by the Federal Government for public recreational and other related uses; and a program for the complementary use of State and

local authority to regulate the use of lands and waters within the Santa Monica Mountains Zone to the fullest extent practicable consistent with the purposes of this section; and

(C) a recreation transportation system which may include but need not be limited to existing public transit.

(3) No plan submitted to the Secretary under this section shall be approved unless the Secretary finds the plan consistent with paragraph (2) and finds that—

(A) the planning commission has afforded adequate opportunity, including public hearings, for public involvement in the preparation and review of the plan, and public comments were received and considered in the plan or revision as presented to him;

(B) the State and local units of government identified in the plan as responsible for implementing its provisions have the necessary authority to implement the plan and such State and local units of government have indicated their intention to use such authority to implement the plan;

(C) the plan, if implemented, would preserve significant natural, historical, and archeological benefits and, consistent with such benefits, provide increased recreational opportunities for persons residing in the greater Los Angeles-southern California metropolitan area; and

(D) implementation of the plan would not have a serious adverse impact on the air quality or public health of the greater Los Angeles region.

Before making his findings on the air quality and public health impacts of the plan, the Secretary shall consult with the Administrator of the Environmental Protection Agency.

(4) Following approval of the plan with respect to the Santa Monica Mountains Zone, upon receipt of adequate assurances that all aspects of that jurisdiction's implementation responsibilities will be adopted and put into effect, the Secretary shall—

(A) provide grants to the State and through the State to local governmental bodies for acquisition of lands, waters, and interests therein identified in paragraph (2) (B), and for development of essential public facilities, except that such grants shall be made only for the acquisition of lands, waters, and interests therein, and related essential public facilities, for park, recreation, and conservation purposes; and

(B) provide, subject to agreements that in the opinion of the Secretary will assure additional preservation of the lands and waters of the zone, such funds as may be necessary to retire bonded indebtedness for water and sewer and other utilities al-

ready incurred by property owners which in the opinion of the Secretary would if left outstanding contribute to further development of the zone in a manner inconsistent with the approved plan developed by the planning commission.

No grant for acquisition of land may be made under subparagraph (A) unless the Secretary receives satisfactory assurances that such lands acquired under subparagraph (A) shall not be converted to other than park, recreation, and conservation purposes without the approval of the Secretary and without provision for suitable replacement land.

(5) Grants under this section shall be made only upon application of the recipient State and shall be in addition to any other Federal financial assistance for any other program, and shall be subject to such terms and conditions as the Secretary deems necessary to carry out the purposes of this section. Any jurisdiction that implements changes to the approved plan which are inconsistent with the purposes of this section, or adopts or acquiesces in changes to laws regulations or policies necessary to implement or protect the approved plan, without approval of the Secretary, may be liable for reimbursement of all funds previously granted or available to it under the terms of this section without regard to such additional terms and conditions or other requirements of law that may be applicable to such grants. During the life of the planning commission, changes to the plan must be submitted by the planning commission to the Secretary for approval. No such application for a grant may be made after the date five years from the date of the Secretary's approval of the plan.

(o) The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in the lands and waters within the Santa Monica Mountains Zone, generally depicted on the map referred to in subsection (c), and the head of any Federal agency having authority to license or permit any undertaking in such lands and waters shall, prior to the approval of the expenditure of any Federal funds on such undertaking or prior to the issuance of any license or permit, as the case may be, afford the Secretary a reasonable opportunity to comment with regard to such undertaking and shall give due consideration to any comments made by the Secretary and to the effect of such undertaking on the "findings" and purposes of this section.

(p) The Secretary shall give full consideration to the recommendations of the California Department of Parks and Recreation, the Santa Monica Mountains Comprehensive Planning Commission, and the California Coastal Commission.

(q) (1) There is hereby established the Santa Monica Mountains National Recreation Area Advisory Com-

mission (hereinafter referred to as the "Advisory Commission"). The Advisory Commission shall terminate ten years after the date of establishment of the recreation area.

(2) The Advisory Commission shall be composed of the following members to serve for terms of five years as follows:

(A) one member appointed by the Governor of the State of California;

(B) one member appointed by the mayor of the city of Los Angeles;

(C) one member appointed by the Board of Supervisors of Los Angeles County;

(D) one member appointed by the Board of Supervisors of Ventura County; and

(E) five members appointed by the Secretary, one of whom shall serve as the Commission Chairperson.

(3) The Advisory Commission shall meet on a regular basis. Notice of meetings and agenda shall be published in local newspapers which have a distribution which generally covers the area. Commission meetings shall be held at locations and in such a manner as to insure adequate public involvement. Such locations shall be in the region of the Santa Monica Mountains and no more than twenty-five miles from it.

(4) Members of the Commission shall serve without compensation as such, but the Secretary may pay expenses reasonably incurred in carrying out their responsibilities under this Act on vouchers signed by the Chairperson.

(5) The Secretary, or his or her designee, shall from time to time but at least semiannually, meet and consult with the Advisory Commission on matters relating to the development of this recreation area and with respect to carrying out the provisions of this section.

(r) There are authorized to be appropriated such sums as may be necessary for acquisition of lands and interests in land within the boundaries of the recreation area established under this section, but not more than $15,000,000 for fiscal year 1979, $40,000,000 for fiscal year 1980, $45,000,000 for fiscal year 1981, $10,000,000 for fiscal year 1982, and $15,000,000 for fiscal year 1983, such sums to remain available until expended. For grants to the State pursuant to subsection (n) there are authorized to be appropriated not more than $10,000,000 for fiscal year 1979, $10,000,000 for fiscal year 1980, $5,000,000 for fiscal year 1981, and $5,000,000 for fiscal year 1982, such sums to remain available until expended. For the authorizations made in this subsection, any amounts authorized but not appropriated in any fiscal year shall remain available for appropriation in succeeding fiscal years.

(s) For the development of essential public facilities in the recreation area there are authorized to be appro-

priated not more than $500,000. The Congress expects that, at least until assessment of the report required by subsection (t), any further development of the area shall be accomplished by the State of California or local units of government, subject to the approval of the Director, National Park Service.

(t) Within two years from the date of establishment of the recreation area pursuant to this section, the Secretary shall, after consulting with the Advisory Commission, develop and transmit to the Committees referred to in subsection (c) a general management plan for the recreation area consistent with the objectives of this section. Such plan shall indicate—

(1) a plan for visitor use including the facilities needed to accommodate the health, safety, education and recreation needs of the public;

(2) the location and estimated costs of all facilities;

(3) the projected need for any additional facilities within the area;

(4) any additions or alterations to the boundaries of the recreation area which are necessary or desirable to the better carrying out of the purposes of this section; and

(5) a plan for preservation of scenic, archeological and natural values and of fragile ecological areas.

EBEY'S LANDING NATIONAL HISTORICAL RESERVE

SEC. 508. (a) There is hereby established the Ebey's Landing National Historical Reserve (hereinafter referred to as the "reserve"), in order to preserve and protect a rural community which provides an unbroken historical record from nineteenth century exploration and settlement in Puget Sound to the present time, and to commemorate—

(1) the first thorough exploration of the Puget Sound area, by Captain George Vancouver, in 1792;

(2) settlement by Colonel Isaac Neff Ebey who led the first permanent settlers to Whidbey Island, quickly became an important figure in Washington Territory, and ultimately was killed by Haidahs from the Queen Charlotte Islands during a period of Indian unrest in 1857;

(3) early active settlement during the years of the Donation Land Law (1850–1855) and thereafter; and

(4) the growth since 1883 of the historic town of Coupeville.

The reserve shall include the area of approximately eight thousand acres identified as the Central Whidbey Island Historic District.

(b) (1) To achieve the purpose of this section, the Secretary, in cooperation with the appropriate State and

local units of general government, shall formulate a comprehensive plan for the protection, preservation, and interpretation of the reserve. The plan shall identify those areas or zones within the reserve which would most appropriately be devoted to—

(A) public use and development;

(B) historic and natural preservation; and

(C) private use subject to appropriate local zoning ordinances designed to protect the historical rural setting.

(2) Within eighteen months following the date of enactment of this section, the Secretary shall transmit the plan to the President of the Senate and the Speaker of the House of Representatives.

(c) At such time as the State or appropriate units of local government having jurisdiction over land use within the reserve have enacted such zoning ordinances or other land use controls which in the judgment of the Secretary will protect and preserve the historic and natural features of the area in accordance with the comprehensive plan, the Secretary may, pursuant to cooperative agreement—

(1) transfer management and administration over all or any part of the property acquired under subsection (d) of this section to the State or appropriate units of local government;

(2) provide technical assistance to such State or unit of local government in the management, protection, and interpretation of the reserve; and

(3) make periodic grants, which shall be supplemental to any other funds to which the grantee may be entitled under any other provision of law, to such State or local unit of government for the annual costs of operation and maintenance, including but not limited to, salaries of personnel and the protection, preservation, and rehabilitation of the reserve except that no such grant may exceed 50 per centum of the estimated annual cost, as determined by the Secretary, of such operation and maintenance.

(d) The Secretary is authorized to acquire such lands and interests as he determines are necessary to accomplish the purposes of this section by donation, purchase with donated funds, or exchange, except that the Secretary may not acquire the fee simple title to any land without the consent of the owner. The Secretary shall, in addition, give prompt and careful consideration to any offer made by an individual owning property within the historic district to sell such property, if such individual notifies the Secretary that the continued ownership of such property is causing, or would result in, undue hardship. .

Lands and interests therein so acquired shall, so long as responsibility for management and administration remains with the United States, be administered by the

Secretary subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and in a manner consistent with the purpose of this section.

(e) If, after the transfer of management and administration of any lands pursuant to subsection (c) of this section, the Secretary determines that the reserve is not being managed in a manner consistent with the purposes of this section, he shall so notify the appropriate officers of the State or local unit of government to which such transfer was made and provide for a ninety-day period in which the transferee may make such modifications in applicable laws, ordinances, rules, and procedures as will be consistent with such purposes. If, upon the expiration of such ninety-day period, the Secretary determines that such modifications have not been made or are inadequate, he shall withdraw the management and administration from the transferee and he shall manage such lands in accordance with the provisions of this section.

(f) There is hereby authorized to be appropriated not to exceed $5,000,000 to carry out the provisions of this section.

FRIENDSHIP HILL NATIONAL HISTORIC SITE

SEC. 509. (a) The Secretary is authorized to establish the Friendship Hill National Historic Site in the State of Pennsylvania, including the former home of Albert Gallatin, as depicted on the map entitled "FRHI–80000" dated February 1978. Said map shall be on file and available for public inspection in the offices of the Director, National Park Service, Washington, District of Columbia. The Secretary is authorized to acquire such land, improvements, and any personal property of cultural and historical value thereon by donation, purchase with donated or appropriated funds, or exchange.

(b) Pending establishment of the site and thereafter the Secretary shall administer property acquired pursuant to this section in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), as amended and supplemented, and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467), as amended.

(c) (1) There are hereby authorized to be appropriated from the Land and Water Conservation Fund, such sums as may be necessary to carry out the purposes of this section.

(2) For the development of essential facilities there are authorized to be appropriated for the fiscal year ending September 30, 1980, and for succeeding fiscal years, such sums as may be necessary to carry out the purposes of this section, but not to exceed $100,000. Within three years from the effective date of this section, the Secretary shall develop and transmit to the Committee on Interior and Insular Affairs of the House of Representatives and

to the Committee on Energy and Natural Resources of the Senate a general management plan for the use and development of the site consistent with the purposes of this section, indicating—

(A) the lands and interests in lands adjacent or related to the site which are deemed necessary or desirable for the purposes of resource protection, scenic integrity, or management and administration of the area in furtherance of the purposes of this section and the estimated cost thereof;

(B) the number of visitors and types of public use within the site which can be accommodated in accordance with the protection of its resources; and

(C) the location and estimated cost of facilities deemed necessary to accommodate such visitors and uses.

THOMAS STONE NATIONAL HISTORIC SITE

SEC. 510. (a) The Secretary is authorized to acquire by donation, exchange, or purchase with donated or appropriated funds, the Thomas Stone home and grounds, known as Habre-de-Venture, located on Rose Hill Road near La Plata in Charles County, Maryland, for establishment as the Thomas Stone National Historic Site.

(b) The national historic site shall be established by the Secretary by the publication of notice to that effect in the Federal Register at such time that he determines he has sufficient ownership to constitute an administrable unit. After such publication, the site shall be administered by the Secretary pursuant to the provisions of this section and the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467).

(c) To carry out the purposes of this section, there is hereby authorized to be appropriated not to exceed $600,000 for the acquisition of lands and interests therein and not to exceed $400,000 for development.

MAGGIE L. WALKER NATIONAL HISTORIC SITE

SEC. 511. (a) The Secretary is authorized to establish the Maggie L. Walker National Historic Site (hereinafter in this section referred to as the "historic site") in the city of Richmond, Virginia.

(b) The historic site shall comprise the area extending east from the western boundary of the Maggie L. Walker House at 113 East Leigh Street in Richmond, Virginia, to Third Street and extending north from an east-west line which coincides with the front property line of such house to an east-west line which coincides with the north side of the alleyway immediately at the rear of such house. Following timely notice in writing to the Com-

mittee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate of his intention to do so, the Secretary may make minor revisions in the boundaries of the historic site by publication of a map or other revised boundary description in the Federal Register.

(c) Within the boundaries of the historic site, the Secretary may acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer from any other Federal agency. Any property within such boundaries owned by the State of Virginia or any political subdivision thereof may be acquired only by donation.

(d) When the Secretary determines that lands and interests therein have been acquired in an amount sufficient to constitute an administerable unit, he shall establish the historic site by publication of a notice to that effect in the Federal Register. Pending such establishment and thereafter, the Secretary shall administer the historic site in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented (16 U.S.C. 1, 2–4), and the Act of August 21, 1935 (49 Stat. 666), as amended (16 U.S.C. 461 et seq.). Funds available for the historic site shall be available for restoration and rehabilitation of properties therein in accordance with cooperative agreements entered into pursuant to section 2(e) of the Act of August 21, 1935, supra.

(e) (1) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, but not more than $795,000 for acquisition of lands and interests in land and not more than $500,000 for the development of essential facilities.

Within three complete fiscal years from the date of enactment of this section, the Secretary shall develop and transmit to the Committees referred to in subsection (b) a general management plan for the historic site consistent with the purposes of this section. Such plan shall indicate—

(1) facilities needed to accommodate the health, safety, and educational needs of the public;

(ii) the location and estimated cost of all facilities; and

(iii) the projected need for any additional facilities.

CROW CREEK VILLAGE ARCHEOLOGICAL SITE

SEC. 512. (a) The Secretary shall prepare and transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives within two years from the date of enactment, feasibility/suitability study of the Crow Creek Village archeological site, Buffalo County, South Dakota, as a unit of the National Park

System. The study shall include cost estimates for any necessary acquisition, development, operation and maintenance, as well as any feasibile alternatives for the administration and protection of the area, including, but not limited to, Federal financial and technical assistance to the State of South Dakota, Buffalo County or other suitable entity.

(b) Notwithstanding any other provision of law, the Secretary of the Army is directed to take such actions as may be necessary to preserve and protect such site from any adverse impact on the site and to refrain from any activities which might cause such impact until two years from the date of submission of the study by the Secretary.

SUBTITLE B—TRAILS

SEC. 551. The National Trails System Act (82 Stat. 919; 16 U.S.C. 1241), as amended, is further amended as follows:

(1) In section 2(a) after "promote" insert "the preservation of,"; and after "outdoor areas" insert "and historic resources".

(2) In section 2(a) delete "(ii)" and the remainder of the sentence and insert "(ii) secondarily, within scenic areas and along historic travel routes of the Nation, which are often more remotely located.".

(3) In section 2(b) delete "and scenic" and insert ", scenic and historic".

(4) In section 3 redesignate subsection "(c)" as "(d)", and insert a new subsection (c) as follows:

"(c) National historic trails, established as provided in section 5 of this Act, which will be extended trails which follow as closely as possible and practicable the original trails or routes of travel of national historical significance. Designation of such trails or routes shall be continuous, but the established or developed trail, and the acquisition thereof, need not be continuous onsite. National historic trails shall have as their purpose the identification and protection of the historic route and its historic remnants and artifacts for public use and enjoyment. Only those selected land and water based components of an historic trail which are on federally owned lands and which meet the national historic trail criteria established in this Act, are established as initial Federal protection components of a national historic trail. The appropriate Secretary may subsequently certify other lands as protected segments of an historic trail upon application from State or local governmental agencies or private interests involved if such segments meet the national historic trail criteria established in this Act and such criteria supplementary thereto as the appropriate Secretary may prescribe, and are administered by such agencies or interests without expense to the United States.".

(5) In the new section 3(d) delete "or national scenic" and insert ", national scenic or national historic".

(6) Change the title of section 5 to read "NATIONAL SCENIC AND NATIONAL HISTORIC TRAILS".

(7) In section 5(a), insert in the first sentence after the word "scenic" the words "and national historic" and change the second sentence to read: "There are hereby established the following National Scenic and National Historic Trails;".

(8) In section 5(a) (1), in the first sentence, after the word "Appalachian", insert "National Scenic", and in section 5(a) (2), in the first sentence, after "Pacific Crest", insert "National Scenic".

(9) In section 5(a), delete paragraph (3) and insert in lieu the following new paragraphs:

"(3) The Oregon National Historic Trail, a route of approximately two thousand miles extending from near Independence, Missouri, to the vicinity of Portland, Oregon, following a route as depicted on maps identified as 'Primary Route of the Oregon Trail 1841–1848', in the Department of the Interior's Oregon Trail study report dated April 1977, and which shall be on file and available for public inspection in the office of the Director of the National Park Service. The trail shall be administered by the Secretary of the Interior.

"(4) The Mormon Pioneer National Historic Trail, a route of approximately one thousand three hundred miles extending from Nauvoo, Illinois, to Salt Lake City, Utah, following the primary historical route of the Mormon Trail as generally depicted on a map, identified as, 'Mormon Trail Vicinity Map, figure 2' in the Department of the Interior Mormon Trail study report dated March 1977, and which shall be on file and available for public inspection in the Office of the Director, National Park Service, Washington, D.C. The trail shall be administered by the Secretary of the Interior.

"(5) The Continental Divide National Scenic Trail, a trail of approximately thirty-one hundred miles, extending from the Montana-Canada border to the New Mexico-Mexico border, following the approximate route depicted on the map, identified as 'Proposed Continental Divide National Scenic Trail' in the Department of the Interior Continental Divide Trail study report dated March 1977 and which shall be on file and available for public inspection in the office of the Chief, Forest Service, Washington, D.C. The Continental Divide National Scenic Trail shall be administered by the Secretary of Agriculture in consultation with the Secretary of the Interior. Notwithstanding the provisions of section 7(c), the use of motorized vehicles on roads which will be designated segments of the Continental Divide National Scenic Trail shall be permitted in accordance with regulations prescribed by the appropriate Secretary.

"(6) The Lewis and Clark National Historic Trail, a trail of approximately three thousand seven hundred

miles, extending from Wood River, Illinois, to the mouth of the Columbia River in Oregon, following the outbound and inbound routes of the Lewis and Clark Expedition depicted on maps identified as, 'Vicinity Map, Lewis and Clark Trail' study report dated April 1977. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, D.C. The trail shall be administered by the Secretary of the Interior.

"(7) The Iditarod National Historic Trail, a route of approximately two thousand miles extending from Seward, Alaska, to Nome, Alaska, following the routes as depicted on maps identified as 'Seward-Nome Trail', in the Department of the Interior's study report entitled "The Iditarod Trail (Seward-Nome Route) and other Alaskan Gold Rush Trails' dated September 1977. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, D.C. The trail shall be administered by the Secretary of the Interior.".

(10) In section 5(b) after "national scenic" wherever it appears insert "or national historic"; in the first sentence after the phrase "Secretary of the Interior," insert "through the agency most likely to administer such trail,"; delete the third sentence; and delete that portion of the fourth sentence which precedes the numerical listing, and insert in lieu the following: "The studies listed in subsection (c) of this section shall be completed and submitted to the Congress, with recommendations as to the suitability of trail designation, not later than three complete fiscal years from the date of enactment of their addition to this subsection, or from the date of enactment of this sentence, whichever is later. Such studies, when submitted, shall be printed as a House or Senate document, and shall include, but not be limited to:".

(11) In section 5(b) (3) after the semicolon add "and in the case of national historic trails the report shall include the recommendation of the Secretary of the Interior's National Park System Advisory Board as to the national historic significance based on the criteria developed under the Historic Sites Act of 1935 (49 Stat. 666; U.S.C. 461);".

(12) In section 5(b) (8) delete the word "and" at the end of the sentence; in section 5(b) (9) change the period at the end of the sentence to a semicolon; and at the end of section 5(b) add the following new paragraphs:

"(10) the anticipated impact of public outdoor recreation use on the preservation of a proposed national historic trail and its related historic and archeological features and settings, including the measures proposed to ensure evaluation and preservation of the values that contribute to their national historic significance; and

"(11) to qualify for designation as a national his-

toric trail, a trail must meet all three of the following criteria:

"(A) It must be a trail or route established by historic use and must be historically significant as a result of that use. The route need not currently exist as a discernible trail to qualify, but its location must be sufficiently known to permit evaluation of public recreation and historical interest potential. A designated trail should generally accurately follow the historic route, but may deviate somewhat on occasion of necessity to avoid difficult routing through subsequent development, or to provide some route variation offering a more pleasurable recreational experience. Such deviations shall be so noted on site. Trail segments no longer possible to travel by trail due to subsequent development as motorized transportation routes may be designated and marked onsite as segments which link to the historic trail.

"(B) It must be of national significance with respect to any of several broad facets of American history, such as trade and commerce, migration and settlement, or military campaigns. To qualify as nationally significant, historic use of the trail must have had a far-reaching effect on broad patterns of American culture. Trails significant in the history of native Americans may be included.

"(C) It must have significant potential for public recreational use or historical interest based on historic interpretation and appreciation. The potential for such use is generally greater along roadless segments developed as historic trails, and at historic sites associated with the trail. The presence of recreation potential not related to historic appreciation is not sufficient jusitification for designation under this category.".

(13) In section 5(c), add the following at the end thereof:

"(20) Overmountain Victory Trail, extending from the vicinity of Elizabethton, Tennessee, to Kings Mountain National Military Park, South Carolina.".

(14) In section 5 delete subsection (d), and insert a new section 5(d) to read as follows:

"(d) The Secretary charged with the administration of each respective trail shall, within one year of the date of the addition of any national scenic or national historic trail to the System, and within sixty days of the enactment of this sentence for the Appalachian and Pacific Crest National Scenic Trails, establish an advisory council for each such trail, each of which councils shall expire ten years from the date of its establishment. The appropriate Secretary shall consult with such council from time to time with respect to matters relating to the trail, including the selection of rights-of-way, standards for

the erection and maintenance of markers along the trail, and the administration of the trail. The members of each advisory council, which shall not exceed thirty-five in number, shall serve for a term of two years and without compensation as such, but the Secretary may pay, upon vouchers signed by the chairman of the council, the expenses reasonably incurred by the council and its members in carrying out their responsibilities under this section. Members of each council shall be appointed by the appropriate Secretary as follows:

"(i) a member appointed to represent each Federal department or independent agency administering lands through which the trail route passes, and each appointee shall be the person designated by the head of such department or agency;

"(ii) a member appointed to represent each State through which the trail passes, and such appointments shall be made from recommendations of the Governors of such States;

"(iii) one or more members appointed to represent private organizations, including corporate and individual landowners and land users, which in the opinion of the Secretary, have an established and recognized interest in the trail, and such appointments shall be made from recommendations of the heads of such organizations: *Provided,* That the Appalachian Trail Conference shall be represented by a sufficient number of persons to represent the various sections of the country through which the Appalachian Trail passes; and

"(iv) the Secretary shall designate one member to be chairman and shall fill vacancies in the same manner as the original appointment.".

(15) In section 5 add two new subsections (e) and (f) as follows:

"(e) Within two complete fiscal years of the date of enactment of legislation designating a national scenic trail, except for the Continental Divide National Scenic Trail, as part of the system, and within two complete fiscal years of the date of enactment of this subsection for the Pacific Crest and Appalachian Trails, the responsible Secretary shall, after full consultation with affected Federal land managing agencies, the Governors of the affected States, the relevant advisory council established pursuant to section 5(d), and the Appalachian Trail Conference in the case of the Appalachian Trail, submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, a comprehensive plan for the acquisition, management, development, and use of the trail, including but not limited to, the following items:

"(1) specific objectives and practices to be observed in the management of the trail, including the

identification of all significant natural, historical, and cultural resources to be preserved (along with high potential historic sites and high potential route segments in the case of national historic trails), details of anticipated cooperative agreements to be consummated with other entities, and an identified carrying capacity of the trail and a plan for its implementation;

"(2) an acquisition or protection plan, by fiscal year, for all lands to be acquired by fee title or lesser interest, along with detailed explanation of anticipated necessary cooperative agreements for any lands not to be acquired; and

"(3) general and site specific development plans including anticipated costs.

"(f) Within two complete fiscal years of the date of enactment of legislation designating a national historic trail or the Continental Divide National Scenic Trail as part of the system, the responsible Secretary shall, after full consultation with affected Federal land managing agencies, the Governors of the affected States, and the relevant Advisory Council established pursuant to section 5(d) of this Act, submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, a comprehensive plan for the management, and use of the trail, including but not limited to, the following items:

"(1) specific objectives and practices to be observed in the management of the trail, including the identification of all significant natural, historical, and cultural resources to be preserved, details of any anticipated cooperative agreements to be consummated with State and local government agencies or private interests, and for national scenic or national recreational trails an identified carrying capacity of the trail and a plan for its implementation; and

"(2) the process to be followed by the appropriate Secretary to implement the marking requirements established in section 7(c) of this Act."

(16) In section 6 in the first sentence delete "or national scenic," and insert ". national scenic or national historic", and in the second sentence delete "or scenic" and insert ", national scenic, or national historic".

(17) In section 7(a) in the first sentence delete "National Scenic Trails" and insert "national scenic and national historic trails"; in two instances in subsection (b), and in the first sentence of subsection (c), after "scenic", insert "or national historic"; in subsection (c) in the second proviso, after "recreation" delete "or scenic" and insert ", national scenic, or national historic"; and in the fifth sentence after "recreation" delete "and scenic" and insert ", national scenic, and national historic"; in subsection (d) after "recreation" delete "or scenic" and insert

", national scenic, or national historic"; in subsection (e) after "scenic" in both instances where it appears insert "or national historic"; in subsection (h) in the first sentence after "recreation" delete "or scenic" and insert ", national scenic, or national historic"; in subsection (i) after "recreation" delete "or scenic" and insert ", national scenic, or national historic".

(18) In section 7(c) at the end of the fourth sentence insert the following: "Where a national historic trail follows existing public roads, developed rights-of-way or waterways, and similar features of man's nonhistorically related development, approximating the original location of a historic route, such segments may be marked to facilitate retracement of the historic route, and where a national historic trail parallels an existing public road, such road may be marked to commemorate the historic route.".

Other uses along the historic trails and the Continental Divide National Scenic Trail, which will not substantially interfere with the nature and purposes of the trail, and which, at the time of designation, are allowed by administrative regulations, including the use of motorized vehicles, shall be permitted by the Secretary charged with the administration of the trail.

(19) In section 7(e), in the first proviso, delete "within two years".

(20) In section 7(g), delete the second proviso entirely.

(21) At the end of subsection 7(g) add the following new sentence: "For national historic trails, direct Federal acquisition for trail purposes shall be limited to those areas indicated by the study report or by the comprehensive plan as high potential route segments or high potential historic sites.".

No land or site located along a designated national historic trail or along the Continental Divide National Scenic Trail shall be subject to the provisions of section 4(f) of the Department of Transportation Act (49 U.S.C. 1653(f)) unless such land or site is deemed to be of historical significance under appropriate historical site criteria such as those for the National Register of Historic Places.

(22) In section 8 in the first sentence of subsection (a) after "establishing park, forest, and other recreation" insert "and historic" and after "administered by States, and recreation" insert "and historic"; and at the end of the first sentence insert the following: "The Secretary is also directed to encourage States to consider, in their comprehensive statewide historic preservation plans and proposals for financial assistance for State, local, and private projects submitted pursuant to the Act of October 15, 1966 (80 Stat. 915), as amended, needs and opportunities for establishing historic trails.".

(23) In section 10, strike "(a)(1)" and insert in lieu thereof "(a)"; strike "the subsequent fiscal year" and in-

sert in lieu thereof "subsequent fiscal years"; strike the paragraph numbered "(2)" in its entirety; and add a new "subsection (c)" as follows:

"(c) There is hereby authorized to be appropriated such sums as may be necessary to implement the provisions of this Act relating to the trails designated by paragraphs 5(a) (3), (4), (5), (6), and (7): *Provided,* That no such funds are authorized to be appropriated prior to October 1, 1979: *And provided further,* That notwithstanding any other provisions of this Act or any other provisions of law, no funds may be expended for the acquisition of lands or interests in lands for the Continental Divide National Scenic Trail, the Oregon National Historic Trail, the Mormon Pioneer National Historic Trail, the Lewis and Clark National Historic Trail, and the Iditarod National Historic Trail.".

TITLE VI—MISCELLANEOUS PROVISIONS

FACILITIES AT YELLOWSTONE NATIONAL PARK

SEC. 601. (a) The Secretary is hereby authorized to acquire and upgrade the concession facilities owned by the Yellowstone Park Company at Yellowstone National Park in the State of Wyoming.

(b) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.

RIDGELANDS AREA STUDY

SEC. 602. (a) In order to consider preserving in their natural condition appropriate segments of the Ridgelands east of San Francisco Bay for protection of the area's unique ecology and topography and for public outdoor recreation, the Secretary shall study, investigate, and formulate recommendations on the feasibility and desirability of establishing such area as a unit of the National Park System. The Secretary shall consult with the Secretary of Agriculture, the Chief of Engineers, Department of the Army, and any other appropriate Federal agencies, as well as with the East Bay Regional Park District, the Association of Bay Area Governments, and other State and local bodies and officials involved, and shall coordinate the study with applicable local and State plans and planning activities relating to the Ridgelands. Federal departments and agencies are authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to furnish such statistics, data, reports, and other material as the Secretary may deem necessary for purposes of the study.

(b) The Secretary shall then submit to the President and the Congress of the United States, within one year after the date of enactment of this Act, a report of his findings and recommendations. The report of the Sec-

retary shall contain, but not be limited to, findings with respect to—

(1) the scenic, scientific, historic, natural, and outdoor recreation values of the Ridgelands, including their use for walking, hiking, horseback riding, bicycling, swimming, picnicking, camping, forest management, fish and wildlife management, educational exhibiting, and scenic and historic site preservation;

(2) the type of Federal, State, and local programs that are feasible and desirable in the public interest to preserve, develop, and make accessible for public use the values identified;

(3) the relationship of any recommended national park, recreation area, or wilderness area to existing or proposed Federal State, and local programs to manage in the public interest the natural resources of the entire San Francisco Bay area;

(4) alternative means of restoring and preserving the values inherent in the area under present ownership patterns; and

(5) the development of public land policies consistent with the protection of private open space land.

(c) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

PRESERVATION OF HISTORICAL AND ARCHAEOLOGICAL DATA

SEC. 603. (a) The Act of June 27, 1960 (74 Stat. 220) as amended May 24, 1974 (88 Stat. 174, 176; 16 U.S.C. 469) is amended as follows:

(b) In section 7 (b), delete the "and" following "1977;", change the period at the end of the sentence to a semicolon; and add the following words: "$500,000 in fiscal year 1979; $1,000,000 in fiscal year 1980; $1,500,000 in fiscal year 1981; $1,500,000 in fiscal year 1982; and $1,500,000 in fiscal year 1983.".

(c) In section 7(c), delete the "and" following "1977;", change the period at the end of the sentence to a semicolon, and add the following words: "$3,000,000 in fiscal year 1979; $3,000,000 in fiscal year 1980; $3,500,000 in fiscal year 1981; $3,500,000 in fiscal year 1982; and $1,000,000 in fiscal year 1983.".

(d) Add the following new subsection "(d)" to section 7:

"(d) Beginning fiscal year 1979, sums appropriated for purposes of section 7 shall remain available until expended.".

NEW AREA STUDIES, GENERAL MANAGEMENT PLANS, AND CONTRACTS

SEC. 604. The Act entitled "An Act to improve the administration of the National Park System by the Sec-

retary of the Interior, and to clarify the authorities applicable to the System, and for other purposes" (84 Stat. 825) is amended as follows:

(1) At the end of section 8 add the following: "For the purposes of carrying out the studies for potential new Park System units and for monitoring the welfare of those resources, there are authorized to be appropriated annually not to exceed $1,000,000. For the purposes of monitoring the welfare and integrity of the national landmarks, there are authorized to be appropriated annually not to exceed $1,500,000.".

(2) In section 9, change "eleven" to "twelve".

(3) Delete section 12(b) and insert in lieu the following:

"(b) General management plans for the preservation and use of each unit of the National Park System, including areas within the national capital area, shall be prepared and revised in a timely manner by the Director of the National Park Service. On January 1 of each year, the Secretary shall submit to the Congress a list indicating the current status of completion or revision of general management plans for each unit of the National Park System. General management plans for each unit shall include, but not be limited to:

"(1) measures for the preservation of the area's resources;

"(2) indications of types and general intensities of development (including visitor circulation and transportation patterns, systems and modes) associated with public enjoyment and use of the area, including general locations, timing of implementation, and anticipated costs;

"(3) identification of and implementation commitments for visitor carrying capacities for all areas of the unit; and

"(4) indications of potential modifications to the external boundaries of the unit, and the reasons therefor.".

(4) In section 12(c) delete "or exceeding five years" and insert "or of five years or more".

OAK CREEK CANYON AND CHIRICAHUA NATIONAL MONUMENT STUDIES

SEC. 605. (a) In recognition of the need for and desirability of protecting the Oak Creek Canyon, Yavapai, and Soldiers Wash-Mormon Canyon areas in Arizona as a unit or units of the National Park System, the Secretary, in cooperation with the Secretary of Agriculture where national forest lands are involved, shall conduct a study to determine a suitable boundary for such unit or units of the System, including the areas referred to herein together with such lands as may be appropriate to provide for their protection and administration as a national monument or other unit of the National Park

System. Such study shall be conducted in consultation with appropriate units of local government concerned and the Sedona-Oak Creek Canyon Interagency Task Force. Such study shall take into account existing patterns of use and activities in the area and the possible adverse impacts a National Monument designation in the area would have on multiple use activities important to the local economy.

(b) The Secretary, in cooperation with the Secretary of Agriculture where national forest lands are involved, shall conduct a study of the boundary of Chiricahua National Monument, Arizona, to determine the appropriate location of a boundary line for additions to the monument which includes such highly scenic features as Cochise Head and which is located to the extent practicable on natural topographic features.

(c) A report of each study conducted pursuant to subsections (a) and (b) of this section shall be submitted by the Secretary to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate not later than one year following the date on which funds are appropriated for the purpose of the study. Each report shall include a map or other description of the boundary determined as a result of the study, a description of the natural, scenic, and cultural features within the boundary, and the recommendation of the Secretary with respect to such further legislation as may be appropriate.

LAND AND WATER CONSERVATION FUND ACCOMPLISHMENTS REPORTING DATE

SEC. 606. (a) The first sentence of section 6(f)(7) of the Land and Water Conservation Fund Act (78 Stat. 897) is amended by inserting ", so as to be received by the Secretary no later than December 31," after the word "transmit".

(b) The third sentence of such section 6(f) (7) of such Act is amended by striking out the period and inserting in lieu thereof "by no later than March 1 of each year.".

HELLS CANYON NATIONAL RECREATION AREA

SEC. 607. The words "September 1975" in section 1(b) of the Act of December 31, 1975 (Public Law 94–199), are deleted and replaced with the words "May 1978," to clarify that the boundary between Saulsberry and Freezeout Saddles is the hydrologic divide.

IRVINE COAST-LAGUNA, CALIFORNIA STUDY

SEC. 608. (a) In order to consider preserving in its natural condition, the Irvine Coast-Laguna area, California from Newport Beach to Laguna Beach as generally depicted on the map entitled "Irvine Coast-Laguna Study

Area", numbered IRV-90,000, and dated June 1978, and in order to consider protection of the area's unique ecology and topography, its watershed and marine environment, and public outdoor recreation opportunities, the Secretary shall study, investigate, and formulate recommendations on the feasibility and desirability of establishing such area as a unit of the National Park System, such as a park, recreation area, or seashore. The Secretary shall consult with other appropriate Federal agencies, as well as with the appropriate State and local bodies and officials involved, and shall corrdinate the study with applicable local and State plans and planning activities relating to the area. Federal departments and agencies are authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to furnish such statistics, data, reports, and other material as the Secretary may deem necessary for purposes of the study.

(b) The Secretary shall submit to the President and the Congress of the United States, within six months after the date of enactment of this section, a report of his findings and recommendations. The report of the Secretary shall contain, but not be limited to, findings with respect to—

(1) the scenic, scientific, natural, and outdoor recreation values of the Irvine Coast-Laguna area;

(2) the type of Federal, State, and local programs that are feasible and desirable in the public interest to preserve, develop, and make accessible for public use the values identified; and

(3) the relationship of any recommended national park, recreation area, or seashore area to existing or proposed Federal, State, and local programs to manage in the public interest the natural resources of the entire Irvine Coast-Laguna area.

(c) There is hereby authorized to be appropriated $50,000 to carry out the provisions of this section.

THEODORE ROOSEVELT INAUGURAL NATIONAL HISTORIC SITE

SEC. 609. The first section of the Act entitled "An Act to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, New York, as a national historic site", approved November 2, 1966 (Public Law 89–708), is amended by striking out "at no expense to the United States" and inserting in lieu thereof "at no direct operating expense to the Department of the Interior,".

THEODORE ROOSEVELT NATIONAL PARK

SEC. 610. The area formerly known as the "Theodore Roosevelt National Memorial Park", established by the Act of April 25, 1947 (61 Stat. 52), shall henceforth be known as the "Theodore Roosevelt National Park".

BADLANDS NATIONAL PARK

SEC. 611. The area formerly known as the "Badlands National Monument", established by Presidential Proclamation of January 25, 1939 (53 Stat. 2521), shall henceforth be known as the "Badlands National Park".

ALBERT EINSTEIN MEMORIAL

SEC. 612. The Secretary of the Interior is authorized to convey for nominal consideration to the National Academy of Sciences, United States Reservation 332A, located on the south side of Square Numbered 88 between 21st Street, 22d Street and Constitution Avenue in the District of Columbia to erect and maintain a Memorial to Albert Einstein. The title to said property shall remain with the National Academy of Sciences so long as the property is used for access. At such time as the property is no longer used for memorial purposes or public access is restricted, title to said property shall revert to the United States.

PEARSON-SKUBITZ BIG HILL LAKE

SEC. 613. The project for flood protection on Big Hill Creek, Kansas, authorized by the Flood Control Act of 1962, Public Law 87-874, shall hereafter be known and designated as the "Pearson-Skubitz Big Hill Lake". Any reference in a law, map, regulation, document, or record, or other paper of the United States to such project shall be held to be a reference to the "Pearson-Skubitz Big Hill Lake".

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SEC. 614. Section 212(a) of the Act of October 15, 1966 (80 Stat. 915), as amended (16 U.S.C. 470), is further amended by adding the following at the end thereof:

"There are authorized to be appropriated not to exceed $2,250,000 in fiscal year 1980.".

TITLE VII—WILD AND SCENIC RIVERS ACT AMENDMENTS

SUBTITLE A—ADDITION OF SEGMENTS

ADDITION OF PERE MARQUETTE SEGMENT

SEC. 701. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(16) PERE MARQUETTE, MICHIGAN.—The segment downstream from the junction of the Middle and Little South Branches to its junction with United States Highway 31 as generally depicted on the boundary map entitled 'Proposed Boundary Location, Pere Marquette Wild and Sce-

nic River,'; to be administered by the Secretary of Agriculture. After consultation with State and local governments and the interested public, the Secretary shall take such action as is provided for under subsection (b) with respect to the segment referred to in this paragraph within one year from the date of enactment of this paragraph. Any development or management plan prepared pursuant to subsection (b) shall include (a) provisions for the dissemination of information to river users and (b) such regulations relating to the recreational and other uses of the river as may be necessary in order to protect the area comprising such river (including lands contiguous or adjacent thereto) from damage or destruction by reason of overuse and to protect its scenic, historic, esthetic and scientific values. Such regulations shall further contain procedures and means which shall be utilized in the enforcement of such development and management plan. For the purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not more than $8,125,000 for the acquisition of lands or interests in lands and $402,000 for development."

ADDITION OF RIO GRANDE SEGMENT

SEC. 702. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(17) RIO GRANDE, TEXAS.—The segment on the United States side of the river from river mile 842.3 above Mariscal Canyon downstream to river mile 651.1 at the Terrell-Val Verde County line; to be administered by the Secretary of the Interior. The Secretary shall, within two years after the date of enactment of this paragraph, take such action with respect to the segment referred to in this paragraph as is provided for under subsection (b). The action required by such subsection (b) shall be undertaken by the Secretary, after consultation with the United States Commissioner, International Boundary and Water Commission, United States and Mexico, and appropriate officials of the State of Texas and its political subdivisions. The development plan required by subsection (b) shall be construed to be a general management plan only for the United States side of the river and such plan shall include, but not be limited to, the establishment of a detailed boundary which shall include an average of not more than 160 acres per mile. Nothing in this Act shall be construed to be in conflict with—

"(A) the commitments or agreements of the United States made by or in pursuance of the treaty between the United States and Mexico regarding the utilization of the Colorado and Tijuana Rivers and of the Rio Grande, signed at Washington, February 1944 (59 Stat. 1219), or

"(B) the treaty between the United States and Mexico regarding maintenance of the Rio Grande and Colorado River as the international boundary between the United States and Mexico, signed November 23, 1970.

For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated such sums as may be necessary, but not more than $1,650,000 for the acquisition of lands and interests in lands and not more than $1,800,000 for development.".

ADDITION OF SKAGIT SEGMENTS

SEC. 703. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(18) SKAGIT, WASHINGTON.—The segment from the pipeline crossing at Sedro-Woolley upstream to and including the mouth of Bacon Creek; the Cascade River from its mouth to the junction of its North and South Forks; the South Fork to the boundary of the Glacier Peak Wilderness Area; the Suiattle River from its mouth to the boundary of the Glacier Peak Wilderness Area at Milk Creek; the Sauk River from its mouth to its junction with Elliott Creek; the North Fork of the Sauk River from its junction with the South Fork of the Sauk to the boundary of the Glacier Peak Wilderness Area; as generally depicted on the boundary map entitled 'Skagit River—River Area Boundary'; all segments to be administered by the Secretary of Agriculture. Riprapping related to natural channels with natural rock along the shorelines of the Skagit segment to preserve and protect agricultural land shall not be considered inconsistent with the values for which such segment is designated. After consultation with affected Federal agencies, State and local government and the interested public, the Secretary shall take such action as is provided for under subsection (b) with respect to the segments referred to in this paragraph within one year from the date of enactment of this paragraph; as part of such action, the Secretary of Agriculture shall investigate that portion of the North Fork of the Cascade River from its confluence with the South Fork to the boundary of the North Cascades National Park and if such portion is found to qualify for inclusion, it shall be treated as a component of the Wild and Scenic Rivers System designated under this section upon publication by the Secretary of notification to that effect in the Federal Register. For the purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph there are authorized to be appropriated not more than $11,734,000 for the acquisition of lands or interest in lands and not more than $332,000 for development.".

ADDITION OF UPPER DELAWARE SEGMENT; SPECIAL PROVISIONS

SEC. 704. (a) Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(19) UPPER DELAWARE RIVER, NEW YORK AND PENNSYLVANIA.—The segment of the Upper Delaware River from the confluence of the East and West branches below Hancock, New York, to the existing railroad bridge immediately downstream of Cherry Island in the vicinity of Sparrow Bush, New York, as depicted on the boundary map entitled "The Upper Delaware Scenic and Recreational River', dated April 1978; to be administered by the Secretary of the Interior. Subsection (b) of this section shall not apply, and the boundaries and classifications of the river shall be as specified on the map referred to in the preceding sentence, except to the extent that such boundaries or classifications are modified pursuant to section 705(c) of the National Parks and Recreation Act of 1978. Such boundaries and classifications shall be published in the Federal Register and shall not become effective until ninety days after they have been forwarded to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph there are authorized to be appropriated such sums as may be necessary.".

(b) (1) Notwithstanding any requirement to the contrary contained in section 6(c) of the Wild and Scenic Rivers Act, within one hundred and eighty days after the date of enactment of this Act, the Secretary shall publish in the Federal Register general guidelines for land and water use control measures to be developed and implemented by the appropriate officials of the States of New York and Pennsylvania (hereinafter referred to as the "directly affected States"), by the local political subdivisions, and by the Delaware River Basin Commission (hereinafter referred to as the "Commission"). The Secretary shall provide for participation in the development of the said general guidelines by all levels of State, county, and local government, and concerned private individuals and organizations, and also shall seek the advice of the Upper Delaware Citizens Advisory Council established in subsection (f) (hereinafter referred to as the "Advisory Council"). In each of the directly affected States, prior to publication of such general guidelines, public hearings shall be conducted by the Secretary or his designee, in the region of the Upper Delaware River designated by subsection (a) (hereinafter in this section referred to as the "Upper Delaware River").

(2) The Secretary may from time to time adopt amended or revised guidelines and shall do so in accordance with the provisions of paragraph (1) hereof.

(c) (1) Within three years from the date of the enactment of this Act, the Secretary, in cooperation with the Commission, the Advisory Council, the directly affected States and their concerned political subdivisions and other concerned Federal agencies, shall develop, approve, and submit to the Governors of the directly affected States a management plan (hereinafter in this section referred to as the "management plan" or "the plan") for the Upper Delaware River which shall provide for as broad a range of land and water uses and scenic and recreational activities as shall be compatible with the provisions of this section, the Wild and Scenic Rivers Act, and the general guidelines for land and water use controls promulgated by the Secretary under the provisions of subsection (b).

(2) The plan shall apply to the Upper Delaware River and shall set forth—

(A) a map showing detailed final landward boundaries, and upper and lower termini of the area and the specific segments of the river classified as scenic and recreational, to be administered in accordance with such classifications;

(B) a program for management of existing and future land and water use, including the application of available management techniques;

(C) an analysis of the economic and environmental costs and benefits of implementing the management plan including any impact of the plan upon revenues and costs of local government;

(D) a program providing for coordinated implementation and administration of the plan with proposed assignment of responsibilities to the appropriate governmental unit at the Federal, regional, State, and local levels; and

(E) such other recommendations or provisions as shall be deemed appropriate to carry out the purposes of this section.

(3) Immediately following enactment of this Act, the Secretary, through the National Park Service or such other designee, shall develop and implement such interim programs as he shall deem necessary and appropriate to protect the Upper Delaware River and its environs and to protect the public health and safety. Such interim programs shall include provisions for information to river users, education and interpretation activities, and regulation of recreational use of the river.

(4) To enable the directly affected States and their political subdivisions to develop and implement programs compatible with the management plan, the Sec-

retary shall provide such technical assistance to the said States and their political subdivisions as he deems appropriate.

(5) The Secretary shall promote public awareness of and participation in the development of the management plan, and shall develop and conduct a concerted program to this end. Prior to final approval of the management plan, the Secretary shall hold two or more public hearings in the Upper Delaware River region of each directly affected State.

(6) Upon approval of the management plan by the Secretary, it shall be published in the Federal Register and shall not become effective until ninety days after it shall have been forwarded to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. The plan shall be administered by the Secretary in accordance with the provisions of this section and the Wild and Scenic Rivers Act. The Secretary is hereby granted such authority as may be required to implement and administer said plan.

(d) Notwithstanding any provision of the Wild and Scenic Rivers Act, the Secretary may not acquire more than a total of four hundred and fifty acres of land and interests in land for access, development sites, the preservation of scenic qualities, or for any other purposes: *Provided,* That the Secretary may acquire additional land and interests in land for such purposes not in excess of one thousand acres if such additional acquisition is recommended and provided for in the management plan as finally approved by the Secretary. The limitations contained in this section shall not apply under the circumstances set forth in subsection (e)(4) of this section. Prior to acquisition of any land or interests in land which has been used for business purposes during the annual period immediately preceding the date of the enactment of this Act, the Secretary shall first make such efforts as he deems reasonable to acquire easements or restrictive covenants, or to enter into any other appropriate agreements or arrangements with the owners of said land, consistent with the purposes of this section.

(e)(1) For the purpose of protecting the integrity of the Upper Delaware River, the Secretary shall review all relevant local plans, laws, and ordinances to determine whether they substantially conform to the approved management plan provided for in subsection (c) and to the general guidelines promulgated by the Secretary pursuant to subsection (b). Additionally, the Secretary shall determine the adequacy of enforcement of such plans, laws, and ordinances, including but not limited to review of building permits and zoning variances granted by local governments, and amendments to local laws and ordinances.

(2) The purpose of such reviews shall be to determine the degree to which actions by local governments are compatible with the purposes of this section. Following the approval of the management plan and after a reasonable period of time has elapsed, but not less than two years, upon a finding by the Secretary that such plans, laws, and ordinances are nonexistent, are otherwise not in conformance with the management plan or guidelines, or are not being enforced in such manner as will carry out the purposes of this section (as determined by the Secretary), the Secretary may exercise the authority available to him under the provisions of paragraph (4) hereof.

(3) To facilitate administration of this section, the Secretary may contract with the directly affected States or their political subdivisions to provide, on behalf of the Secretary, professional services necessary for the review of relevant local plans, laws, and ordinances, and of amendments thereto and variances therefrom, and for the monitoring of the enforcement thereof by local governments having jurisdiction over any area in the region to which the management plan applies. The Secretary shall notify the appropriate State or local officials as to the results of his review under this section within forty-five days from the date he receives notice of the local government action.

(4) In those sections of the Upper Delaware River where such local plans, laws, and ordinances, or amendments thereto or variances therefrom, are found by the Secretary not to be in conformance with the guidelines or the management plan promulgated pursuant to subsections (b) and (c) of this section, respectively, or are not being enforced in such manner as will carry out the purposes of this section (as determined by the Secretary), the Secretary is hereby authorized to acquire land or interests in land in excess of the acreage provided for in subsection (d) of this section. Land and interests in land acquired pursuant to this subsection shall be restricted to the geographical area of the local governmental unit failing to conform with the said guidelines or management plan, and shall be limited to those lands clearly and directly required, in the judgment of the Secretary, for protection of the objectives of this Act. The total acreage of land and interests in land acquired pursuant to this subsection shall not in any event exceed the limitations contained in section 6(a) of the Wild and Scenic Rivers Act. This subsection shall apply notwithstanding the first sentence of section 6(c) of the Wild and Scenic Rivers Act. Notwithstanding any limitation on amounts authorized to be appropriated for acquisition of land and interests in land which is contained in section 3(a)(21) of the Wild and Scenic Rivers Act or in any other provision of law, there are authorized to be appropriated

such sums as may be necessary to carry out this subsection.

(f)(1) At the earliest practicable date following enactment of this Act, but no later than one hundred and twenty days thereafter, there shall be established an Upper Delaware Citizens Advisory Council. The Advisory Council shall encourage maximum public involvement in the development and implementation of the plans and programs authorized by this section. It shall report to the Commission and the Secretary from time to time during preparation of the management plan. Following completion of the management plan, it shall report to the Secretary and the Governors of the directly affected States no less frequently than once each year its recommendations, if any, for improvement in the programs authorized by this Act, or in the programs of other agencies which may relate to land or water use in the Upper Delaware River region.

(2) Membership on the Advisory Council shall consist of seventeen members appointed as follows: there shall be—

(A) six members from each of the directly affected States appointed by the Secretary from nominations submitted by the legislatures of the respective counties and appointed such that two members shall be from each of Orange, Delaware, and Sullivan Counties, New York, and three members shall be from each of Wayne and Pike Counties, Pennsylvania (at lease one appointee from each county shall be a permanent resident of a municipality abutting the Upper Delaware River);

(B) two members appointed at large by each Governor of a directly affected State; and

(C) one member appointed by the Secretary.

The Secretary shall designate one of the aforesaid members to serve as Chairperson of the Advisory Council who shall be a permanent resident of one of the aforementioned counties. Vacancies on the Advisory Council shall be filled in the same manner in which the original appointment was made. Members of the Advisory Council shall serve without compensation as such, but the Secretary is authorized to pay expenses reasonably incurred by the Advisory Council in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

(g) With respect to the land and water in areas which are not owned by the United States but which are within the boundaries of the segment of the Delaware River designated as a wild and scenic river under subsection (a), the Secretary is authorized to enter into contracts with the appropriate State or political subdivisions thereof pursuant to which the Secretary may provide financial assistance to such State or political subdivision for purposes of—

(1) enforcing State and local laws in such areas, and

(2) removing solid waste from such areas and disposing of such waste.

(h) Nothing in this section shall be construed as limiting the right to fish and hunt on any of the lands or waters within the boundaries of the Upper Delaware River in the manner provided in section 13 of the Wild and Scenic Rivers Act.

(i) There are hereby authorized to be appropriated to carry out the purposes of this section such sums as may be necessary.

(j) Where any provision of the Wild and Scenic Rivers Act is inconsistent with any provisions of this section, the provision of this section shall govern. In applying the provisions of section 6(g) (3) of the Wild and Scenic Rivers Act, with regard to "improved property", the date specified therein, shall, for purposes of the river designated in this Act, be the date of enactment of this Act (rather than January 1, 1967).

ADDITION OF MIDDLE DELAWARE SEGMENT

SEC. 705. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(20) DELAWARE, NEW YORK, PENNSYLVANIA, AND NEW JERSEY.—The segment from the point where the river crosses the northern boundary of the Delaware Water Gap National Recreation Area to the point where the river crosses the southern boundary of such recreation area; to be administered by the Secretary of the Interior. For purposes of carrying out this Act with respect to the river designated by this paragraph, there are authorized to be appropriated such sums as may be necessary. Action required to be taken under subsection (b) of this section with respect to such segment shall be taken within one year from the date of enactment of this paragraph, except that, with respect to such segment, in lieu of the boundaries provided for in such subsection (b), the boundaries shall be the banks of the river. Any visitors facilities established for purposes of use and enjoyment of the river under the authority of the Act establishing the Delaware Water Gap National Recreation Area shall be compatible with the purposes of this Act and shall be located at an appropriate distance from the river.".

ADDITION OF THE AMERICAN SEGMENT

SEC. 706. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(21) AMERICAN, CALIFORNIA.—The North Fork from a point 0.3 mile above Heath Springs downstream to a

point approximately 1,000 feet upstream of the Colfax-Iowa Hill Bridge, including the Gold Run Addition Area, as generally depicted on the map entitled 'Proposed Boundary Maps' contained in Appendix I of the document dated January 1978 and entitled 'A Proposal: North Fork American Wild and Scenic River' published by the United States Forest Service, Department of Agriculture; to be designated as a wild river and to be administered by agencies of the Departments of Interior and Agriculture as agreed upon by the Secretaries of such Departments or as directed by the President. Action required to be taken under subsection (b) shall be taken within one year after the date of the enactment of this paragraph; in applying such subsection (b) in the case of the Gold Run Addition Area, the acreage limitation specified therein shall not apply and in applying section 6(g) (3), January 1 of the calendar year preceding the calendar year in which this paragraph is enacted shall be substituted for January 1, 1967. For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not more than $850,000 for the acquisition of lands and interests in land and not more than $765,000 for development."

ADDITION OF MISSOURI SEGMENT

SEC. 707. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(22) MISSOURI RIVER, NEBRASKA, SOUTH DAKOTA.—The segment from Gavins Point Dam, South Dakota, fifty-nine miles downstream to Ponca State Park, Nebraska, as generally depicted in the document entitled 'Review Report for Water Resources Development, South Dakota, Nebraska, North Dakota, Montana', prepared by the Division Engineer, Missouri River Division, Corps of Engineers, dated August 1977 (hereinafter in this paragraph referred to as the 'August 1977 Report'). Such segment shall be administered as a recreational river by the Secretary. The Secretary shall enter into a written cooperative agreement with the Secretary of the Army (acting through the Chief of Engineers) for construction and maintenance of bank stabilization work and appropriate recreational development. After public notice and consultation with the State and local governments, other interested organizations and associations, and the interested public, the Secretary shall take such action as is required pursuant to subsection (b) within one year from the date of enactment of this section. In administering such river, the Secretary shall, to the extent, and in a manner, consistent with this section—

"(A) provide (i) for the construction by the United States of such recreation river features and stream-

bank stabilization structures as the Secretary of the Army (acting through the Chief of Engineers) deems necessary and advisable in connection with the segment designated by this paragraph, and (ii) for the operation and maintenance of all streambank stabilization structures constructed in connection with such segment (including both structures constructed before the date of enactment of this paragraph and structures constructed after such date, and including both structures constructed under the authority of this section and structures constructed under the authority of any other Act); and

"(B) permit access for such pumping and associated pipelines as may be necessary to assure an adequate supply of water for owners of land adjacent to such segment and for fish, wildlife, and recreational uses outside the river corridor established pursuant to this paragraph.

The streambank structures to be constructed and maintained under subparagraph (A) shall include, but not be limited to, structures at such sites as are specified with respect to such segment on pages 62 and 63 of the August 1977 Report, except that sites for such structures may be relocated to the extent deemed necessary by the Secretary of the Army (acting through the Chief of Engineers) by reason of physical changes in the river or river area. The Secretary of the Army (acting through the Chief of Engineers) shall condition the construction or maintenance of any streambank stabilization structure or of any recreational river features at any site under subparagraph (A) (i) upon the availability to the United States of such land and interests in land in such ownership as he deems necessary to carry out such construction or maintenance and to protect and enhance the river in accordance with the purposes of this Act. Administration of the river segment designated by this paragraph shall be in coordination with, and pursuant to the advice of a Recreational River Advisory Group which may be established by the Secretary. Such Group may include in its membership, representatives of the affected States and political subdivisions thereof, affected Federal agencies, and such organized private groups as the Secretary deems desirable. Notwithstanding the authority to the contrary contained in subsection 6(a) of this Act, no land or interests in land may be acquired without the consent of the owner: *Provided,* That not to exceed 5 per centum of the acreage within the designated river boundaries may be acquired in less than fee title without the consent of the owner, in such instance of the Secretary's determination that activities are occurring, or threatening to occur thereon which constitute serious damage or threat to the integrity of the river corridor, in accordance with the values for which this river was designated. For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there

are authorized to be appropriated not to exceed $21,000,000, for acquisition of lands and interests in lands and for development.".

SEC. 708. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(23) SAINT JOE, IDAHO.—The segment above the confluence of the North Fork of the Saint Joe River to Spruce Tree Campground, as a recreational river; the segment above Spruce Tree Campground to Saint Joe Lake, as a wild river, as generally depicted on the map entitled 'Saint Joe River Corridor Map' on file with the Chief of the Forest Service and dated September 1978; to be administered by the Secretary of Agriculture. Notwithstanding any other provision of law, the classification of the Saint Joe River under this paragraph and the subsequent development plan for the river prepared by the Secretary of Agriculture shall at no time interfere with or restrict the maintenance, use, or access to existing or future roads within the adjacent lands nor interfere with or restrict present use of or future construction of bridges across that portion of the Saint Joe designated as a 'recreational river' under this paragraph. Dredge or placer mining shall be prohibited within the banks or beds of the main stem of the Saint Joe and its tributary streams in their entirety above the confluence of the main stem with the North Fork of the river. Nothing in this Act shall be deemed to prohibit the removal of sand and gravel above the high water mark of the Saint Joe River and its tributaries within the river corridor by or under the authority of any public body or its agents for the purposes of construction or maintenance of roads. The Secretary shall take such action as is required under subsection (b) of this section within one year from the date of enactment of this paragraph. For the purposes of this river, there are authorized to be appropriated not more than $1,000,000 for the acquisition of lands or interest in lands.".

SUBTITLE B—STUDIES

DESIGNATION OF THE KERN RIVER (NORTH FORK) FOR STUDY

SEC. 721. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(59) KERN, CALIFORNIA.—The main stem of the North Fork from its source to Isabella Reservoir excluding its tributaries.".

DESIGNATION OF THE LOXAHATCHEE RIVER FOR STUDY

SEC. 722. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(60) LOXAHATCHEE, FLORIDA.—The entire river including its tributary, North Fork.".

DESIGNATION OF THE OGEECHEE RIVER FOR STUDY

SEC. 723. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(61) OGEECHEE, GEORGIA.—The entire river.".

DESIGNATION OF CERTAIN SEGMENT OF THE SALT RIVER FOR STUDY

SEC. 724. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(62) SALT, ARIZONA.—The main stem from a point on the north side of the river intersected by the Fort Apache Indian Reservation boundary (north of Buck Mountain) downstream to Arizona State Highway 288.".

DESIGNATION OF THE VERDE RIVER FOR STUDY

SEC. 725. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(63) VERDE, ARIZONA.—The main stem from the Prescott National Forest boundary near Paulden to the vicinity of Table Mountain, approximately 14 miles above Horseshoe Reservoir, except for the segment not included in the national forest between Clarkdale and Camp Verde, North segment.".

DESIGNATION OF THE SAN FRANCISCO RIVER FOR STUDY

SEC. 726. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(64) SAN FRANCISCO, ARIZONA.—The main stem from confluence with the Gila upstream to the Arizona-New Mexico border, except for the segment between Clifton and the Apache National Forest.".

DESIGNATION OF FISH CREEK FOR STUDY

SEC. 727. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(65) FISH CREEK, NEW YORK.—The entire East Branch.".

DESIGNATION OF BLACK CREEK FOR STUDY

SEC. 728. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(66) BLACK CREEK, MISSISSIPPI.—The segment from Big Creek Landing in Forrest County downstream to Old Alexander Bridge Landing in Stone County.".

DESIGNATION OF ALLEGHENY RIVER FOR STUDY

SEC. 729. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(67) ALLEGHENY, PENNSYLVANIA.—The main stem from Kinzua Dam downstream to East Brady.".

DESIGNATION OF THE CACAPON RIVER FOR STUDY

SEC. 730. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(68) CACAPON, WEST VIRGINIA.—The entire river.".

DESIGNATION OF THE ESCATAWPA RIVER FOR STUDY

SEC. 731. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(69) ESCATAWPA, ALABAMA AND MISSISSIPPI.—The segment upstream from a point approximately one mile downstream from the confluence of the Escatawpa River and Jackson Creek to a point where the Escatawpa River is joined by the Yellowhouse Branch in Washington County, Alabama, near the town of Deer Park, Alabama; and the segment of Brushy Creek upstream from its confluence with the Escatawpa to its confluence with Scarsborough Creek.".

DESIGNATION OF THE MYAKKA RIVER FOR STUDY

SEC. 732. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(70) MYAKKA, FLORIDA.—The segment south of the southern boundary of the Myakka River State Park.".

DESIGNATION OF SOLDIER CREEK FOR STUDY

SEC. 733. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(71) SOLDIER CREEK, ALABAMA.—The segment beginning at the point where Soldier Creek intersects the south line of section 31, township 7 south, range 6 east, downstream to a point on the south line of section 6, township 8 south, range 6 east, which point is 1,322 feet west of the south line of section 5, township 8 south, range 6 east in the county of Baldwin, State of Alabama.".

DESIGNATION OF RED RIVER FOR STUDY

SEC. 734. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following paragraph at the end thereof:

"(72) RED, KENTUCKY.—The segment from Highway numbered 746 (also known as Spradlin Bridge) in Wolf County, Kentucky, downstream to the point where the river descends below seven hundred feet above sea level (in its normal flow) which point is at the Menifee and Powell County line just downstream of the iron bridge where Kentucky Highway numbered 77 passes over the river.".

AUTHORIZATION FOR STUDIES

SEC. 735. Paragraph (3) of Section 5(b) of the Wild and Scenic Rivers Act is redesignated as paragraph (4) and is amended by striking out "$2,175,000" and substituting "$4,060,000". Such paragraph is further amended by adding the following at the end thereof: "There are authorized to be appropriated for the purpose of conducting the studies of the rivers named in subparagraphs (59) through (74) such sums as may be necessary.".

STUDY PERIOD

SEC. 736. Section 5(b) of the Wild and Scenic Rivers Act is amended by inserting the following new paragraph after paragraph (2):

"(3) The studies of the rivers named in paragraphs (59) through (72) of subsection (a) shall be completed and reports submitted thereon not later than five full fiscal years after the date of the enactment of this paragraph. The study of rivers named in paragraphs (62) through (64) of subsection (a) shall be completed and the report thereon submitted by not later than April 1981.".

* * * * * * *

SUBTITLE C—AUTHORIZATIONS FOR FUNDING

ELEVEN POINT RIVER

SEC. 751. Section 16(a) of the Wild and Scenic Rivers Act is amended by striking out "Eleven Point, Missouri, $4,906,500" and substituting "Eleven Point, Missouri, $10,407,000".

ROGUE RIVER

SEC. 752. Section 16(a) of the Wild and Scenic Rivers Act is amended by striking out "Rogue, Oregon, $12,447,200" and substituting "Rogue, Oregon, $15,147,000".

SAINT CROIX RIVER

SEC. 753. Section 16(a) of the Wild and Scenic Rivers Act is amended by striking out "Saint Croix, Minnesota and Wisconsin, $11,768,550" and substituting "Saint Croix, Minnesota and Wisconsin, $21,769,000".

SALMON RIVER

SEC. 754. Section 16(a) of the Wild and Scenic Rivers Act is amended by striking out "Salmon, Middle Fork, Idaho, $1,237,100" and substituting "Salmon, Middle Fork, Idaho, $1,837,000".

CHATTOOGA RIVER

SEC. 755. Section 3(a) (10) of the Wild and Scenic Rivers Act (relating to the Chattooga River in North Carolina, South Carolina, and Georgia) is amended by striking out "$2,000,000" and inserting in lieu thereof "$5,200,000".

SUBTITLE D—AMENDMENTS TO PUBLIC LAW 90–542

TECHNICAL AMENDMENTS

SEC. 761. Section 2(a) of the Wild and Scenic Rivers Act is amended by striking out "without expense to the United States" and by adding the following at the end thereof: "Upon receipt of an application under clause (ii) of this subsection, the Secretary shall notify the Federal Energy Regulatory Commission and publish such application in the Federal Register. Each river designated under clause (ii) shall be administered by the State or political subdivision thereof without expense to the United States other than for administration and management of federally owned lands. For purposes of the preceding sentence, amounts made available to any State or political subdivision under the Land and Water Conservation Act of 1965 or any other provision of law shall not be treated as an expense to the United States. Nothing in this subsection shall be construed to provide for the transfer to, or administration by, a State or local authority of any federally owned lands which are within the boundaries of any river included within the system under clause (ii).".

FEDERAL LANDS; COOPERATIVE AGREEMENTS

SEC. 762. Section 12(a) of the Wild and Scenic Rivers Act is amended by striking out the first sentence thereof and substituting: "The Secretary of the Interior, the Secretary of Agriculture, and the head of any other Federal department or agency having jurisdiction over any lands which include border upon, or are adjacent to, any river included within the National Wild and Scenic Rivers System or under consideration for such inclusion, in accordance with section 2(a) (ii), 3(a), or 5(a), shall take such action respecting management policies, regulations, contracts, plans, affecting such lands, following the date of enactment of this sentence, as may be necessary to protect such rivers in accordance with the purposes of this Act. Such Secretary or other department or agency head shall, where appropriate, enter into written

cooperative agreements with the appropriate State or local official for the planning, administration, and management of Federal lands which are within the boundaries of any rivers for which approval has been granted under section 2(a) (ii)."

MISCELLANEOUS TECHNICAL AMENDMENTS

SEC. 763. (a) Section 3(b) of the Wild and Scenic Rivers Act is amended by inserting after "one year from the date of this Act" the following: "(except where a different date is provided in subsection (a))".

(b) Section 6(g) (3) of such Act is amended by inserting after "January 1, 1967," the following "(except where a different date is specifically provided by law with respect to any particular river)".

(c) Section 16(b) of such Act is deleted in its entirety, and section 16(a) is renumbered as section 16.

LEASE OF FEDERAL LANDS

SEC. 764. The Wild and Scenic Rivers Act is amended by adding the following new section after section 14:

"SEC. 14A. (a) Where appropriate in the discretion of the Secretary, he may lease federally owned land (or any interest therein) which is within the boundaries of any component of the National Wild and Scenic Rivers System and which has been acquired by the Secretary under this Act. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act.

"(b) Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land immediately before its acquisition by the United States.".

TITLE VIII—RECOGNITION OF THE HONORABLE WILLIAM M. KETCHUM

SEC. 801. Within the War in the Pacific National Historical Park, Guam, and the American Memorial Park, Saipan, the Secretary, acting through the Director of the National Park Service, and in consultation with the Governor of each area, is authorized to provide in each of these parks some form of appropriate recognition of the outstanding contributions and untiring commitments of the late Congressman William M. Ketchum of California toward the needs of the people of the insular areas. Fully cognizant of sacrifices that sometimes must be made in order to preserve the basic principles of democracy, Congressman Ketchum personally experienced the devastations of war, as he served with distinction in the United States military during the Second World War in the Pacific Theater and during the Korean Conflict. Congressman Ketchum, an individual of strong principle

and commitment, through his leadership and active participation in the United States Congress, made substantial and invaluable contributions to the political and economic growth, development, and well-being of American Samoa, Guam, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands. In particular, he will be remembered for the key role he played in the passage of the historic Covenant to establish a Commonwealth of the Northern Mariana Islands in political union with the United States.

TITLE IX—JEAN LAFITTE NATIONAL HISTORICAL PARK

SEC. 901. In order to preserve for the education, inspiration, and benefit of present and future generations significant examples of natural and historical resources of the Mississippi Delta region and to provide for their interpretation in such manner as to portray the development of cultural diversity in the region, there is authorized to be established in the State of Louisiana the Jean Lafitte National Historical Park and Preserve (hereinafter referred to as the "park"). The park shall consist of (1) the area of approximately twenty thousand acres generally depicted on the map entitled "Barataria Marsh Unit-Jean Lafitte National Historical Park and Preserve" numbered 90,000B and dated April 1978, which shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior; (2) the area known as Big Oak Island; (3) an area or areas within the French Quarter section of the city of New Orleans a may be designated by the Secretary of the Interior for an interpretive and administrative facility; (4) the Chalmette National Historical Park; and (5) such additional natural, cultural, and historical resources in the French Quarter and Garden District of New Orleans, forts in the delta region, plantations, and Acadian towns and villages in the Saint Martinville area and such other areas and sites as are subject to cooperative agreements in accordance with the provisions of this title.

SEC. 902. (a) Within the Barataria Marsh Unit the Secretary is authorized to acquire not to exceed eight thousand acres of lands, waters, and interests therein (hereinafter referred to as the "core area"), as depicted on the map referred to in the first section of this title, by donation, purchase with donated or appropriated funds, or exchange. The Secretary may also acquire by any of the foregoing methods such lands and interests therein, including leasehold interests, as he may designate in the French Quarter of New Orleans for development and operation as an interpretive and administrative facility. Lands, waters, and interests therein owned by the State of Louisiana or any political

subdivision thereof may be acquired only by donation. In acquiring property pursuant to this title, the Secretary may not acquire right to oil and gas without the consent of the owner, but the exercise of such rights shall be subject to such regulations as the Secretary may promulgate in furtherance of the purposes of this title.

(b) With respect to the lands, waters, and interests therein generally depicted as the "park protection zone" on the map referred to in the first section of this title, the Secretary shall, no later than six months from the date of enactment of this Act, in consultation with the affected State and local units of government, develop a set of guidelines or criteria applicable to the use and development of properties within the park protection zone to be enacted and enforced by the State or local units of government.

(c) The purpose of any guideline developed pursuant to subsection (b) of this section shall be to preserve and protect the following values within the core area:

(1) fresh water drainage patterns from the park protection zone into the core area;

(2) vegetative cover;

(3) integrity of ecological and biological systems; and

(4) water and air quality.

(d) Where the State or local units of government deem it appropriate, they may cede to the Secretary, and the Secretary is authorized to accept, the power and authority to confect and enforce a program or set of rules pursuant to the guidelines established under subsection (b) of this section for the purpose of protecting the values described in subsection (c) of this section.

(e) The Secretary, upon the failure of the State or local units of government to enact rules pursuant to subsection (b) of this section or enforce such rules so as to protect the values enumerated in subsection (c) of this section, may acquire such lands, servitudes, or interests in lands within the park protection zone as he deems necessary to protect the values enumerated in subsection (c) of this section.

(f) The Secretary may revise the boundaries of the park protection zone, notwithstanding any other provision of law, to include or exclude properties, but only with the consent of Jefferson Parish.

SEC. 903. Within the Barataria Marsh Unit, the owner or owners of improved property used for noncommercial residential purposes on a year-round basis may, as a condition of the acquisition of such property by the Secretary, elect to retain a right of use and occupancy of such property for noncommercial residential purposes if, in the judgment of the Secretary, the continued use of such property for a limited period would not unduly interfere with the development or management of the park. Such right of use and occupancy may be either a

period ending on the death of the owner or his spouse, whichever occurs last, or a term of not more than twenty-five years, at the election of the owner. Unless the property is donated, the Secretary shall pay to the owner the fair market value of the property less the fair market value of the right retained by the owner. Such right may be transferred or assigned and may be terminated by the Secretary, if he finds that the property is not used for noncommercial residential purposes, upon tender to the holder of the right an amount equal to the fair market value of the unexpired term. As used in this section, the term "improved property" means a single-family, year-round dwelling, the construction of which was begun before January 1, 1977, 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 which the Secretary finds is reasonably necessary for the owner's continued use and occupancy of the dwelling.

SEC. 904. In furtherance of the purposes of this title, and after consultation with the Commission created by section 7 of this title, the Secretary is authorized to enter into cooperative agreements with the owners of properties of natural, historical, or cultural significance, including but not limited to the resources described in paragraphs (1) through (5) of the first section of this title, pursuant to which the Secretary may mark, interpret, restore and/or provide technical assistance for the preservation and interpretation of such properties, and pursuant to which the Secretary may provide assistance including management services, program implementation, and incremental financial assistance in furtherance of the standards for administration of the park pursuant to section 906 of this title. Such agreements shall contain, but need not be limited to, provisions that the Secretary, through the National Park Service, shall have the right of access at all reasonable times to all public portions of the property covered by such agreement for the purpose of conducting visitors through such properties and interpreting them to the public, and that no changes or alterations shall be made in such properties except by mutual agreement between the Secretary and the other parties to such agreements. The agreements may contain specific provisions which outline in detail the extent of the participation by the Secretary in the restoration, preservation, interpretation, and maintenance of such properties.

SEC. 905. Within the Barataria Marsh Unit, the Secretary shall permit hunting, fishing (including commercial fishing), and trapping in accordance with applicable Federal and State laws, except that within the core area and on those lands acquired by the Secretary pursuant to section 902(c) of this title, he may designate zones

where and establish periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety. Except in emergencies, any regulations of the Secretary promulgated under this section shall be put into effect only after consultation with the appropriate fish and game agency of Louisiana.

SEC. 906. The Secretary shall establish the park by publication of a notice to that effect in the Federal Register at such time as he finds that, consistent with the general management plan referred to in section 908, sufficient lands and interests therein (i) have been acquired for interpretive and administrative facilities, (ii) are being protected in the core area, and (iii) have been made the subject of cooperative agreements pursuant to section 904. Pending such establishment and thereafter the Secretary shall administer the park in accordance with the provisions of this title, the Act of August 25, 1916 (39 Stat. 535), the Act of August 21, 1935 (49 Stat. 666), and any other statutory authorities available to him for the conservation and management of natural, historical, and cultural resources.

SEC. 907. (a) There is established the Delta Region Preservation Commission (hereinafter referred to as the "Commission"), which shall consist of the following:

(1) two members appointed by the Governor of the State of Louisiana;

(2) two members appointed by the Secretary from recommendations submitted by the President of Jefferson Parish;

(3) two members appointed by the Secretary from recommendations submitted by the Jefferson Parish Council;

(4) two members appointed by the Secretary from recommendations submitted by the mayor of the city of New Orleans;

(5) one member appointed by the Secretary from recommendations submitted by the commercial fishing industry;

(6) three members appointed by the Secretary from recommendations submitted by local citizen conservation organizations in the delta region; and

(7) one member appointed by the Chairman of the National Endowment for the Arts.

(b) Members of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the non-Federal members of the Commission in carrying out their duties.

(c) The function of the Commission shall be to advise the Secretary in the selection of sites for inclusion in the park, in the development and implementation of a general management plan, and in the development and implementation of a comprehensive interpretive program of the natural, historic, and cultural resources of the region. The Commission shall inform interested mem-

bers of the public, the State of Louisiana and its political subdivisions, and interested Federal agencies with respect to existing and proposed actions and programs having a material effect on the perpetuation of a high-quality natural and cultural environment in the delta region.

(d) The Commission shall act and advise by affirmative vote of a majority of its members: *Provided,* That any recommendation of the Commission that affects the use or development, or lack thereof, of property located solely within a single parish or municipality shall have the concurrence of a majority of the members appointed from recommendations submitted by such parish or municipality.

(e) The Directors of the Heritage Conservation and Recreation Service and the National Park Service shall serve as ex officio members of the Commission and provide such staff support and technical services as may be necessary to carry out the functions of the Commission.

SEC. 908. (a) There is authorized to be appropriated, to carry out the provisions of this title, not to exceed $50,000,000 from the Land and Water Conservation Fund for acquisition of lands, waters, and interests therein and such sums as necessary for the development of essential facilities.

(b) Within three years from the date of enactment of this title, the Secretary, after consultation with the Commission, shall submit to the Committee on Interior and Insular Affairs of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate a general management plan for the park indicating—

(1) transportation alternatives for public access to the park;

(2) the number of visitors and types of public use within the park which can be accommodated in accordance with the protection of its resources;

(3) the location and estimated cost of facilities deemed necessary to accommodate such visitors and uses; and

(4) a statement setting forth the actions which have been and should be taken to assure appropriate protection, interpretation, and management of the areas known as Big Oak Island and Couba Island.

SEC. 909. The area described in the Act of October 9, 1962 (76 Stat. 755), as the "Chalmette National Historical Park" is hereby redesignated as the Chalmette Unit of the Jean Lafitte National Historical Park. Any references to the Chalmette National Historical Park shall be deemed to be references to said Chalmette Unit.

SEC. 910. By no later than the end of the first full fiscal year following the date of enactment of this section, the Secretary shall submit to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, a comprehensive report with recommendations as

to sites within the Mississippi River Delta Region which constitute nationally significant examples of natural resources within that region.

TITLE X—URBAN PARK AND RECREATION RECOVERY PROGRAM

SHORT TITLE

SEC. 1001. This title may be cited as the "Urban Park and Recreation Recovery Act of 1978".

FINDINGS

SEC. 1002. The Congress finds that—

(a) the quality of life in urban areas is closely related to the availability of fully functional park and recreation systems including land, facilities, and service programs;

(b) residents of cities need close-to-home recreational opportunities that are adequate to specialized urban demands, with parks and facilities properly located, developed, and well maintained;

(c) the greatest recreational deficiencies with respect to land, facilities, and programs are found in many large cities, especially at the neighborhood level;

(d) inadequate financing of urban recreation programs due to fiscal difficulties in many large cities has led to the deterioration of facilities, nonavailability of recreation services, and an inability to adapt recreational programs to changing circumstances; and

(e) there is no existing Federal assistance program which fully addresses the needs for physical rehabilitation and revitalization of these park and recreation systems.

SEC. 1003. The purpose of this title is to authorize the Secretary to establish an urban park and recreation recovery program which would provide Federal grants to economically hard-pressed communities specifically for the rehabilitation of critically needed recreation areas, facilities, and development of improved recreation programs for a period of five years. This short-term program is intended to complement existing Federal programs such as the Land and Water Conservation Fund and Community Development Grant Programs by encouraging and stimulating local governments to revitalize their park and recreation systems and to make long-term commitments to continuing maintenance of these systems. Such assistance shall be subject to such terms and conditions as the Secretary considers appropriate and in the public interest to carry out the purposes of this title.

DEFINITIONS

SEC. 1004. When used in this title the term—

(a) "recreational areas and facilities" means indoor or outdoor parks, buildings, sites, or other facilities which are dedicated to recreation purposes and administered by public or private nonprofit agencies to serve the recreation needs of community residents. Emphasis shall be on public facilities readily accessible to residential neighborhoods, including multiple-use community centers which have recreation as one of their primary purposes, but excluding major sports arenas, exhibition areas, and conference halls used primarily for commercial sports, spectator, or display activities;

(b) "rehabilitation grants" means matching capital grants to local governments for the purpose of rebuilding, remodeling, expanding, or developing existing outdoor or indoor recreation areas and facilities, including improvements in park landscapes, buildings, and support facilities, but excluding routine maintenance and upkeep activities;

(c) "innovation grants" means matching grants to local governments to cover costs of personnel, facilities, equipment, supplies, or services designed to demonstrate innovative and cost-effective ways to augment park and recreation opportunities at the neighborhood level and to address common problems related to facility operations and improved delivery of recreation service, and which shall exclude routine operation and maintenance activities;

(d) "recovery action program grants" means matching grants to local governments for development of local park and recreation recovery action programs to meet the requirements of this title. Such grants will be for resource and needs assessment, coordination, citizen involvement and planning, and program development activities to encourage public definition of goals, and develop priorities and strategies for overall recreation system recovery;

(e) "maintenance" means all commonly accepted practices necessary to keep recreation areas and facilities operating in a state of good repair and to protect them from deterioration resulting from normal wear and tear;

(f) "general purpose local government" means any city, county, town, township, parish, village, or other general purpose political subdivision of a State, including the District of Columbia, and insular areas;

(g) "special purpose local government" means any local or regional special district, public-purpose corporation or other limited political subdivision of a State, including but not limited to park authorities;

park, conservation, water or sanitary districts; and school districts;

(h) "private, nonprofit agency" means a community-based, non-profit organization, corporation, or association organized for purposes of providing recreational, conservation, and educational services directly to urban residents on either a neighborhood or communitywide basis through voluntary donations, voluntary labor, or public or private grants;

(i) "State" means any State of the United States or any instrumentality of a State approved by the Governor; the Commonwealth of Puerto Rico, and insular areas; and

(j) "insular areas" means Guam, the Virgin Islands, American Samoa, and the Northern Mariana Islands.

SEC. 1005. (a) Eligibility of general purpose local governments for assistance under this title shall be based upon need as determined by the Secretary. Within one hundred and twenty days after the effective date of this title, the Secretary shall publish in the Federal Register, a list of the local governments eligible to participate in this program, to be accompanied by a discussion of criteria used in determining eligibility. "Such criteria shall be based upon factors which the Secretary determines are related to deteriorated recreational facilities or systems, and physical and economic distress."

(b) Notwithstanding the list of eligible local governments established in accordance with subsection (a), the Secretary is also authorized to establish eligibility, at his discretion and in accord with the findings and purpose of this title, to other general purpose local governments in standard metropolitan statistical areas as defined by the census: *Provided,* That grants to these discretionary applicants do not exceed in the aggregate 15 per centum of funds appropriated under this title for rehabilitation, innovation, and recovery action program grants.

(c) The Secretary shall also establish priority criteria for project selection and approval which consider such factors as—

(1) population;

(2) condition of existing recreation areas and facilities;

(3) demonstrated deficiencies in access to neighborhood recreation opportunities, particularly for minority, and low- and moderate-income residents;

(4) public participation in determining rehabilitation or development needs;

(5) the extent to which a project supports or complements target activities undertaken as part of a local government's overall community development and urban revitalization program;

(6) the extent to which a proposed project would provide employment opportunities for minorities,

youth, and low- and moderate-income residents in the project neighborhood and/or would provide for participation of neighborhood, nonprofit or tenant organizations in the proposed rehabilitation activity or in subsequent maintenance, staffing, or supervision of recreation areas and facilities; and

(7) the amount of State and private support for a project as evidenced by commitments of non-Federal resources to project construction or operation.

GRANTS TO IMPLEMENT PROGRAM

SEC. 1006. (a) The Secretary is authorized to provide 70 per centum matching rehabilitation and innovative grants directly to eligible general purpose local governments upon his approval of applications therefor by the chief executives of such governments.

(1) At the discretion of such applicants, and if consistent with an approved application, rehabilitation and innovation grants may be transferred in whole or in part to independent special purpose local governments, private nonprofit agencies or county or regional park authorities: *Provided,* That assisted recreation areas and facilities owned or managed by them offer recreation opportunities to the general population within the jurisdictional boundaries of an eligible applicant.

(2) Payments may be made only for those rehabilitation or innovative projects which have been approved by the Secretary. Such payments may be made from time to time in keeping with the rate of progress toward the satisfactory completion of a project, except that the Secretary may, when appropriate, make advance payments on approved rehabilitation and innovative projects in an amount not to exceed 20 per centum of the total project cost.

(3) The Secretary may authorize modification of an approved project only when a grantee has adequately demonstrated that such modification is necessary because of circumstances not foreseeable at the time a project was proposed.

(b) Innovation grants should be closely tied to goals, priorities, and implementation strategies expressed in local park and recreation recovery action programs, with particular regard to the special considerations listed in section 1007(b) (2).

LOCAL COMMITMENTS TO SYSTEM RECOVERY AND MAINTENANCE

SEC. 1007. (a) As a requirement for project approval, local governments applying for assistance under this title shall submit to the Secretary evidence of their commitments to ongoing planning, rehabilitation, service, operation, and maintenance programs for their park and recreation systems. These commitments will be expressed in local park and recreation recovery action pro-

grams which maximize coordination of all community resources, including other federally supported urban development and recreation programs. During an initial interim period to be established by regulations under this title, this requirement may be satisfied by local government submissions of preliminary action programs which briefly define objectives, priorities, and implementation strategies for overall system recovery and maintenance and commit the applicant to a scheduled program development process. Following this interim period, all local applicants shall submit to the Secretary, as a condition of eligibility, a five-year action program for park and recreation recovery that satisfactorily demonstrate:

(1) systematic identification of recovery objectives, priorities, and implementation strategies;

(2) adequate planning for rehabilitation of specific recreation areas and facilities, including projections of the cost of proposed projects;

(3) capacity and commitment to assure that facilities provided or improved under this title shall thereafter continue to be adequately maintained, protected, staffed, and supervised;

(4) intention to maintain total local public outlays for park and recreation purposes at levels at least equal to those in the year preceding that in which grant assistance is sought beginning in fiscal year 1980 except in any case where a reduction in park and recreation outlays is proportionate to a reduction in overall spending by the applicant; and

(5) the relationship of the park and recreation recovery program to overall community development and urban revitalization efforts.

Where appropriate, the Secretary may encourage local governments to meet action program requirements through a continuing planning process which includes periodic improvements and updates in action program submissions to eliminate identified gaps in program information and policy development.

(b) Action programs shall address, but are not limited to the following considerations:

(1) Rehabilitation of existing recreational sites and facilities, including general systemwide renovation; special rehabilitation requirements for recreational sites and facilities in areas of high population concentration and economic distress; and restoration of outstanding or unique structures, landscaping, or similar features in parks of historical or architectural significance.

(2) Local commitments to innovative and cost-effective programs and projects at the neighborhood level to augment recovery of park and recreation systems, including but not limited to recycling of abandoned schools and other public buildings for

recreational purposes; multiple use of operating educational and other public buildings; purchase of recreation services on a contractual basis; use of mobile facilities and recreational, cultural, and educational programs or other innovative approaches to improving access for neighborhood residents; integration of recovery program with federally assisted projects to maximize recreational opportunities through conversion of abandoned railroad and highway rights-of-way, waterfront, and other redevelopment efforts and such other federally assisted projects as may be appropriate; conversion of recreation use of street space, derelict land, and other public lands not now designated for neighborhood recreational use; and use of various forms of compensated and uncompensated land regulation, tax inducements, or other means to encourage the private sector to provide neighborhood park and recreation facilities and programs.

The Secretary shall establish and publish in the Federal Register requirements for preparation, submission, and updating of local park and recreation recovery action programs.

(c) RECOVERY ACTION PROGRAM GRANTS.—The Secretary is authorized to provide up to 50 per centum matching grants to eligible local applicants for program development and planning specifically to meet the objectives of this title.

STATE ACTION INCENTIVE

SEC. 1008. The Secretary is authorized to increase Federal implementation grants authorized in section 1006 by providing an additional match equal to the total match provided by a State of up to 15 per centum of total project costs. In no event may the Federal matching amount exceed 85 per centum of total project cost. The Secretary shall further encourage the States to assist him in assuring that local recovery plans and programs are adequately implemented by cooperating with the Department of the Interior in monitoring local park and recreation recovery plans and programs and in assuring consistency of such plans and programs, where appropriate, with State recreation policies as set forth in statewide comprehensive outdoor recreation plans.

MATCHING REQUIREMENTS

SEC. 1009. The non-Federal share of project costs assisted under this Title may be derived from general or special purpose State or local revenues. State categorical grants, special appropriations by State legislatures, donations of land, buildings, or building materials and/or in-kind construction, technical, and planning services. No moneys from the Land and Water Conservation Fund

(77 Stat. 49), as amended, or from any other Federal grant program other than general revenue sharing and the community development block grant programs shall be used to match Federal grants under this program. Reasonable local costs of action program development to meet the requirements of section 1007(a) of this title may be used as part of the local match only when local applicants have not received program development grants under the authority of section 1007(c) of this title. The Secretary shall encourage States and private interests to contribute, to the maximum extent possible, to the non-Federal share of project costs.

CONVERSION OF RECREATION PROPERTY

SEC. 1010. No property improved or developed with assistance under this title shall, without the approval of the Secretary, be converted other than public recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the current local park and recreation recovery action program and only upon such conditions as he deems necessary to assure the provision of adequate recreation properties and opportunities of reasonably equivalent location and usefulness.

COORDINATION OF PROGRAM

SEC. 1011. The Secretary shall (a) coordinate the urban park and recreation recovery program with the total urban recovery effort and cooperate to the fullest extent possible with other Federal departments and agencies and with State agencies which administer programs and policies affecting urban areas, including but not limited to, programs in housing, urban development, natural resources management, employment, transportation, community services, and voluntary action; (b) encourage maximum coordination of the program between appropriate State agencies and local applicants; and (c) require that local applicants include provisions for participation of community and neighborhood residents and for public-private coordination in recovery planning and project selection.

AUDIT REQUIREMENTS

SEC. 1012. Each recipient of assistance under this title shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition of project undertakings in connection with which assistance under this title is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

The Secretary, and the Comptroller General of the United States, or their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this title.

AUTHORIZATION OF APPROPRIATIONS

SEC. 1013. There are hereby authorized to be appropriated for the purposes of this title, not to exceed $150,000,000 for each of the fiscal years 1979 through 1982, and $125,000,000 in fiscal year 1983, such sums to remain available until expended. Not more than 3 per centum of the funds authorized in any fiscal year may be used for grants for the development of local park and recreation recovery action programs pursuant to sections 1007(a) and 1007(c), and not more than 10 per centum may be used for innovation grants pursuant to section 6 of this title. Grants made under this title for projects in any one State shall not exceed in the aggregate 15 per centum of the aggregate amount of funds authorized to be appropriated in any fiscal year. For the authorizations made in this subsection, any amounts authorized but not appropriated in any fiscal year shall remain available for appropriation in succeeding fiscal years.

Notwithstanding any other provision of this Act, or any other law, or regulation, there is further authorized to be appropriated $250,000 for each of the fiscal years 1979 through 1983, such sums to remain available until expended, to each of the insular areas. Such sums will not be subject to the matching provisions of this section, and may only be subject to such conditions, reports, plans, and agreements, if any, as determined by the Secretary.

LIMITATION OF USE OF FUNDS

SEC. 1014. No funds available under this title shall be used for the acquisition of land or interests in land.

SUNSET AND REPORTING PROVISIONS

SEC. 1015. (a) Within ninety days of the expiration of this authority, the Secretary shall report to the Congress on the overall impact of the urban park and recreation recovery program.

(b) On December 31, 1979, and on the same date in each year that the recovery program is funded, the Secretary shall report to the Congress on the annual achievements of the innovation grant program, with emphasis on the nationwide implications of successful innovation projects.

TITLE XI—NEW RIVER GORGE NATIONAL RIVER

SEC. 1101. For the purpose of conserving and interpreting outstanding natural, scenic, and historic values and objects in and around the New River Gorge and preserving as a free-flowing stream an important segment of the New River in West Virginia for the benefit and enjoyment of present and future generations, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall establish and administer the New River Gorge National River. The Secretary shall administer, protect, and develop the national river in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented; except that any other statutory authority available to the Secretary for the preservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this title. The boundaries of the national river shall be as generally depicted on the drawing entitled "Proposed New River Gorge National River" numbered NERI–20,002, dated July 1978, which shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

SEC. 1102. (a) Within the boundaries of the New River Gorge National River, the Secretary may acquire lands and waters or interests therein by donation, purchase with donated or appropriated funds, transfer, or exchange. Lands owned by the State of West Virginia or a political subdivision thereof may be acquired by donation only. The authority of the Secretary to condemn in fee, improved properties as defined in subsection (c) of this section shall not be invoked as long as the owner of such improved property holds and uses it in a manner compatible with the purposes of this title. The Secretary may acquire any such improved property without the consent of the owner whenever he finds that such property has undergone, since January 1, 1978, or is imminently about to undergo, changes in land use which are incompatible with the purposes of the national river. The Secretary may acquire less than fee interest in any improved or unimproved property within the boundaries of the national river.

(b) On non-federally owned lands within the national river boundaries, the Secretary is authorized to enter into cooperative agreements with organizations or individuals to mark or interpret properties of significance to the history of the Gorge area.

(c) For the purposes of this Act, the term "improved property" means (i) a detached single family dwelling, the construction of which was begun before January 1, 1977 (hereafter referred to as "dwelling"), together with so much of the land on which the dwelling is situated,

the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures necessary to the dwelling which are situated on the land so designated, or (ii) property developed for agricultural uses, together with any structures accessory thereto which were so used on or before January 1, 1977, or (iii) commercial and small business properties which were so used on or before January 1, 1977, the purpose of which is determined by the Secretary to contribute to visitor use and enjoyment of the national river. In determining when and to what extent a property is to be considered an "improved property", the Secretary shall take into consideration the manner of use of such buildings and lands prior to January 1, 1977, and shall designate such lands as are reasonably necessary for the continued enjoyment of the property in the same manner and to the same extent as existed prior to such date.

(d) The owner of an improved property, as defined in this title, on the date of its acquisition, as a condition of such acquisition, may retain for himself, his heirs and assigns, a right of use and occupancy of the improved property for noncommercial residential, or agricultural purposes, or the continuation of existing commercial operations, as the case may be, 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 the property is wholly or partially donated, the Secretary shall pay to the owner the fair market value of the property on the date of its acquisition, less the fair market value of the property on that date of the right retained by the owner. A right retained by the owner 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 title, and it shall terminate by operation of law upon notification by the Secretary to the holder of the right of such determination and tendering to him the amount equal to the fair market value of that portion which remains unexpired.

SEC. 1103. (a) Within two years from the date of enactment of this title, the Secretary shall submit, in writing, to the House Committee on Interior and Insular Affairs, the Senate Committee on Energy and Natural Resources and the Committees on Appropriations of the United States Congress, a detailed plan which shall indicate—

(i) the lands and areas which he deems essential to the protection and public enjoyment of the natural, scenic, and historic values and objects of this national river;

(ii) the lands which he has previously acquired by purchase, donation, exchange, or transfer for the purpose of this national river;

(iii) the annual acquisition program (including the level of funding) which he recommends for the ensuing four fiscal years; and

(iv) the feasibility and suitability of including within the boundaries of the national river, the section of the New River from Fayetteville to Gauley Bridge, and reasons therefor.

SEC. 1104. The Secretary shall on his own initiative, or at the request of any local government having jurisdiction over land located in or adjacent to the Gorge area, assist and consult with the appropriate officials and employees of such local government in establishing zoning laws or ordinances which will assist in achieving the purposes of this title. In providing assistance pursuant to this section, the Secretary shall endeavor to obtain provisions in such zoning laws or ordinances which—

(1) have the effect of restricting incompatible commercial and industrial use of all real property in or adjacent to the Gorge area;

(2) aid in preserving the character of the Gorge area by appropriate restrictions on the use of real property in the vicinity, including, but not limited to, restrictions upon building and construction of all types; signs and billboards; the burning of cover; cutting of timber; removal of topsoil, sand, or gravel; dumping, storage, or piling of refuse; or any other use which would detract from the esthetic character of the Gorge area; and

(3) have the effect of providing that the Secretary shall receive advance notice of any hearing for the purpose of granting a variance and any variance granted under, and of any exception made to, the application of such law or ordinance.

SEC. 1105. (a) Notwithstanding any other provision of law, no surface mining of any kind shall be permitted on federally owned lands within the boundary of the national river where the subsurface estate is not federally owned. Underground mining on such lands may be permitted by the Secretary only if—

(1) the mining operation will have no significant adverse impact on the public use and enjoyment of the national river;

(2) the mining operation will disturb the minimum amount of surface necessary to extract the mineral; and

(3) the surface is not significantly disturbed, unless there is no technologically feasible alternative.

(b) The harvesting of timber on federally owned lands within the national river boundary is prohibited, except insofar as it is necessary for the Secretary to remove

trees for river access, historic sites, primitive campgrounds, scenic vistas, or as may be necessary from time to time for reasons of public health and safety.

(c) The owner of a mineral estate subject to this section who believes he has suffered a loss by operation of this section, may bring an action only in a United States district court to recover just compensation, which shall be awarded if the court finds that such loss constitutes a taking of property compensable under the Constitution.

SEC. 1106. The Secretary may permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the New River Gorge National River in accordance with applicable Federal and State laws, and he may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish or wildlife management, or public use and enjoyment. Except in emergencies, any rules and regulations of 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. 1107. The Federal Energy Regulatory Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act (41 Stat. 1063) as amended (16 U.S.C. 791a et seq.), on or directly affecting the New River Gorge National River, and no department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary. Nothing contained in the foregoing sentence, however, shall preclude licensing of, or assistance to, developments below or above the New River Gorge National River or on any stream tributary thereto which will not invade the area or diminish the scenic, recreation, and fish and wildlife values present in the area on the date of this section. No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect on the values for which such river was established, as determined by the Secretary, or request appropriations to begin construction on any such project whether heretofore or hereafter authorized, without advising the Secretary in writing of its intention to do so at least sixty days in advance, and without specifically reporting to the Congress in writing at the time it makes its recommendation or request in what respect construction of such project would be in conflict with the purposes of this section and would effect the national river and the values to be protected by it under this section.

SEC. 1108. Section 5(a) of the Act of October 2, 1968 (82 Stat. 910) is hereby amended to provide for study of

three principal tributaries of the New River in West Virginia, by adding the following new paragraphs:

"(73) BLUESTONE, WEST VIRGINIA.—From its headwaters to its confluence with the New.

"(74) GAULEY, WEST VIRGINIA.—Including the tributaries of the Meadow and the Cranberry, from the headwaters to its confluence with the New.

"(75) GREENBRIER, WEST VIRGINIA.—From its headwaters to its confluence with the New."

SEC. 1109. Within three years from the date of enactment of this title, the Secretary shall develop and transmit to the Senate Committee on Energy and Natural Resources and the House Committee on Interior and Insular Affairs, a general management plan for the protection and development of the national river consistent with the purposes of this title, indicating—

(1) measures for the preservation of the area's resources;

(2) indications of types and general intensities of development (including visitor circulation and transportation patterns, systems and modes) associated with public enjoyment and use of the area, including general locations, timing of implementation, and anticipated costs;

(3) identification of and implementation commitments for visitor carrying capacities for all areas of the unit; and

(4) indications of potential modifications to the external boundaries of the unit, and the reasons therefor.

SEC. 1110. The Secretary of the Army shall cooperate with the Secretary of the Interior concerning the water requirements of the national river. The Secretary of the Army shall provide for release of water from the Bluestone Lake project consistent with that project's purposes and activities in sufficient quantity and in such manner to facilitate protection of biological resources and recreational use of the national river.

SEC. 1111. For the purposes of part C of the Clean Air Act, the State may redesignate the national river only as class I or class II.

SEC. 1112. There are hereby authorized to be appropriated such sums as may be necessary for the purposes of this title, but not to exceed $20,000,000 for the acquisition of lands and interests in lands, and not to exceed $500,000 for development.

TITLE XII—FORT SCOTT NATIONAL HISTORIC SITE

SEC. 1201. In order to commemorate the significant role played by Fort Scott in the opening of the West, as well as the Civil War and the strife in the State of Kansas that preceded it, the Secretary of the Interior may ac-

quire by donation the land and interests in land, together with buildings and improvements thereon, known as Fort Scott, located in the city of Fort Scott, Bourbon County, Kansas: *Provided,* That the buildings so acquired shall not include the structure known as "Lunette Blair".

SEC. 1202. When the site of Fort Scott has been acquired by the United States as provided in section 1 of this Act, the Secretary of the Interior shall establish such area as the Fort Scott National Historic Site, by publication of notice and boundary map thereof in the Federal Register.

SEC. 1203. The Secretary of the Interior shall administer, protect, develop, and maintain the Fort Scott National Historic Site subject 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, and the provisions of the Act entitled "An Act to provide for the preservation of historic America sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat. 666).

SEC. 1204. Sections 3 and 4 of the Act entitled "An Act to provide for the commemoration of certain historical events in the State of Kansas, and for other purposes", approved August 31, 1965 (79 Stat. 588), as amended, are hereby repealed: *Provided,* That all obligations pursuant to contracts for the development and construction of Fort Scott heretofore entered into by the city of Fort Scott to be paid with funds under the authority of section 3 of the aforesaid Act, shall be assumed by the Secretary: *Provided further,* That any remaining balance of funds appropriated pursuant to section 4 of the Act of August 31, 1965, as amended, shall be available for the purposes of carrying out this Act.

SEC. 1205. In addition to such sums as might be made available to the historic site by the preceding section, effective October 1, 1979, there are hereby authorized to be appropriated such sums as may be necessary for the development of the Fort Scott National Historic Site, as provided in this Act.

TITLE XIII—REPORT AND BOUNDARY REVISION

BEAVERHEAD OR GALLATIN NATIONAL FORESTS

SEC. 1301. Within ninety days from enactment of this Act, the Secretary of Agriculture shall report to the Committee on Interior and Insular Affairs in the House of Representatives, and the Committee on Energy and Natural Resources of the Senate, the nature and extent of the progress of any proposal to exchange lands owned by the Burlington Northern Railroad on either the Beaverhead or Gallatin National Forests in the State of

Montana for lands owned by the United States elsewhere in the State of Montana. Such report shall also discuss any study or appraisal work done by any agency of the Federal Government concerning the feasibility, impact, or cost of any such an exchange between the Burlington Northern Railroad and the Federal Government, including the sharing of cost of such study. The Department of Agriculture shall not proceed with the processing of any exchange of more than 6,400 acres until and unless authorized to do so by a concurrent resolution of the Congress.

HAMPTON NATIONAL HISTORIC SITE

SEC. 1302. (a) In order to preserve, as part of the Hampton National Historic Site, lands and buildings historically associated with Hampton Mansion, the exterior boundaries of such historic site are hereby revised to include the following described lands:

All that certain tract or parcel of land lying and being situated in Baltimore County, Maryland, and being more particularly described as follows:

Beginning at a point on the northwest side of Hampton Lane (50 feet wide), said corner being common to the lands now or formerly of Hampton Village, Incorporated and the lands of Gertrude C. Ridgely, et al; thence, with the northern right-of-way line of said Hampton Lane, the two following courses and distances:

north 69 degrees 19 minutes 40 seconds east, 188.75 feet; and easterly by a line curving toward the right having a radius of 408.59 feet for a distance of 196 feet (the chord bearing of north 83 degrees 04 minutes 12 seconds east, 194.12 feet); thence, leaving said Hampton Road, north 14 degrees 20 minutes 20 seconds east, 1,095.18 feet to the westernmost corner of Lot numbered 1 as shown on Plat "D" of Hampton and filed for record in Plat Book G.L.B. numbered 20, folio 32; thence, running along the southerly line of the lots fronting on Saint Francis Road (as shown on said plat) on a line parallel to and 200 feet from said street, south 68 degrees 25 minutes 30 seconds west, 777.75 feet to a point on the easterly side of a 40 feet wide road; thence, with said road, north 21 degrees 34 minutes 30 seconds west, 200.00 feet to a point on the southerly right-of-way line of Saint Francis Road; thence, leaving said 40 feet wide road and with said Saint Francis Road, south 68 degrees 25 minutes 30 seconds west, 40.00 feet to a point on the westerly side of said 40 feet wide road; thence, leaving said Saint Francis Road and with said 40 feet wide road, south 21 degrees 34 minutes 30 seconds east, 200.00 feet to a pipe; thence, leaving said 40 foot wide road,

south 68 degrees 25 minutes 30 seconds west, 200.00 feet to a corner common to said Hampton Village, Incorporated and the lands of subject owner; thence, with said Hampton Village, Incorporated, south 21 degrees 29 minutes 33 seconds east, 835.03 feet to the point of beginning.

Containing 14.02 acres, more or less.

(b) The Secretary of the Interior (hereinafter referred to as the "Secretary") in furtherance of the purposes of this section, is authorized to acquire by donation, purchase, or exchange lands and interests in lands described in subsection (a) of this section.

(c) The Secretary shall administer lands acquired under the authority of this section as part of the Hampton National Historic Site in accordance with the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented and the Act of August 21, 1935 (49 Stat. 666).

(d) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.

Approved November 10, 1978.

Legislative History:

House Report No. 95-1165 accompanying H.R. 12536 (Comm. on Interior and Insular Affairs).
Senate Report No. 95-514 (Comm. on Energy and National Resources).
Congressional Record:
Vol. 123 (1977): Oct. 27, considered and passed Senate.
Vol. 124 (1978): June 26, July 11, 12, H.R. 12536 considered and passed House.
Oct. 4, considered and passed House, amended.
Oct. 12, Senate concurred in House amendment with amendments.
Oct. 13, House concurred in Senate amendments.
Weekly Compilation of Presidential Documents:
Vol. 14, No. 45 (1978): Nov. 10, Presidential statement.

5. Wild and Scenic Rivers

An Act to amend the Wild and Scenic Rivers Act by designating the Chattooga River, North Carolina, South Carolina, and Georgia as a component of the National Wild and Scenic Rivers System, and for other purposes. (88 Stat. 122) (P.L. 93-279)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Wild and Scenic Rivers Act (82 Stat. 906; 16 U.S.C. 1274 et seq.), as amended, is further amended as follows:

(a) In section 3(a) after paragraph (9) insert the following new paragraph:

"(10) CHATTOOGA, NORTH CAROLINA, SOUTH CAROLINA, GEORGIA.—The Segment from 0.8 mile below Cashiers Lake in North Carolina to Tugaloo Reservoir, and the West Fork Chattooga River from its junction with Chattooga upstream 7.3 miles, as generally depicted on the boundary map entitled 'Proposed Wild and Scenic Chattooga River and Corridor Boundary', dated August 1973; to be administered by the Secretary of Agriculture: *Provided,* That the Secretary of Agriculture shall take such action as is provided for under subsection (b) of this section within one year from the date of enactment of this paragraph (10): *Provided further,* That for the purposes of this river, there are authorized to be appropriated not more than $2,000,000 for the acquisition of lands and interests in lands and not more than $809,000 for development.".

(b) (1) In section 4 delete subsection (a) and insert in lieu thereof the following:

"SEC. 4. (a) The Secretary of the Interior or, where national forest lands are involved, the Secretary of Agriculture or, in appropriate cases, the two Secretaries jointly shall study and submit to the President reports on the suitability or nonsuitability for addition to the national wild and scenic rivers system of rivers which are designated herein or hereafter by the Congress as potential additions to such system. The President shall report to the Congress his recommendations and proposals with respect to the designation of each such river or section thereof under this Act. Such studies shall be completed and such reports shall be made to the Congress with respect to all rivers named in subparagraphs 5 (a) (1) through (27) of this Act no later than October 2, 1978. In conducting these studies the Secretary of the Interior and the Secretary of Agriculture shall give priority to those rivers with respect to which there is the greatest likelihood of developments which, if undertaken, would render the rivers unsuitable for inclusion in the national wild and scenic rivers system. Every such study and plan shall be coordinated with any water resources planning

involving the same river which is being conducted pursuant to the Water Resources Planning Act (79 Stat. 244; 42 U.S.C. 1962 et seq.).

"Each report, including maps and illustrations, shall show among other things the area included within the report; the characteristics which do or do not make the area a worthy addition to the system; the current status of land ownership and use in the area; the reasonably foreseeable potential uses of the land and water which would be enhanced, foreclosed, or curtailed if the area were included in the national wild and scenic rivers system; the Federal agency (which in the case of a river which is wholly or substantially within a national forest, shall be the Department of Agriculture) by which it is proposed the area, should it be added to the system, be administered; the extent to which it is proposed that such administration, including the costs thereof, be shared by State and local agencies; and the estimated cost to the United States of acquiring necessary lands and interests in land and of administering the area, should it be added to the system. Each such report shall be printed as a Senate or House document."

(2) In section 5 delete subsection (b) and reletter subsections (c) and (d) as (b) and (c), respectively.

(3) In section 7 (b) delete clause (i) and insert in lieu thereof the following:

> "(i) during the ten-year period following enactment of this Act or for a three complete fiscal year period following any Act of Congress designating any river for potential addition to the national wild and scenic rivers system, whichever is later, unless, prior to the expiration of the relevant period, the Secretary of the Interior and, where national forest lands are involved, the Secretary of Agriculture, on the basis of study, determine that such river should not be included in the national wild and scenic rivers system and notify the Committees on Interior and Insular Affairs of the United States Congress, in writing, including a copy of the study upon which the determination was made, at least one hundred and eighty days while Congress is in session prior to publishing notice to that effect in the Federal Register, and".

(4) In section 7 (b) (ii) delete "which is recommended", insert in lieu thereof "the report for which is submitted", and delete for inclusion in the national wild and scenic rivers system".

(c) In section 15 (c) delete "for the purpose of protecting the scenic view from the river," and insert in lieu thereof "within the authorized boundaries of a component of the wild and scenic rivers system, for the purpose of protecting the natural qualities of a designated wild, scenic or recreational river area,".

(d) Delete section 16 and insert in lieu thereof:

"SEC. 16. (a) There are hereby authorized to be appropriated, including such sums as have heretofore been appropriated, the following amounts for land acquisition for each of the rivers described in section 3 (a) of this Act:

Clearwater, Middle Fork, Idaho, $2,909,800;
Eleven Point, Missouri, $4,906,500;
Feather, Middle Fork, California, $3,935,700;
Rio Grande, New Mexico, $253,000;
Rogue, Oregon, $12,447,200;
St. Croix, Minnesota and Wisconsin, $11,768,550;
Salmon, Middle Fork, Idaho, $1,237,100; and
Wolf, Wisconsin, $142,150.

"(b) The authority to make the appropriations authorized in this section shall expire on June 30, 1979."

Approved May 10, 1974.

Legislative History:

House Report No. 93-675 (Comm. on Interior and Insular Affairs).
Senate Report No. 93-738 (Comm. on Interior and Insular Affairs).
Congressional Record:
Vol. 119 (1973): Dec. 3, considered and passed House.
Vol. 120 (1974): Mar. 22, considered and passed Senate, amended.
Apr. 10, House concurred in Senate amendment with an amendment.
Apr. 23, Senate agreed to House amendment with amendments.
Apr. 25, House concurred in Senate amendments.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE VII—WILD AND SCENIC RIVERS ACT AMENDMENTS

SUBTITLE C—AUTHORIZATIONS FOR FUNDING

* * * * * * *

CHATTOOGA RIVER

SEC. 755. Section 3 (a) (10) of the Wild and Scenic Rivers Act (relating to the Chattooga River in North Carolina, South Carolina, and Georgia) is amended by striking out $2,000,000" and inserting in lieu thereof "$5,200,000".

* * * * * * *

Approved November 10, 1978.

An Act to amend the Wild and Scenic Rivers Act (82 Stat. 906), as amended, to designate segments of certain rivers for possible inclusion in the national wild and scenic rivers system; to amend the Lower Saint Croix River Act of 1972 (86 Stat. 1174), and for other purposes. (88 Stat. 2094) (P.L. 93-621)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Wild and Scenic Rivers Act (82 Stat. 906), as amended, is further amended as follows:

(a) In subsection (a) of section 5 after paragraph (27) insert the following new paragraphs:

"(28) American, California: The North Fork from the Cedars to the Auburn Reservoir.

"(29) Au Sable, Michigan: The segment downstream from Foot Dam to Oscoda and upstream from Loud Reservoir to its source, including its principal tributaries and excluding Mio and Bamfield Reservoirs.

"(30) Big Thompson, Colorado: The segment from its source to the boundary of Rocky Mountain National Park.

"(31) Cache la Poudre, Colorado: Both forks from their sources to their confluence, thence the Cache la Poudre to the eastern boundary of Roosevelt National Forest.

"(32) Cahaba, Alabama: The segment from its junction with United States Highway 31 south of Birmingham downstream to its junction with United States Highway 80 west of Selma.

"(33) Clarks Fork, Wyoming: The segment from the Clark's Fork Canyon to the Crandall Creek Bridge.

"(34) Colorado, Colorado and Utah: The segment from its confluence with the Dolores River, Utah, upstream to a point 19.5 miles from the Utah-Colorado border in Colorado.

"(35) Conejos, Colorado: The three forks from their sources to their confluence, thence the Conejos to its first junction with State Highway 17, excluding Platoro Reservoir.

"(36) Elk, Colorado: The segment from its source to Clark.

"(37) Encampment, Colorado: The Main Fork and West Fork to their confluence, thence the Encampment to the Colorado-Wyoming border, including the tributaries and headwaters.

"(38) Green, Colorado: The entire segment within the State of Colorado.

"(39) Gunnison, Colorado: The segment from the upstream (southern) boundary of the Black Canyon of the Gunnison National Monument to its confluence with the North Fork.

"(40) Illinois, Oklahoma: The segment from Tenkiller Ferry Reservoir upstream to the Arkansas-Oklahoma border, including the Flint and Barren Fork Creeks.

"(41) John Day, Oregon: The main stem from Service Creek Bridge (at river mile 157) downstream to Tumwater Falls (at river mile 10).

"(42) Kettle, Minnesota: The entire segment within the State of Minnesota.

"(43) Los Pinos, Colorado: The segment from its source, including the tributaries and headwaters within the San Juan Primitive Area, to the northern boundary of the Granite Peak Ranch.

"(44) Manistee, Michigan: The entire river from its source to Manistee Lake, including its principal tributaries and excluding Tippy and Hodenpyl Reservoirs.

"(45) Nolichuckey, Tennessee and North Carolina: The entire main stem.

"(46) Owyhee, South Fork, Oregon: The main stem from the Oregon-Idaho border downstream to the Owyhee Reservoir.

"(47) Piedra, Colorado: The Middle Fork and East Fork from their sources to their confluence, thence the Piedra to its junction with Colorado Highway 160, including the tributaries and headwaters on national forest lands.

"(48) Shepaug, Connecticut: The entire river.

"(49) Sipsey Fork, West Fork, Alabama: The segment, including its tributaries, from the impoundment formed by the Lewis M. Smith Dam upstream to its source in the William B. Bankhead National Forest.

"(50) Snake, Wyoming: The segment from the southern boundaries of Teton National Park to the entrance to Palisades Reservoir.

"(51) Sweetwater, Wyoming: The segment from Wilson Bar downstream to Spring Creek.

"(52) Tuolumne, California: The main river from its source on Mount Dana and Mount Lyell in Yosemite National Park to Don Pedro Reservoir.

"(53) Upper Mississippi, Minnesota: The segment from its source at the outlet of Itasca Lake to its junction with the northwestern boundary of the city of Anoka.

"(54) Wisconsin, Wisconsin: The segment from Prairie du Sac to its confluence with the Mississippi River at Prairie du Chien.

"(55) Yampa, Colorado: The segment within the boundaries of the Dinosaur National Monument.

"(56) Dolores, Colorado: The segment of the main stem from Rico upstream to its source, including its headwaters; the West Dolores from its source, including its headwaters, downstream to its confluence with the main stem; and the segment from the west boundary, section 2, township 38 north, range 16 west, NMPM, below the proposed McPhee Dam, downstream to the Colorado-Utah border, excluding the segment from one mile above Highway 90 to the confluence of the San Miguel River."

(b) In section 5 reletter subsections (b) and (c) as (c) and (d), respectively, and insert a new subsection (b), as follows:

"(b) (1) The studies of rivers named in subparagraphs (28) through (55) of subsection (a) of this section shall be completed and reports thereon sub-

mitted by not later than October 2, 1979: *Provided,* That with respect to the rivers named in subparagraphs (33), (50), and (51), the Secretaries shall not commence any studies until (i) the State legislature has acted with respect to such rivers or (ii) one year from the date of enactment of this Act, whichever is earlier.

"(2) The study of the river named in subparagraph (56) of subsection (a) of this section shall be completed and the report thereon submitted by not later than January 3, 1976.

"(3) There are authorized to be appropriated for the purpose of conducting the studies of the rivers named in subparagraphs (28) through (56) such sums as may be necessary, but not more than $2,175,000."

(c) In clause (i) of subsection (b) of section 7 strike the final comma and the following word "and" and insert in lieu thereof a colon and the following proviso: "*Provided,* That if any Act designating any river or rivers for potential addition to the national wild and scenic rivers system provides a period for the study or studies which exceeds such three complete fiscal year period the period provided for in such Act shall be substituted for the three complete fiscal year period in the provisions of this clause (i); and".

(d) In the fourth sentence of subsection (a) of section 4:

(1) between "rivers" and "with" insert, "(i)", and

(2) strike "system." and insert in lieu thereof "system, and (ii) which possess the greatest proportion of private lands within their areas.".

SEC. 2. Subsection (a) of section 6 of the Lower Saint Croix River Act of 1972 (86 Stat. 1174) is amended by deleting "$7,275,000" and inserting in lieu thereof "$19,000,000".

Approved January 3, 1975.

Legislative History:

House Reports: No. 93-1359 accompanying H.R. 14791 (Comm. on Interior and Insular Affairs) and No. 93-1645 (Comm. on Conference).
Senate Report No. 93-1207 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 120 (1974)
Oct. 3, considered and passed Senate.
Nov. 18, considered and passed House, amended, in lieu of H.R. 14791.
Dec. 20, House and Senate agreed to conference report.

An Act to amend the Wild and Scenic Rivers Act (82 Stat. 906; 16 U.S.C. 1271), and for other purposes. (90 Stat. 1238) (P.L. 94-407)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Wild and Scenic Rivers Act (82 Stat. 905), as amended (16 U.S.C. 1271 et seq.) is amended as follows:

(1) In section 2 delete "Maine, and that segment of the Wolf River, Wisconsin, which flows through Lang-

lade County," and insert in lieu thereof "Maine; that segment of the Wolf River, Wisconsin, which flows through Langlade County; and that segment of the New River in North Carolina extending from its confluence with Dog Creek downstream approximately 26.5 miles to the Virginia State line.".

(2) In section 7(a), after the third sentence, insert the following: "Any license heretofore or hereafter issued by the Federal Power Commission affecting the New River of North Carolina shall continue to be effective only for that portion of the river which is not included in the National Wild and Scenic Rivers System pursuant to section 2 of this Act and no project or undertaking so licensed shall be permitted to invade, inundate or otherwise adversely affect such river segment.".

Approved September 11, 1976.

Legislative History:

House Report No. 94-1264 (Comm. on Interior and Insular Affairs).
Senate Report No. 94-952 accompanying S. 158 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
Aug. 9, 10, considered and passed House,
Aug. 30, considered and passed Senate.
Weekly Compilation of Presidential Documents, Vol. 12, No. 38:
Sept. 11, Presidential statement.

An Act to amend the Wild and Scenic Rivers Act, and for other purposes. (90 Stat. 2327) (P.L. 94-486)

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

TITLE I—FLATHEAD, MONTANA

SEC. 101. Section 3(a) of the Wild and Scenic Rivers Act (82 Stat. 906; 16 U.S.C. 1271 et seq.) is amended by adding the following new paragraph at the end thereof:

"(13) FLATHEAD, MONTANA.—The North Fork from the Canadian border downstream to its confluence with the Middle Fork; the Middle Fork from its headwaters to its confluence to the South Fork; and the South Fork from its origin to the Hungry Horse Reservoir, as generally depicted on the map entitled 'Proposed Flathead Wild and Scenic River Boundary Location' dated February 1976; to be administered by agencies of the Departments of the Interior and Agriculture as agreed upon by the Secretaries of such Departments or as directed by the President. Action required to be taken under subsection (b) of this section shall be taken within one year from the date of enactment of this paragraph. For the purposes of this river, there are authorized to be appropriated not more than $6,719,000 for the acquisition of lands and interests in lands. No funds authorized to be appropriated pursuant to this paragraph shall be available prior to October 1, 1977.".

TITLE II—MISSOURI, MONTANA

SEC. 201. Section 3(a) of the Act is further amended by adding at the end thereof the following new paragraph:

"(14) MISSOURI, MONTANA.—The segment from Fort Benton one hundred and forty-nine miles downstream to Robinson Bridge, as generally depicted on the boundary map entitled 'Missouri Breaks Freeflowing River Proposal', dated October 1975, to be administered by the Secretary of the Interior. For the purposes of this river, there are authorized to be appropriated not more than $1,800,000 for the acquisition of lands and interests in lands. No funds authorized to be appropriated pursuant to this paragraph shall be available prior to October 1, 1977.".

SEC. 202. After consultation with the State and local governments and the interested public, the Secretary shall, pursuant to section 3(b) of the Wild and Scenic Rivers Act and within one year of enactment of this Act—

(1) establish detailed boundaries of the river segment designated as a component of the National Wild and Scenic Rivers System pursuant to section 1 of this Act (hereinafter referred to as the "river area"): *Provided,* That the boundaries of the portion of the river area from Fort Benton to Coal Banks Landing and the portion of the river area within the boundaries of the Charles M. Russell National Wildlife Range shall be drawn to include only the river and its bed and exclude all adjacent land except significant historic sites and such campsites and access points as are deemed necessary by the Secretary, and to which the Secretary finds no reasonable alternative, as set forth in the management plan required pursuant to clause (2) of this section; and

(2) determine, in accordance with the guidelines in section 2(b) of the Wild and Scenic Rivers Act, which of the three classes—wild river, scenic river, or recreation river—best fit portions of the river segment, designate such portions in such classes, and prepare a management plan for the river area in accordance with such designation.

SEC. 203. (a) The Secretary of the Interior (hereinafter referred to as the "Secretary") shall manage the river area pursuant to the provision of this Act and the Wild and Scenic Rivers Act, and in accordance with the provisions of the Taylor Grazing Act (48 Stat. 1269), as amended (43 U.S.C. 315), under principles of multiple use and sustained yield, and with any other authorities available to him for the management and conservation of natural resources and the protection and enhancement of the environment, where such Act, principles, and authorities are consistent with the purposes and provisions of this Act and the Wild and Scenic Rivers Act.

(b)(1) The Secretary may acquire land and interests in land only in accordance with the provisions of this Act and the Wild and Scenic Rivers Act and the limitations contained in section 6 of that Act and only: (A) at Fort Benton for the visitor facility as provided in subsection (g) (2) of this section; (B) at the site of Fort McKenzie; (C) in that portion of the river area downstream from Fort Benton to Coal Banks Landing for historic sites, campsites, and access points in accordance with section 202 (1) of this Act; and (D) in that portion of the river area downstream from Coal Banks Landing so as to provide, wherever practicable and necessary for the purposes of this Act and the Wild and Scenic Rivers Act, rim-to-rim protection for such portion.

(2) In accordance with section 6(b) of the Wild and Scenic Rivers Act, the Secretary shall not acquire fee title to any lands by condemnation under the authority of that Act or this Act, except that the Secretary may use condemnation when necessary and within the limitations on acquisition set forth in clause (1) of this subsection to clear title, acquire scenic easements, or acquire such other easements as are reasonably necessary to give the public access to the river segment within the river area and to permit its members to traverse the length of said river area or of selected portions thereof.

(3) The Secretary shall, to the extent feasible, give priority in expenditure of funds pursuant to this Act for the acquisition and development of campsites and historic sites, including the site of the visitor center at Fort Benton and the site of Fort McKenzie.

(c) Consistent with the provisions of this Act and the Wild and Scenic Rivers Act, the Secretary may issue easements, licenses, or permits for rights-of-way through, over, or under the lands in Federal ownership within the river area, or for the use of such lands on such terms and conditions as are in accordance with the provisions of this Act, the Wild and Scenic Rivers Act, and other applicable law.

(d) The Secretary is authorized to permit the construction of a bridge across the river in the general vicinity of the community of Winifred, Montana, in order to accommodate the flow of north-south traffic. Such construction shall be in accordance with a plan which is mutually acceptable to the Secretary and State and local highway officials, and which is consistent with the purposes of this Act and the Wild and Scenic Rivers Act,

(e) To the extent and in a manner consistent with the purposes of the Wild and Scenic Rivers Act the Secretary shall permit such pumping facilities and associated pipelines as may be necessary to assure the continuation of an adequate supply of water from the Missouri River to the owners of lands adjacent to the river and for future agricultural use outside the river corridor. The Secretary is authorized to permit such pumping facilities and as-

sociated pipelines for use for fish, wildlife, and recreational uses outside the river corridor.

(f) The Secretary shall permit hunting and fishing in the river area in accordance with applicable Federal and State laws, except that he may designate zones where, and periods when, no hunting or fishing shall be permitted for reasons of public safety or administration.

(g) (1) The Secretary, acting through the Bureau of Land Management, shall exercise management responsibilities in the river area for:

(A) the grazing of livestock;

(B) the application of the United States mining and mineral leasing laws;

(C) the management of fish and wildlife habitat;

(D) the diversion and use of water for agricultural and domestic purposes;

(E) the acquisition of lands and interests therein;

(F) the administration of public recreational uses of, and any historic sites and campsites in, the river area; and

(G) all other management responsibilities except those set forth in paragraph (2) of this subsection.

(2) The Secretary, acting through the National Park Service, shall be responsible for the construction, operation, and management of any visitor facility in or near Fort Benton which is found necessary in accordance with the management plan developed pursuant to section 202 and the provision, at such facility, of interpretive services for the historic, archeological, scenic, natural, and fish and wildlife resources of the area.

TITLE III—OBED, TENNESSEE

SEC. 301. Section 3(a) of the Act is further amended by adding the following new paragraph at the end thereof:

"(15) OBED, TENNESSEE.—The segment from the western edge of the Catoosa Wildlife Management Area to the confluence with the Emory River; Clear Creek from the Morgan County line to the confluence with the Obed River, Daddys Creek from the Morgan County line to the confluence with the Obed River; and the Emory River from the confluence with the Obed River to the Nemo bridge as generally depicted and classified on the stream classification map dated December 1973. The Secretary of the Interior shall take such action, with the participation of the State of Tennessee as is provided for under subsection (b) within one year following the date of enactment of this paragraph. The development plan required by such subsection (b) shall include cooperative agreements between the State of Tennessee acting through the Wildlife Resources Agency and the Secretary of the Interior. Lands within the Wild and Scenic River boundaries that are currently part of the Catoosa

Wildlife Management Area shall continue to be owned and managed by the Tennessee Wildlife Resources Agency in such a way as to protect the wildlife resources and primitive character of the area, and without further development of roads, campsites, or associated recreational facilities unless deemed necessary by that agency for wildlife management practices. The Obed Wild and Scenic River shall be managed by the Secretary of the Interior. For the purposes of carrying out the provisions of this Act with respect to this river, there are authorized to be appropriated such sums as may be necessary, but not to exceed $2,000,000 for the acquisition of lands or interests in lands and not to exceed $400,000 for development. No funds authorized to be appropriated pursuant to this paragraph shall be available prior to October 1, 1977."

TITLE IV—HOUSATONIC, CONNECTICUT

SEC. 401. Subsection (a) of section 5 of the Act is further amended by adding at the end thereof the following:

"(58) Housatonic, Connecticut: The segment from the Massachusetts-Connecticut boundary downstream to its confluence with the Shepaug River.".

TITLE V—SECTION IV AMENDMENT

SEC. 501. Subsection (b) of section 4 of the Act is amended by deleting the final sentence thereof.

TITLE VI—FEATHER, CALIFORNIA

SEC. 601. Subsection (a) of section 3 of the Act is further amended by striking the paragraph numbered (3) and inserting in lieu thereof:

"(3) FEATHER, CALIFORNIA.—The entire Middle Fork downstream from the confluence of its tributary streams one kilometer south of Beckwourth, California; to be administered by the Secretary of Agriculture.".

TITLE VII—PIEDRA, COLORADO

SEC. 701. Paragraph (47) of section 5(a) of the Act is amended by striking out "including the tributaries and headwaters on national forest lands".

Approved October 12, 1976.

Legislative History:

House Report No. 94-1657 accompanying H.R. 15422 (Comm. on Interior and Insular Affairs).
Senate Report No. 94-502 (Comm. on Interior and Insular Affairs).
Congressional Record:
Vol. 121 (1975): Dec. 4, considered and passed Senate.
Vol. 122 (1976): Sept. 27, considered and passed House, amended, in lieu of H.R. 15422.
Sept. 28, Senate concurred in House amendments.

An Act to authorize additional appropriations for the acquisition of lands and interests in lands within the Sawtooth National Recreation Area in Idaho. (92 Stat. 3467) (P.L. 95-625)

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

TITLE VII—WILD AND SCENIC RIVERS ACT AMENDMENTS

SUBTITLE A—ADDITIONS OF SEGMENTS

* * * * * * *

ADDITION OF PERE MARQUETTE SEGMENT

SEC. 701. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(16) PERE MARQUETTE, MICHIGAN.—The segment downstream from the junction of the Middle and Little South Branches to its junction with United States Highway 31 as generally depicted on the boundary map entitled 'Proposed Boundary Location, Pere Marquette Wild and Scenic River,'; to be administered by the Secretary of Agriculture. After consultation with State and local governments and the interested public, the Secretary shall take such action as is provided for under subsection (b) with respect to the segment referred to in this paragraph within one year from the date of enactment of this paragraph. Any development or management plan prepared pursuant to subsection (b) shall include (a) provisions for the dissemination of information to river users and (b) such regulations relating to the recreational and other uses of the river as may be necessary in order to protect the area comprising such river (including lands contiguous or adjacent thereto) from damage or destruction by reason of overuse and to protect its scenic, historic, esthetic and scientific values. Such regulations shall further contain procedures and means which shall be utilized in the enforcement of such development and management plan. For the purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not more than $8,125,000 for the acquisition of lands or interests in lands and $402,000 for development.".

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ADDITION OF RIO GRANDE SEGMENT

SEC. 702. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(17) RIO GRANDE, TEXAS.—The segment on the United States side of the river from river mile 842.3 above Mariscal Canyon downstream to river mile 651.1 at the Ter-

rell-Val Verde County line; to be administered by the Secretary of the Interior. The Secretary shall, within two years after the date of enactment of this paragraph, take such action with respect to the segment referred to in this paragraph as is provided for under subsection (b). The action required by such subsection (b) shall be undertaken by the Secretary, after consultation with the United States Commissioner, International Boundary and Water Commission, United States and Mexico, and appropriate officials of the State of Texas and its political subdivisions. The development plan required by subsection (b) shall be construed to be a general management plan only for the United States side of the river and such plan shall include, but not be limited to, the establishment of a detailed boundary which shall include an average of not more than 160 acres per mile. Nothing in this Act shall be construed to be in conflict with—

"(A) the commitments or agreements of the United States made by or in pursuance of the treaty between the United States and Mexico regarding the utilization of the Colorado and Tijuana Rivers and of the Rio Grande, signed at Washington, February 1944 (59 Stat. 1219), or

"(B) the treaty between the United States and Mexico regarding maintenance of the Rio Grande and Colorado River as the international boundary between the United States and Mexico, signed November 23, 1970.

For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated such sums as may be necessary, but not more than $1,650,000 for the acquisition of lands and interests in lands and not more than $1,800,000 for development.".

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ADDITION OF SKAGIT SEGMENTS

SEC. 703. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(18) SKAGIT, WASHINGTON.—The segment from the pipeline crossing at Sedro-Woolley upstream to and including the mouth of Bacon Creek; the Cascade River from its mouth to the junction of its North and South Forks; the South Fork to the boundary of the Glacier Peak Wilderness Area; the Suiattle River from its mouth to the boundary of the Glacier Peak Wilderness Area at Milk Creek; the Sauk River from its mouth to its junction with Elliott Creek; the North Fork of the Sauk River from its junction with the South Fork of the Sauk to the boundary of the Glacier Peak Wilderness Area; as generally depicted on the boundary map entitled 'Skagit

River—River Area Boundary'; all segments to be administered by the Secretary of Agriculture. Riprapping related to natural channels with natural rock along the shorelines of the Skagit segment to preserve and protect agricultural land shall not be considered inconsistent with the values for which such segment is designated. After consultation with affected Federal agencies, State and local government and the interested public, the Secretary shall take such action as is provided for under subsection (b) with respect to the segments referred to in this paragraph within one year from the date of enactment of this paragraph; as part of such action, the Secretary of Agriculture shall investigate that portion of the North Fork of the Cascade River from its confluence with the South Fork to the boundary of the North Cascades National Park and if such portion is found to qualify for inclusion, it shall be treated as a component of the Wild and Scenic Rivers System designated under this section upon publication by the Secretary of notification to that effect in the Federal Register. For the purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph there are authorized to be appropriated not more than $11,734,000 for the acquisition of lands or interest in lands and not more than $332,000 for development.".

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ADDITION OF UPPER DELAWARE SEGMENT; SPECIAL PROVISIONS

SEC. 704. (a) Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(19) UPPER DELAWARE RIVER, NEW YORK AND PENNSYLVANIA.—The segment of the Upper Delaware River from the confluence of the East and West branches below Hancock, New York, to the existing railroad bridge immediately downstream of Cherry Island in the vicinity of Sparrow Bush, New York, as depicted on the boundary map entitled "The Upper Delaware Scenic and Recreational River', dated April 1978; to be administered by the Secretary of the Interior. Subsection (b) of this section shall not apply, and the boundaries and classifications of the river shall be as specified on the map referred to in the preceding sentence, except to the extent that such boundaries or classifications are modified pursuant to section 705(c) of the National Parks and Recreation Act of 1978. Such boundaries and classifications shall be published in the Federal Register and shall not become effective until ninety days after they have been forwarded to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. For purposes of carrying out the provi-

sions of this Act with respect to the river designated by this paragraph there are authorized to be appropriated such sums as may be necessary.".

(b) (1) Notwithstanding any requirement to the contrary contained in section 6(c) of the Wild and Scenic Rivers Act, within one hundred and eighty days after the date of enactment of this Act, the Secretary shall publish in the Federal Register general guidelines for land and water use control measures to be developed and implemented by the appropriate officials of the States of New York and Pennsylvania (hereinafter referred to as the "directly affected States"), by the local political subdivisions, and by the Delaware River Basin Commission (hereinafter referred to as the "Commission"). The Secretary shall provide for participation in the development of the said general guidelines by all levels of State, county, and local government, and concerned private individuals and organizations, and also shall seek the advice of the Upper Delaware Citizens Advisory Council established in subsection (f) (hereinafter referred to as the "Advisory Council"). In each of the directly affected States, prior to publication of such general guidelines, public hearings shall be conducted by the Secretary or his designee, in the region of the Upper Delaware River designated by subsection (a) (hereinafter in this section referred to as the "Upper Delaware River").

(2) The Secretary may from time to time adopt amended or revised guidelines and shall do so in accordance with the provisions of paragraph (1) hereof.

(c) (1) Within three years from the date of the enactment of this Act, the Secretary, in cooperation with the Commission, the Advisory Council, the directly affected States and their concerned political subdivisions and other concerned Federal agencies, shall develop, approve, and submit to the Governors of the directly affected States a management plan (hereinafter in this section referred to as the "management plan" or "the plan") for the Upper Delaware River which shall provide for as broad a range of land and water uses and scenic and recreational activities as shall be compatible with the provisions of this section, the Wild and Scenic Rivers Act, and the general guidelines for land and water use controls promulgated by the Secretary under the provisions of subsection (b).

(2) The plan shall apply to the Upper Delaware River and shall set forth—

(A) a map showing detailed final landward boundaries, and upper and lower termini of the area and the specific segments of the river classified as scenic and recreational, to be administered in accordance with such classifications;

(B) a program for management of existing and

future land and water use, including the application of available management techniques;

(C) an analysis of the economic and environmental costs and benefits of implementing the management plan including any impact of the plan upon revenues and costs of local government;

(D) a program providing for coordinated implementation and administration of the plan with proposed assignment of responsibilities to the appropriate governmental unit at the Federal, regional, State, and local levels; and

(E) such other recommendations or provisions as shall be deemed appropriate to carry out the purposes of this section.

(3) Immediately following enactment of this Act, the Secretary, through the National Park Service or such other designee, shall develop and implement such interim programs as he shall deem necessary and appropriate to protect the Upper Delaware River and its environs and to protect the public health and safety. Such interim programs shall include provisions for information to river users, education and interpretation activities, and regulation of recreational use of the river.

(4) To enable the directly affected States and their political subdivisions to develop and implement programs compatible with the management plan, the Secretary shall provide such technical assistance to the said States and their political subdivisions as he deems appropriate.

(5) The Secretary shall promote public awareness of and participation in the development of the management plan, and shall develop and conduct a concerted program to this end. Prior to final approval of the management plan, the Secretary shall hold two or more public hearings in the Upper Delaware River region of each directly affected State.

(6) Upon approval of the management plan by the Secretary, it shall be published in the Federal Register and shall not become effective until ninety days after it shall have been forwarded to the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate. The plan shall be administered by the Secretary in accordance with the provisions of this section and the Wild and Scenic Rivers Act. The Secretary is hereby granted such authority as may be required to implement and administer said plan.

(d) Notwithstanding any provision of the Wild and Scenic Rivers Act, the Secretary may not acquire more than a total of four hundred and fifty acres of land and interests in land for access, development sites, the preservation of scenic qualities, or for any other purposes: *Provided,* That the Secretary may acquire additional

land and interests in land for such purposes not in excess of one thousand acres if such additional acquisition is recommended and provided for in the management plan as finally approved by the Secretary. The limitations contained in this section shall not apply under the circumstances set forth in subsection (e) (4) of this section. Prior to acquisition of any land or interests in land which has been used for business purposes during the annual period immediately preceding the date of the enactment of this Act, the Secretary shall first make such efforts as he deems reasonable to acquire easements or restrictive covenants, or to enter into any other appropriate agreements or arrangements with the owners of said land, consistent with the purposes of this section.

(e) (1) For the purpose of protecting the integrity of the Upper Delaware River, the Secretary shall review all relevant local plans, laws, and ordinances to determine whether they substantially conform to the approved management plan provided for in subsection (c) and to the general guidelines promulgated by the Secretary pursuant to subsection (b). Additionally, the Secretary shall determine the adequacy of enforcement of such plans, laws, and ordinances, including but not limited to review of building permits and zoning variances granted by local governments, and amendments to local laws and ordinances.

(2) The purpose of such reviews shall be to determine the degree to which actions by local governments are compatible with the purposes of this section. Following the approval of the management plan and after a reasonable period of time has elapsed, but not less than two years, upon a finding by the Secretary that such plans, laws, and ordinances are nonexistent, are otherwise not in conformance with the management plan or guidelines, or are not being enforced in such manner as will carry out the purposes of this section (as determined by the Secretary), the Secretary may exercise the authority available to him under the provisions of paragraph (4) hereof.

(3) To facilitate administration of this section, the Secretary may contract with the directly affected States or their political subdivisions to provide, on behalf of the Secretary, professional services necessary for the review of relevant local plans, laws, and ordinances, and of amendments thereto and variances therefrom, and for the monitoring of the enforcement thereof by local governments having jurisdiction over any area in the region to which the management plan applies. The Secretary shall notify the appropriate State or local officials as to the results of his review under this section within forty-five days from the date he receives notice of the local government action.

(4) In those sections of the Upper Delaware River where such local plans, laws, and ordinances, or amend-

ments thereto or variances therefrom, are found by the Secretary not to be in conformance with the guidelines or the management plan promulgated pursuant to subsections (b) and (c) of this section, respectively, or are not being enforced in such manner as will carry out the purposes of this section (as determined by the Secretary), the Secretary is hereby authorized to acquire land or interests in land in excess of the acreage provided for in subsection (d) of this section. Land and interests in land acquired pursuant to this subsection shall be restricted to the geographical area of the local governmental unit failing to conform with the said guidelines or management plan, and shall be limited to those lands clearly and directly required, in the judgment of the Secretary, for protection of the objectives of this Act. The total acreage of land and interests in land acquired pursuant to this subsection shall not in any event exceed the limitations contained in section 6(a) of the Wild and Scenic Rivers Act. This subsection shall apply notwithstanding the first sentence of section 6(c) of the Wild and Scenic Rivers Act. Notwithstanding any limitation on amounts authorized to be appropriated for acquisition of land and interests in land which is contained in section 3(a) (21) of the Wild and Scenic Rivers Act or in any other provision of law, there are authorized to be appropriated such sums as may be necessary to carry out this subsection.

(f) (1) At the earliest practicable date following enactment of this Act, but no later than one hundred and twenty days thereafter, there shall be established an Upper Delaware Citizens Advisory Council. The Advisory Council shall encourage maximum public involvement in the development and implementation of the plans and programs authorized by this section. It shall report to the Commission and the Secretary from time to time during preparation of the management plan. Following completion of the management plan, it shall report to the Secretary and the Governors of the directly affected States no less frequently than once each year its recommendations, if any, for improvement in the programs authorized by this Act, or in the programs of other agencies which may relate to land or water use in the Upper Delaware River region.

(2) Membership on the Advisory Council shall consist of seventeen members appointed as follows: there shall be—

(A) six members from each of the directly affected States appointed by the Secretary from nominations submitted by the legislatures of the respective counties and appointed such that two members shall be from each of Orange, Delaware, and Sullivan Counties, New York, and three members shall be from each of Wayne and Pike Counties, Pennsylvania (at lease one appointee from each county shall be a per-

manent resident of a municipality abutting the Upper Delaware River);

(B) two members appointed at large by each Governor of a directly affected State; and

(C) one member appointed by the Secretary.

The Secretary shall designate one of the aforesaid members to serve as Chairperson of the Advisory Council who shall be a permanent resident of one of the aforementioned counties. Vacancies on the Advisory Council shall be filled in the same manner in which the original appointment was made. Members of the Advisory Council shall serve without compensation as such, but the Secretary is authorized to pay expenses reasonably incurred by the Advisory Council in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

(g) With respect to the land and water in areas which are not owned by the United States but which are within the boundaries of the segment of the Delaware River designated as a wild and scenic river under subsection (a), the Secretary is authorized to enter into contracts with the appropriate State or political subdivisions thereof pursuant to which the Secretary may provide financial assistance to such State or political subdivision for purposes of—

(1) enforcing State and local laws in such areas, and

(2) removing solid waste from such areas and disposing of such waste.

(h) Nothing in this section shall be construed as limiting the right to fish and hunt on any of the lands or waters within the boundaries of the Upper Delaware River in the manner provided in section 13 of the Wild and Scenic Rivers Act.

(i) There are hereby authorized to be appropriated to carry out the purposes of this section such sums as may be necessary.

(j) Where any provision of the Wild and Scenic Rivers Act is inconsistent with any provisions of this section, the provision of this section shall govern. In applying the provisions of section 6(g) (3) of the Wild and Scenic Rivers Act, with regard to "improved property", the date specified therein, shall, for purposes of the river designated in the Act, be the date of enactment of this Act (rather than January 1, 1967).

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ADDITION OF MIDDLE DELAWARE SEGMENT

SEC. 705. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(20) DELAWARE, NEW YORK, PENNSYLVANIA, AND NEW JERSEY.—The segment from the point where the river crosses the northern boundary of the Delaware Water Gap National Recreation Area to the point where the

river crosses the southern boundary of such recreation area; to be administered by the Secretary of the Interior. For purposes of carrying out this Act with respect to the river designated by this paragraph, there are authorized to be appropriated such sums as may be necessary. Action required to be taken under subsection (b) of this section with respect to such segment shall be taken within one year from the date of enactment of this paragraph, except that, with respect to such segment, in lieu of the boundaries provided for in such subsection (b), the boundaries shall be the banks of the river. Any visitors facilities established for purposes of use and enjoyment of the river under the authority of the Act establishing the Delaware Water Gap National Recreation Area shall be compatible with the purposes of this Act and shall be located at an appropriate distance from the river."

ADDITION OF THE AMERICAN SEGMENT

SEC. 706. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(21) AMERICAN, CALIFORNIA.—The North Fork from a point 0.3 mile above Heath Springs downstream to a point approximately 1,000 feet upstream of the Colfax-Iowa Hill Bridge, including the Gold Run Addition Area, as generally depicted on the map entitled 'Proposed Boundary Maps' contained in Appendix I of the document dated January 1978 and entitled 'A Proposal: North Fork American Wild and Scenic River' published by the United States Forest Service, Department of Agriculture; to be designated as a wild river and to be administered by agencies of the Departments of Interior and Agriculture as agreed upon by the Secretaries of such Departments or as directed by the President. Action required to be taken under subsection (b) shall be taken within one year after the date of the enactment of this paragraph; in applying such subsection (b) in the case of the Gold Run Addition Area, the acreage limitation specified therein shall not apply and in applying section 6(g) (3), January 1 of the calendar year preceding the calendar year in which this paragraph is enacted shall be substituted for January 1, 1967. For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not more than $850,000 for the acquisition of lands and interests in land and not more than $765,000 for development.".

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ADDITION OF MISSOURI SEGMENT

SEC. 707. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(22) MISSOURI RIVER, NEBRASKA, SOUTH DAKOTA.—The

segment from Gavins Point Dam, South Dakota, fifty-nine miles downstream to Ponca State Park, Nebraska, as generally depicted in the document entitled 'Review Report for Water Resources Development, South Dakota, Nebraska, North Dakota, Montana', prepared by the Division Engineer, Missouri River Division, Corps of Engineers, dated August 1977 (hereinafter in this paragraph referred to as the 'August 1977 Report'). Such segment shall be administered as a recreational river by the Secretary. The Secretary shall enter into a written cooperative agreement with the Secretary of the Army (acting through the Chief of Engineers) for construction and maintenance of bank stabilization work and appropriate recreational development. After public notice and consultation with the State and local governments, other interested organizations and associations, and the interested public, the Secretary shall take such action as is required pursuant to subsection (b) within one year from the date of enactment of this section. In administering such river, the Secretary shall to the extent, and in a manner, consistent with this section—

"(A) provide (i) for the construction by the United States of such recreation river features and streambank stabilization structures as the Secretary of the Army (acting through the Chief of Engineers) deems necessary and advisable in connection with the segment designated by this paragraph, and (ii) for the operation and maintenance of all streambank stabilization structures constructed in connection with such segment (including both structures constructed before the date of enactment of this paragraph and structures constructed after such date, and including both structures constructed under the authority of this section and structures constructed under the authority of any other Act); and

"(B) permit access for such pumping and associated pipelines as may be necessary to assure an adequate supply of water for owners of land adjacent to such segment and for fish, wildlife, and recreational uses outside the river corridor established pursuant to this paragraph.

The streambank structures to be constructed and maintained under subparagraph (A) shall include, but not be limited to, structures at such sites as are specified with respect to such segment on pages 62 and 63 of the August 1977 Report, except that sites for such structures may be relocated to the extent deemed necessary by the Secretary of the Army (acting through the Chief of Engineers) by reason of physical changes in the river or river area. The Secretary of the Army (acting through the Chief of Engineers) shall condition the construction or maintenance of any streambank stabilization structure or of any recreational river feature at any site under subparagraph (A) (i) upon the availability to the United

States of such land and interests in land in such ownership as he deems necessary to carry out such construction or maintenance and to protect and enhance the river in accordance with the purposes of this Act. Administration of the river segment designated by this paragraph shall be in coordination with and pursuant to the advice of a Recreational River Advisory Group which may be established by the Secretary. Such Group may include in its membership, representatives of the affected States and political subdivisions thereof, affected Federal agencies, and such organized private groups as the Secretary deems desirable. Notwithstanding the authority to the contrary contained in subsection 6(a) of this Act, no land or interests in land may be acquired without the consent of the owner: *Provided,* That not to exceed 5 per centum of the acreage within the designated river boundaries may be acquired in less than fee title without the consent of the owner, in such instance of the Secretary's determination that activities are occurring, or threatening to occur thereon which constitute serious damage or threat to the integrity of the river corridor, in accordance with the values for which this river was designated. For purposes of carrying out the provisions of this Act with respect to the river designated by this paragraph, there are authorized to be appropriated not to exceed $21,000,000, for acquisition of lands and interests in lands and for development."

SEC. 708. Section 3(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(23) SAINT JOE, IDAHO.—The segment above the confluence of the North Fork of the Saint Joe River to Spruce Tree Campground, as a recreational river; the segment above Spruce Tree Campground to Saint Joe Lake, as a wild river, as generally depicted on the map entitled 'Saint Joe River Corridor Map' on file with the Chief of the Forest Service and dated September 1978; to be administered by the Secretary of Agriculture. Notwithstanding any other provision of law, the classification of the Saint Joe River under this paragraph and the subsequent development plan for the river prepared by the Secretary of Agriculture shall at no time interfere with or restrict the maintenance, use, or access to existing or future roads within the adjacent lands nor interfere with or restrict present use of or future construction of bridges across that portion of the Saint Joe designated as a 'recreational river' under this paragraph. Dredge or placer mining shall be prohibited within the banks or beds of the main stem of the Saint Joe and its tributary streams in their entirety above the confluence of the main stem with the North Fork of the river. Nothing in this Act shall be deemed to prohibit the removal of sand and gravel above the high water mark of the Saint Joe River and its tributaries within the river corridor by or under

the authority of any public body or its agents for the purposes of construction or maintenance of roads. The Secretary shall take such action as is required under subsection (b) of this section within one year from the date of enactment of this paragraph. For the purposes of this river, there are authorized to be appropriated not more than $1,000,000 for the acquisition of lands or interest in lands.".

* * * * * * *

SUBTITLE B—STUDIES

DESIGNATION OF THE KERN RIVER (NORTH FORK) FOR STUDY

SEC. 721. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(59) KERN, CALIFORNIA.—The main stem of the North Fork from its source to Isabella Reservoir excluding its tributaries.".

DESIGNATION OF THE LOXAHATCHEE RIVER FOR STUDY

SEC. 722. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(60) LOXAHATCHEE, FLORIDA.—The entire river including its tributary, North Fork.".

DESIGNATION OF THE OGEECHEE RIVER FOR STUDY

SEC. 723. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(61) OGEECHEE, GEORGIA.—The entire river.".

DESIGNATION OF CERTAIN SEGMENT OF THE SALT RIVER FOR STUDY

SEC. 724. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(62) SALT, ARIZONA.—The main stem from a point on the north side of the river intersected by the Fort Apache Indian Reservation boundary (north of Buck Mountain) downstream to Arizona State Highway 288.".

DESIGNATION OF THE VERDE RIVER FOR STUDY

SEC. 725. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(63) VERDE, ARIZONA.—The main stem from the Prescott National Forest boundary near Paulden to the vicinity of Table Mountain, approximately 14 miles above Horseshoe Reservoir, except for the segment not included

in the national forest between Clarkdale and Camp Verde, North segment.".

DESIGNATION OF THE SAN FRANCISCO RIVER FOR STUDY

SEC. 726. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(64) SAN FRANCISCO, ARIZONA.—The main stem from confluence with the Gila upstream to the Arizona-New Mexico border, except for the segment between Clifton and the Apache National Forest.".

DESIGNATION OF FISH CREEK FOR STUDY

SEC. 727. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(65) FISH CREEK, NEW YORK.—The entire East Branch.".

DESIGNATION OF BLACK CREEK FOR STUDY

SEC. 728. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(66) BLACK CREEK, MISSISSIPPI.—The segment from Big Creek Landing in Forest County downstream to Old Alexander Bridge Landing in Stone County.".

DESIGNATION OF ALLEGHENY RIVER FOR STUDY

SEC. 729. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(67) ALLEGHENY, PENNSYLVANIA.—The main stem from Kinzua Dam downstream to East Brady.".

DESIGNATION OF THE CACAPON RIVER FOR STUDY

SEC. 730. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(68) CACAPON, WEST VIRGINIA.—The entire river.".

DESIGNATION OF THE ESCATAWPA RIVER FOR STUDY

SEC. 731. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(69) ESCATAWPA, ALABAMA AND MISSISSIPPI.—The segment upstream from a point approximately one mile downstream from the confluence of the Escatawpa River and Jackson Creek to a point where the Escatawpa River is joined by the Yellowhouse Branch in Washington County, Alabama, near the town of Deer Park, Alabama; and the segment of Brushy Creek upstream from its

confluence with the Escatawpa to its confluence with Scarsborough Creek.".

DESIGNATION OF THE MYAKKA RIVER FOR STUDY

SEC. 732. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(70) MYAKKA, FLORIDA.—The segment south of the southern boundary of the Myakka River State Park.".

DESIGNATION OF SOLDIER CREEK FOR STUDY

SEC. 733. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following new paragraph at the end thereof:

"(71) SOLDIER CREEK, ALABAMA.—The segment beginning at the point where Soldier Creek intersects the south line of section 31, township 7 south, range 6 east, downstream to a point on the south line of section 6, township 8 south, range 6 east, which point is 1,322 feet west of the south line of section 5, township 8 south, range 6 east in the county of Baldwin, State of Alabama.".

DESIGNATION OF RED RIVER FOR STUDY

SEC. 734. Section 5(a) of the Wild and Scenic Rivers Act is amended by adding the following paragraph at the end thereof:

"(72) RED, KENTUCKY.—The segment from Highway numbered 746 (also known as Spradlin Bridge) in Wolf County, Kentucky, downstream to the point where the river descends below seven hundred feet above sea level (in its normal flow) which point is at the Menifee and Powell County line just downstream of the iron bridge where Kentucky Highway numbered 77 passes over the river.".

AUTHORIZATION FOR STUDIES

SEC. 735. Paragraph (3) of Section 5(b) of the Wild and Scenic Rivers Act is redesignated as paragraph (4) and is amended by striking out "$2,175,000" and substituting "$4,060,000". Such paragraph is further amended by adding the following at the end thereof: "There are authorized to be appropriated for the purpose of conducting the studies of the rivers named in subparagraphs (59) through (74) such sums as may be necessary.".

STUDY PERIOD

SEC. 736. Section 5(b) of the Wild and Scenic Rivers Act is amended by inserting the following new paragraph after paragraph (2):

"(3) The studies of the rivers named in paragraphs (59) through (72) of subsection (a) shall be completed and reports submitted thereon not later than five full fiscal years after the date of the enactment of this paragraph. The study of rivers named in paragraphs (62) through (64) of subsection (a) shall be completed and the report thereon submitted by not later than April 1981.".

* * * * * * *

SUBTITLE C—AUTHORIZATIONS FOR FUNDING

ELEVEN POINT RIVER

SEC. 751. Section 16(a) of the Wild and Scenic Rivers Act is amended by striking out "Eleven Point, Missouri, $4,906,500" and substituting "Eleven Point, Missouri, $10,407,000".

ROGUE RIVER

SEC. 752. Section 16(a) of the Wild and Scenic Rivers Act is amended by striking out "Rogue, Oregon, $12,447,200" and substituting "Rogue, Oregon, $15,147,000".

SAINT CROIX RIVER

SEC. 753. Section 16(a) of the Wild and Scenic Rivers Act is amended by striking out "Saint Croix, Minnesota and Wisconsin, $11,768,550" and substituting "Saint Croix, Minnesota and Wisconsin, $21,769,000".

SALMON RIVER

SEC. 754. Section 16(a) of the Wild and Scenic Rivers Act is amended by striking out "Salmon, Middle Fork, Idaho, $1,237,100" and substituting "Salmon, Middle Fork, Idaho, $1,837,000".

* * * * * * *

SUBTITLE D—AMENDMENTS TO PUBLIC LAW 90–542

TECHNICAL AMENDMENTS

SEC. 761. Section 2(a) of the Wild and Scenic Rivers Act is amended by striking out "without expense to the United States" and by adding the following at the end thereof: "Upon receipt of an application under clause (ii) of this subsection, the Secretary shall notify the Federal Energy Regulatory Commission and publish such application in the Federal Register. Each river designated under clause (ii) shall be administered by the State or political subdivision thereof without expense to the

United States other than for administration and management of federally owned lands. For purposes of the preceding sentence, amounts made available to any State or political subdivision under the Land and Water Conservation Act of 1965 or any other provision of law shall not be treated as an expense to the United States. Nothing in this subsection shall be construed to provide for the transfer to, or administration by, a State or local authority of any federally owned lands which are within the boundaries of any river included within the system under clause (ii).".

FEDERAL LANDS; COOPERATIVE AGREEMENTS

SEC. 762. Section 12(a) of the Wild and Scenic Rivers Act is amended by striking out the first sentence thereof and substituting: "The Secretary of the Interior, the Secretary of Agriculture, and the head of any other Federal department or agency having jurisdiction over any lands which include border upon, or are adjacent to, any river included within the National Wild and Scenic Rivers System or under consideration for such inclusion, in accordance with section 2(a) (ii), 3(a), or 5(a), shall take such action respecting management policies, regulations, contracts, plans, affecting such lands, following the date of enactment of this sentence, as may be necessary to protect such rivers in accordance with the purposes of this Act. Such Secretary or other department or agency head shall, where appropriate, enter into written cooperative agreements with the appropriate State or local official for the planning, administration, and management of Federal lands which are within the boundaries of any rivers for which approval has been granted under section 2(a) (ii)."

MISCELLANEOUS TECHNICAL AMENDMENTS

SEC. 763. (a) Section 3(b) of the Wild and Scenic Rivers Act is amended by inserting after "one year from the date of this Act" the following: "(except where a different date is provided in subsection (a))".

(b) Section 6(g) (3) of such Act is amended by inserting after "January 1, 1967," the following "(except where a different date is specifically provided by law with respect to any particular river)".

(c) Section 16(b) of such Act is deleted in its entirety, and section 16(a) is renumbered as section 16.

LEASE OF FEDERAL LANDS

SEC. 764. The Wild and Scenic Rivers Act is amended by adding the following new section after section 14:

"SEC. 14A. (a) Where appropriate in the discretion of the Secretary, he may lease federally owned land (or any interest therein) which is within the boundaries of any component of the National Wild and Scenic Rivers Sys-

tem and which has been acquired by the Secretary under this Act. Such lease shall be subject to such restrictive covenants as may be necessary to carry out the purposes of this Act.

"(b) Any land to be leased by the Secretary under this section shall be offered first for such lease to the person who owned such land immediately before its acquisition by the United States.".

* * * * * * *

Approved November 10, 1978.

6. Wilderness 94th Congress Omnibus

An Act to designate certain lands within units of the National Park System as wilderness; to revise the boundaries of certain of those units; and for other purposes. (90 Stat. 2692) (P.L. 94-567)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in accordance with section 3(c) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132(c), the following lands are hereby designated as wilderness, and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act:

(a) Bandelier National Monument, New Mexico, wilderness comprising twenty-three thousand two hundred and sixty-seven acres, depicted on a map entitled "Wilderness Plan, Bandelier National Monument, New Mexico", numbered 315-20,014-B and dated May 1976, to be known as the Bandelier Wilderness.

(b) Black Canyon of the Gunnison National Monument, Colorado, wilderness comprising eleven thousand one hundred and eighty acres, depicted on a map entitled "Wilderness Plan, Black Canyon of the Gunnison National Monument, Colorado", numbered 144-20,017 and dated May 1973, to be known as the Black Canyon of the Gunnison Wilderness.

(c) Chiricahua National Monument, Arizona, wilderness comprising nine thousand four hundred and forty acres, and potential wilderness additions comprising two acres, depicted on a map entitled "Wilderness Plan, Chiricahua National Monument, Arizona", numbered 145-20,007-A and dated September 1973, to be known as the Chiricahua National Monument Wilderness.

(d) Great Sand Dunes National Monument, Colorado, wilderness comprising thirty-three thousand four hundred and fifty acres, and potential wilderness additions comprising six hundred and seventy acres, depicted on a map entitled "Wilderness Plan, Great Sand Dunes National Monument, Colorado", numbered 140-20,006-C and dated February 1976, to be known as the Great Sand Dunes Wilderness.

(e) Haleakala National Park, Hawaii, wilderness comprising nineteen thousand two hundred and seventy acres, and potential wilderness additions comprising five thousand five hundred acres, depicted on a map entitled "Wilderness Plan, Haleakala National Park, Hawaii", numbered 162-20,006-A and dated July 1972, to be known as the Haleakala Wilderness.

(f) Isle Royale National Park, Michigan, wilderness comprising one hundred and thirty-one thousand eight hundred and eighty acres, and potential wilderness additions comprising two hundred and thirty-one acres, depicted on a map entitled "Wilderness Plan, Isle Royale

National Park, Michigan", numbered 139–20,004 and dated December 1974, to be known as the Isle Royale Wilderness.

(g) Joshua Tree National Monument, California, wilderness comprising four hundred and twenty-nine thousand six hundred and ninety acres, and potential wilderness additions comprising thirty-seven thousand five hundred and fifty acres, depicted on a map entitled "Wilderness Plan, Joshua Tree National Monument, California", numbered 156–20,003–D and dated May 1976, to be known as the Joshua Tree Wilderness.

(h) Mesa Verde National Park, Colorado, wilderness comprising eight thousand one hundred acres, depicted on a map entitled "Wilderness Plan, Mesa Verde National Park, Colorado", numbered 307–20,007–A and dated September 1972, to be known as the Mesa Verde Wilderness.

(i) Pinnacles National Monument, California, wilderness comprising twelve thousand nine hundred and fifty-two acres, and potential wilderness additions comprising nine hundred and ninety acres, depicted on a map entitled "Wilderness Plan, Pinnacles National Monument, California", numbered 114–20,010–D and dated September 1975, to be known as the Pinnacles Wilderness.

(j) Saguaro National Monument, Arizona, wilderness comprising seventy-one thousand four hundred acres, depicted on a map entitled "Wilderness Plan, Saguaro National Monument, Arizona", numbered 151–20,003–D and dated May 1976, to be known as the Saguaro Wilderness.

(k) Point Reyes National Seashore, California, wilderness comprising twenty-five thousand three hundred and seventy acres, and potential wilderness additions comprising eight thousand and three acres, depicted on a map entitled "Wilderness Plan, Point Reyes National Seashore", numbered 612–90,000–B and dated September 1976, to be known as the Point Reyes Wilderness.

(l) Badlands National Monument, South Dakota, wilderness comprising sixty-four thousand two hundred and fifty acres, depicted on a map entitled "Wilderness Plan, Badlands National Monument, South Dakota", numbered 137–29,010–B and dated May 1976, to be known as the Badlands Wilderness.

(m) Shenandoah National Park, Virginia, wilderness comprising seventy-nine thousand and nineteen acres, and potential wilderness additions comprising five hundred and sixty acres, depicted on a map entitled "Wilderness Plan, Shenandoah National Park, Virginia", numbered 134–90,001 and dated June 1975, to be known as the Shenandoah Wilderness.

SEC. 2. A map and description of the boundaries of the areas designated in this Act shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior,

and in the office of the Superintendent of each area designated in the Act. As soon as practicable after this Act takes effect, maps of the wilderness areas and descriptions of their boundaries shall be filed with the Interior and Insular Affairs Committees of the United States Senate and House of Representatives, and such maps and descriptions shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in such maps and descriptions may be made.

SEC. 3. All lands which represent potential wilderness additions, upon publication in the Federal Register of a notice by the Secretary of the Interior that all uses thereon prohibited by the Wilderness Act have ceased, shall thereby be designated wilderness.

SEC. 4. The boundaries of the following areas are hereby revised, and those lands depicted on the respective maps as wilderness or as potential wilderness addition are hereby so designated at such time and in such manner as provided for by this Act:

(a) Isle Royale National Park, Michigan:

The Act of March 6, 1942 (56 Stat. 138; 16 U.S.C. 408e–408h), as amended, is further amended as follows:

(1) Insert the letter "(a)" before the second paragraph of the first section, redesignate subparagraphs (a), (b), and (c) of that paragraph as "(1)", "(2)", "(3)", respectively, and add to that section the following new paragraph:

"(b) Gull Islands, containing approximately six acres, located in section 19, township 68 north, range 31 west, in Keweenaw County, Michigan.".

(2) Amend section 3 to read as follows:

"SEC. 3. The boundaries of the Isle Royale National Park are hereby extended to include any submerged lands within the territorial jurisdiction of the United States within four and one-half miles of the shoreline of Isle Royale and the surrounding islands, including Passage Island and the Gull Islands, and the Secretary of the Interior is hereby authorized, in his discretion, to acquire title by donation to any such lands not now owned by the United States, the title to be satisfactory to him".

(b) Pinnacles National Monument, California:

(1) The boundary is hereby revised by adding the following described lands, totaling approximately one thousand seven hundred and seventeen and nine-tenths acres:

(a) Mount Diablo meridian, township 17 south, range 7 east: Section 1, east half east half, southwest quarter northeast quarter, and northwest quarter southeast quarter; section 12, east half northeast quarter, and northeast quarter southeast quarter; section 13, east half northeast quarter and northeast quarter southeast quarter.

(b) Township 16 south, range 7 east: Section 32, east half.

(c) Township 17 south, range 7 east: Section 4, west half; section 5, east half.

(d) Township 17 south, range 7 east: Section 6, southwest quarter southwest quarter; section 7, northwest quarter north half southwest quarter.

(2) The Secretary of the Interior may make minor revisions in the monument boundary from time to time by publication in the Federal Register of a map or other boundary description, but the total area within the monument may not exceed sixteen thousand five hundred acres: *Provided, however,* That lands designated as wilderness pursuant to this Act may not be excluded from the monument. 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.

(3) In order to effectuate the purposes of this subsection, the Secretary of the Interior is authorized to acquire by donation, purchase, transfer from any other Federal agency or exchange, lands and interests therein within the area hereafter encompassed by the monument boundary, except that property owned by the State of California or any political subdivision thereof may be acquired only by donation.

(4) There are authorized to be appropriated, in addition to such sums as may heretofore have been appropriated, not to exceed $955,000 for the acquisition of lands or interests in lands authorized by this subsection. No funds authorized to be appropriated pursuant to this Act shall be available prior to October 1, 1977.

SEC. 5. (a) The Secretary of Agriculture shall, within two years after the date of enactment of this Act, review, as to its suitability or nonsuitability for preservation as wilderness, the area comprising approximately sixty-two thousand nine hundred and thirty acres located in the Coronado National Forest adjacent to Saguaro National Monument, Arizona, and identified on the map referred to in section 1(j) of this Act as the "Rincon Wilderness Study Area," and shall report his findings to the President. The Secretary of Agriculture shall conduct his review in accordance with the provisions of subsections 3(b) and 3(d) of the Wilderness Act, except that any reference in such subsections to areas in the national forests classified as "primitive" on the effective date of that Act shall be deemed to be a reference to the wilderness study area designated by this Act and except that the President shall advise the Congress of his recommendations with respect to this area within two years after the date of enactment of this Act.

(b) The Secretary of Agriculture shall give at least sixty days' advance public notice of any hearing or other public meeting relating to the review provided for by this section.

SEC. 6. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in

accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and, where appropriate, any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

SEC. 7. (a) Section 6(a) of the Act of September 13, 1962 (76 Stat. 538), as amended (16 U.S.C. 459c–6a) is amended by inserting "without impairment of its natural values, in a manner which provides for such recreational, educational, historic preservation, interpretation, and scientific research opportunities as are consistent with, based upon, and supportive of the maximum protection, restoration and preservation of the natural environment with the area" immediately after "shall be administered by the Secretary".

(b) Add the following new section 7 and redesignate the existing section 7 as section 8:

"SEC. 7. The Secretary shall designate the principal environmental education center within the Seashore as 'The Clem Miller Environmental Education Center,' in commemoration of the vision and leadership which the late Representative Clem Miller gave to the creation and protection of Point Reyes National Seashore.".

SEC. 8. Notwithstanding any other provision of law, any designation of the lands in the Shoshone National Forest, Wyoming, known as the Whiskey Mountain Area, comprising approximately six thousand four hundred and ninety-seven acres and depicted as the "Whiskey Mountain Area—Glacier Primitive Area" on a map entitled "Proposed Glacier Wilderness and Glacier Primitive Area", dated September 23, 1976, on file in the Office of the Chief, Forest Service, Department of Agriculture, shall be classified as a primitive area until the Secretary of Agriculture or his designee determines otherwise pursuant to classification procedures for national forest primitive areas. Provisions of any other Act designating the Fitzpatrick Wilderness in said Forest shall continue to be effective only for the approximately one hundred and ninety-one thousand one hundred and three acres depicted as the "Proposed Glacier Wilderness" on said map.

Approved October 20, 1976.

Legislative History:

House Report No. 94–1427 (Comm. on Interior and Insular Affairs).
Senate Report No. 94–1357 (Comm. on Interior and Insular Affairs).
Congressional Record, Vol. 122 (1976):
Sept. 22, considered and passed House.
Oct. 1, considered and passed Senate, amended; House agreed to Senate amendments.

National Park Service Laws, Supplement V
96th, 97th, and 98th Congresses
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National Park Service
U.S. Department of the Interior

Legislative and Congressional Affairs

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U.S. Department of the Interior

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National Park Service
U.S. Department of the Interior

Legislative and Congressional Affairs

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[Electronic copy. Signed original on file in Office of Policy]

DIRECTOR'S ORDER #76: LEGISLATIVE AND CONGRESSIONAL AFFAIRS

Approved: /s/ Fran P. Mainella
Director

Effective Date: March 11, 2005

Duration: This Director's Order will remain in effect until revised or terminated.

Special Directive 95-3, "Legislative Support Data Packages," is superseded and replaced by this Director's Order and Reference Manual 76 (RM-76).

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6. For Further Reference

1. PURPOSE AND BACKGROUND

The purpose of this Director's Order is to:

- Provide direction to National Park Service (NPS) personnel who interact with Members of Congress and congressional staff;
- Provide direction and guidance to NPS personnel involved in the development and implementation of legislation; and
- Ensure that NPS personnel fully understand and comply with laws and regulations governing permissible and impermissible public advocacy.

2. AUTHORITIES

The authority to issue this Director's Order is found in 16 USC 1 through 4 (the NPS Organic Act), and the delegations of authority contained in Part 245 of the Department of the Interior (DOI) Manual.

Part 461, "Legislative Coordination," of the DOI Manual (461 DM), in particular section 1.7, deals with the role of bureaus in assisting DOI's Office of Congressional and Legislative Affairs.

This Order is intended only to improve the internal management of the NPS and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

3. LEGISLATIVE AND CONGRESSIONAL AFFAIRS PROGRAM OBJECTIVES

The objectives of the NPS Legislative and Congressional Affairs Program are to:

- Engage Members of Congress and staff in the understanding of DOI/NPS policies and positions on legislation and other congressional matters;
- Develop and maintain cordial and effective working relations between NPS personnel, congressional leadership, other Members, and congressional staff;
- Provide effective coordination of the NPS legislative and congressional affairs program with DOI and the Office of Management and Budget (OMB), to ensure it reflects the priorities and goals of the Administration;
- Ensure accurate and timely responses to inquiries by Members of Congress;
- Provide accurate, competent testimony before Congress on issues of relevance to the NPS;
- Develop clear, legally sufficient language, in consultation with Congress, for proposed legislation that complies with DOI policy and meets the needs of the Service;
- Provide summaries of newly enacted legislation for DOI, the Directorate and the regions; and
- Assist program officials and regional and park staff in their dealings with Members of Congress and their staffs.

4. PROGRAM DESCRIPTIONS

In order to meet program objectives, the Office of Legislative and Congressional Affairs (OLCA) provides three main areas of service: (1) congressional liaison, (2) congressional correspondence and (3) legislation. In addition, OLCA assists in preparation of congressional testimony, legislative activation, and maintaining legislative history.

4.1 Congressional Liaison

It is the policy of the NPS to develop and maintain a constructive dialogue with Members of Congress and congressional staff. Superintendents and senior regional and Washington office

(WASO) employees are encouraged to meet with Members and their staffs on a recurring basis to inform them of significant projects, current issues, or other matters of concern to the Members or the Service.

OLCA will designate a staff member as the Congressional Liaison, who will assist park, regional office and WASO staff in scheduling meetings in Members' Washington offices. Meetings held in congressional district offices, parks, or other locations may be arranged by park staff. In order to maintain good working relationships with Members of Congress, the Congressional Liaison should be provided advance notification of meetings.

In those instances when the Congressional Liaison was not involved in arranging a meeting with Members of Congress or their staffs, a summary of the meeting will be sent to the Assistant Director of OLCA (Assistant Director), with a copy to the Congressional Liaison. The summary may be brief, but should provide basic information on topics discussed and any concerns of the congressional office.

In addition, the Congressional Liaison will work with regional legislative representatives to provide opportunities for informative congressional visits to park sites. The Congressional Liaison will also provide notification to Members of Congress about major grants, the appointment of commission members and new superintendents, major regulatory decisions, and other important notices about parks and programs. Regional and program offices, and parks will keep the Congressional Liaison informed about anticipated announcements in these areas.

The Congressional Liaison will work with the Assistant Director to ensure that the Directorate and appropriate officials within DOI are aware of all key liaison activities.

4.2 Congressional Correspondence

OLCA must review, prior to sending, all correspondence with Members of Congress that is to be signed by Associate Directors and Program Chiefs, the Deputy Directors, the Director, the Assistant Secretary for Fish and Wildlife and Parks (Assistant Secretary), or the Secretary of the Interior (Secretary). OLCA must also review congressional correspondence to be signed by regional directors or superintendents that involves substantive policy or controversial issues. OLCA will ensure that the Directorate, the Office of Policy, and DOI, when appropriate, are advised of congressional correspondence involving substantive policy or controversial issues.

In order to maintain good relationships with Congress, OLCA should be sent a courtesy copy of any congressional correspondence that did not require prior review.

Congressional correspondence must follow the style, formatting, and subsequent requirements identified in the WASO Correspondence Manual, Director's Order #5: Paper and Electronic Communications, and Director's Order #19: Records Management, and their accompanying materials.[1]

[1] These documents are available on the Office of Policy webpage, at http://www.nps.gov/policy/

Most correspondence from Congress is considered controlled correspondence, and is assigned a tracking number by the Washington Administrative Program Center. Response dates and criteria identified on the controlled correspondence cover sheet must be adhered to.

Facsimiles and electronic mail may be used to communicate with Congress only when requested by a Member's office, but all requirements of this section will apply.

4.3 Legislation

Developing draft legislation and working with Congress to modify proposed legislation are critical responsibilities of OLCA, coordinated by the Assistant Director and Deputy Assistant Director, OLCA, and carried out by the staff's legislative specialists. These tasks have a direct impact on the NPS's ability to accomplish its mission.

Draft Legislation. Draft legislation may be initiated in a number of ways:

- A Member of Congress may request OLCA to prepare draft legislation to accomplish specific goals. Draft legislation created in response to this type of congressional request is prepared by the legislative specialists in consultation with the regional legislative representative and the park and/or program office. The draft legislation is submitted to the requesting Member, with a letter stating that the draft legislation is being forwarded without any substantive review or recommendation from the NPS, DOI, or OMB.

- The NPS may prepare draft legislation as part of the Administration's legislative program.

- A Member of Congress may introduce legislation that affects the NPS with little or no participation from the NPS.

Every two years, in August preceding a new Congress, OLCA will initiate a request for legislative proposals in preparation of the Administration's legislative program. Each regional and program office must prioritize its proposals and forward them to OLCA by the deadline. The regional and program office proposals will be reviewed by OLCA in consultation with the submitting offices. All recommended legislative proposals will be drafted by OLCA, in consultation with the appropriate regional, park or program offices, and forwarded for approval to the Director, the Assistant Secretary, the Secretary, and OMB. Approved proposals will be transmitted to the Congress. Additional legislative proposals that are identified during the course of a Congress by a park, regional, or program office may be submitted to OLCA at any time.

Legislative Support Data Packages. Parks, via the regional office, and program offices must submit a completed Legislative Support Data Package (LSDP) to OLCA for each legislative proposal recommended as part of the Administration's legislative program, as outlined in the Legislative Support Data Package Guidance (part of RM-76).[2] Information provided should be concise and relevant, as this will be the primary data source used by OLCA when representing

[2] As stated in section 6, the Legislative Support Data Package Guidance can be found on the web at <http://www.nps.gov/policy/DOrders/LSDP.pdf>.

the position of the NPS concerning the legislation. *No legislative proposal will be forwarded for approval without an LSDP*.

Coordination. All legislation affecting the NPS, whether initiated by a Member of Congress or the NPS, will be coordinated through OLCA, with the exception of appropriations legislation. The responsibility for managing legislation concerning appropriations is delegated to the Office of the Comptroller. All regional, park and program offices affected by proposed legislation are required to fully participate in the legislative process and to provide the support and information necessary to effectively advance the position of the NPS during the legislative process. The legislative specialists will serve as the primary points of contact for the regional offices, parks, and program offices on all legislation.

Amending Legislation. Modification of legislation may occur throughout the legislative process. DOI may seek amendments to legislation to conform to Administration policy and the interests of the NPS. The legislative specialists will ensure that appropriate amendment language is prepared to further the position of DOI, and will incorporate these proposals in written testimony, letters and in discussions with congressional staff, as appropriate. These amendments are frequently completed under extreme time constraints, which may limit the degree of participation by interested NPS employees. Unless precluded by time constraints, the legislative specialists will consult with the regional legislative representatives, park and program office staff on any amendments.

4.4 Congressional Testimony

Testimony before congressional committees is typically presented during hearings on proposed legislation, or during oversight hearings concerning specific NPS program areas. Hearings are normally scheduled two to four weeks in advance. Written testimony is usually provided to the committee 48 hours in advance of the hearing. Oral testimony is normally limited in time and often constitutes a very small portion of the written testimony.

Preparation. In the case of bills affecting the NPS, the affected park or program office will draft written testimony in coordination with the regional legislative representative or program manager, respectively. After obtaining appropriate regional or program office approval, the regional legislative representative or program manager will forward the testimony to the appropriate legislative specialist in OLCA. Any amendments being proposed will be included, when appropriate, in the draft testimony.

All written testimony must be coordinated through OLCA to ensure it is consistent with the laws and policies governing the National Park Service and that it receives appropriate review and approval by the Director or Deputy Director, the Assistant Secretary, and by the Secretary. Testimony must also be approved by OMB to ensure it is consistent with Administration policy. This approval process takes a considerable amount of time and effort, requiring all participants to give an extremely high priority to testimony preparation, which often must be written in one day.

Witnesses. Witnesses for congressional hearings are selected at the discretion of the Secretary after reviewing the recommendations of the NPS. OLCA will coordinate with the NPS

Directorate and the Secretary on an appropriate hearing witness. The preferred level of representation is as follows:

- Secretary – Presidential or Secretarial initiatives;
- Assistant Secretary – Presidential or Secretarial initiatives;
- Director or Deputy Directors – Major NPS legislative initiatives having a Service-wide impact or that involve significant NPS policy or program activities;
- Associate Director – Legislation affecting a program under the associate's jurisdiction, or when a majority of the bills for a specific hearing fall under the associate's jurisdiction;
- Regional Director – All field hearings and hearings on significant park-specific issues; and
- Superintendents – All hearings, Washington or field, involving a specific park, or as a technical witness to accompany the principal policy witness.

Pending final approval of written testimony, the legislative specialists in OLCA will brief the NPS witness concerning the issues likely to be discussed at the hearing. The briefing is an important component of hearing preparation. Regional legislative representatives as well as park or program office experts will participate in these briefings as needed. The regional, park, and program offices also will offer to provide backup technical witnesses to assist at the hearings subject to the concurrence of the Department's witness and the approval of the committee holding the hearing.

Oral testimony and subsequent questions and answers will be given in a professional manner and must be factual in nature. Oral testimony will be a summary of the most salient points of the written testimony. Oral testimony will reflect the official view of the NPS and DOI. When an NPS employee providing testimony is asked by a Member of Congress to provide the official view of the NPS or DOI on an issue as to which the employee is not certain of the correct answer, the employee will defer from immediately answering the question and will instead refer it to OLCA (if it relates to a legislative matter), or to the Office of the Comptroller (if it relates to an appropriations matter). OLCA and the Office of the Comptroller are each responsible for responding to questions concerning their program areas.

Personal Views. Whenever an NPS employee is requested by a Member of Congress to state his/her personal view on a legislative matter, he/she may do so. He/she will indicate clearly, however, that the views expressed are his/her own and do not necessarily reflect the position or policy of the NPS or DOI. To avoid misinterpretation of the NPS or DOI position or policy, and to provide an opportunity for necessary clarification of any issue, the employee will prepare a summary report as required in section 4.1 of this Order.

Transcripts. It is the responsibility of OLCA to obtain copies of transcripts of NPS employee testimony, when available, from congressional committees, to ensure Members' questions are promptly and accurately answered. The legislative specialists will review hearing transcripts to ensure they are factual and accurate.

4.5 Legislative Activation

After legislation concerning the NPS has become law, the Service has a legal duty to implement it. OLCA will track all such legislation, and upon enactment will draft a memorandum for the Director's signature. The memorandum, with supporting background material, will notify the Directorate and the regional directors of their responsibilities in implementing the legislation.

Similarly, OLCA will provide the Director with copies of any Presidential proclamations affecting the Service, and will draft an activation memorandum, with appropriate background information, for the Director's signature. OLCA will also provide the Director and other appropriate park or program offices with copies of any Executive orders affecting the NPS.

4.6 Legislative History

Employees at all levels may have a need to review legislation and the legislative history of particular parks or programs. Each park, regional office, and program office is responsible for maintaining these records. OLCA can provide additional support to parks and program offices if the legislative history cannot be located, or if additional information is needed.

5. RESPONSIBILITIES AND DELEGATIONS

5.1 All Employees

5.1.1 *Communications with the Congress*. In order to represent the views of the Service, official communications with Members of Congress and congressional staff should be conducted by employees with knowledge of the facts of a given situation and the potential policy implications. These communications should be conducted under the guidelines set forth in section 4.1.

NPS employees have the right to express their personal views to Members of Congress and congressional staff. See, 5 USC 7211. Each employee who exercises that right, however, has the obligation to clearly indicate that the views are his/her own and do not necessarily reflect the position or policy of the NPS or DOI.

5.1.2 *Prohibited Lobbying Activities*. All employees are required to comply with the provisions of law relating to lobbying or influencing Members of Congress, or any state or local officials. These laws prohibit the use of any Federal appropriation (which includes employee salaries, equipment, supplies, utilities, etc.) for any type of activity intended to promote public support or opposition to any legislative proposal, law, ratification, policy, or appropriation, or to influence a Member of Congress, a jurisdiction, or an official of any government in any of these matters. See, e.g., 18 USC 1913.

Employees are permitted to reply to requests for information from the public, Members of Congress, or officials of any government or jurisdiction. Employees are also permitted to inform Members of Congress, or officials of any government or jurisdiction, about official policy positions when replying through official channels. Any responsive communications should be

conducted under the guidelines set forth in section 4.1. See, "Guidelines on Prohibited Lobbying Activities" issued by the DOI Ethics Office.

In order to gain clearer understanding of rules regarding lobbying or influencing Members of Congress, or officials of any government or jurisdiction, employees are strongly encouraged to review releases from the DOI Ethics Office (see section 6 below) and to speak with the appropriate ethics officer or OLCA.

5.2 WASO Directorate

The Director, Deputy Directors and Associate Directors have the responsibility to:

- Determine NPS legislative needs;
- Develop overall legislative priorities;
- Review and approve draft legislation and testimony; and
- Select appropriate witnesses.

5.3 Office of Legislative and Congressional Affairs

OLCA is responsible for and has been delegated the authority to:

- Inform and update the Directorate and DOI's Office of Congressional and Legislative Affairs regarding pending legislative and congressional issues;
- Finalize testimony and proposed legislation, in coordination with affected parks and program offices, with DOI and OMB approval;
- Prepare background information and brief employees who will testify before the Congress;
- Review correspondence going to the Washington offices of congressional members or committees, and review all congressional correspondence concerning substantive policy or controversial issues;
- Track legislation affecting the Service, work with Members of Congress and congressional staff and other interested parties to refine legislation as needed, and provide regular reports to the Directorate, regional directors, and DOI officials;
- Develop activation memoranda which, along with a copy of the legislation and supporting background material, will be forwarded to the Director, and upon signing, will be distributed to the appropriate regional or program office;
- Respond to congressional inquiries;
- Arrange meetings between NPS employees and Members of Congress and congressional staff; and
- Promulgate, and review and revise as necessary, RM-76 (to include LSDP Guidance).

5.4 Regional Directors

Regional directors are responsible for and have been delegated the authority to:

- Determine their regions' legislative needs;
- Ensure their managers and superintendents are conversant with this Director's Order;

- Develop overall legislative priorities and submit LSDPs for their regions;
- Provide liaison support between the parks and OLCA, usually through the assignment of a legislative representative;
- Provide draft testimony, background material, maps, and other requested information, to OLCA; and
- Maintain, in the regions and the parks, administrative and legislative histories of all park units and programs relevant to the regions.

6. FOR FURTHER REFERENCE

- OLCA
  <http://www.nps.gov/legal>

- Legislative Support Data Package Guidance
  <http://www.nps.gov/policy/DOrders/LSDP.pdf>

- Director's Order #5: Paper and Electronic Communications
  <http://www.nps.gov/policy/DOrders/DOrder5.html>

- Director's Order #19: Records Management
  <http://www.nps.gov/policy/DOrders/DOrder19.html>

- 461 DM
  <http://elips.doi.gov/app_dm/index.cfm?fuseaction=home>

- WASO Correspondence Manual
  <http://www.nps.gov/policy/DOrders/wocm.pdf>

- DOI Ethics "Lobbying"
  <http://www.doi.gov/ethics/lobby>

-----End of Director's Order-----

National Park Service
U.S. Department of the Interior

Legislative and Congressional Affairs

PARKS BY CONGRESSIONAL DISTRICTS

Listed By State | By Park

By State Alabama

Alabama

Senators Jeff Sessions (R) Richard Shelby (R)

District	Representative	Parks
1st	Jo Bonner (R)	None
2nd	Martha Roby (R)	None
3rd	Mike Rogers (R)	Horseshoe Bend National Military Park Tuskegee Airmen National Historic Site Tuskegee Institute National Historic Site
4th	Robert Alderholt (R)	Little River Canyon National Preserve
5th	Mo Brooks (R)	Natchez Trace National Scenic Trail Natchez Trace Parkway Russell Cave National Monument
7th	Terri Sewell (D)	None
6th	Spencer Bachus (R)	Cane River National Heritage Area